disregarded. It is suggested, however, as a mere probability. We do not know nor care what the purpose of the State may have been. But one thing we do know—and that is enough—that the board of directors had no right to substitute their will for the plain requirements of the law. If the fair interests of the stockholders—if the accommodation of the neighboring people—if a due regard for the commerce of the whole country—if a magnanimous liberality to the citizens of adjoining States—if these considerations, or any one of them, required an amendment of the charter, the managers should have asked the proper authority of the government to make it. Assuredly there is no legislative body on the face of the earth to whom such an appeal, if well grounded, could be made with more certainty of success, than to the General Assembly of this State.

II. The right of the supreme legislative power to authorise the building of a railroad on a street or other public highway, is not now to be doubted. It has been settled not only in England, (1 Bam. & Ad., 30) but in Massachusetts, (23 Pick. 328) New York, (7 Barb, 509) and in Pennsylvania (6 Wharton, 43). If such conversion of a public street to purposes for which it was not originally designed, does operate severely upon a portion of the people, the injury must be born for the sake of the far greater good which results to the public from the cheap, easy and rapid conveyance of persons and property by railway. The commerce of a nation must not be stopped or impeded for the convenience of a neighborhood. But we can say this only in cases where the authority has been given by the sovereign power of the State. That any private individual or incorporated company, not empowered to do so by an act of the legislature, can take possession of a street and make a railroad upon it without being guilty of a criminal offence, is a proposition which I am sure no lawyer would dream of making. The right of a company, therefore, to build a railroad on the street of a city, depends, like the lawfulness of all its other acts, upon the terms of its charter. Of course, when the power is given in express words, there can be no dispute about it. It may also be given by implication; for instance, if a company be authorised to make a railroad, by a straight line, between two designated points, this implies the right to run upon, along, or across, all the streets or roads which lie in the course of such line. So also when an act of incorporation directs a road to be made between certain termini, by much more is the greatness of the privilege shall think best, it may be located on an intervening street or other common highway, if in the judgment of the directors it be necessary or expedient to do so. But when an act of incorporation authorises the making of a railroad which it is not possible to make without using the streets of a town for part of it, still such streets can not be so used if the same act of incorporation forbids it. If the powers given to the corporators cannot be executed without disregarding the restrictions with which they are coupled, they cannot be executed at all. In a private deed, an exception as large as the grant, is void because private deeds are construed most strongly against the grantor. But a grant of privileges by the State, to a body of adventurers, must be construed precisely the other way—in favor of the public and against the grantees. A prohibition, exception or reservation in a charter, must therefore stand in full force, though it destroy or make nugatory all the powers given to the company.

The act of incorporation, now before us, contains the following very emphatic clause: "The said railroad shall be so constructed *as not to obstruct or impede the free use* of any public *road, street, lane or bridge*, now laid out, opened or built, or to interfere with any burial ground, dwelling house or building without the consent of the owner." It would certainly strike most men upon the first look, that a railroad company with such a provision in its charter, is on dangerous ground when it takes possession of a street. It is not at all easy to understand how the people of a city can have the use of a street free from obstructions and impediments, when the street is of ordinary width, and has two railroad tracks upon it, along which locomotive engines, with trains of cars, are running every five minutes of the day. Nor is it by any means impossible, that in this case the legislature intended to exclude the company altogether from the streets, even at the risk of having no railroad made; for the desire to preserve to the people of Erie and its neighborhood, the free use of their streets and roads, may have been stronger than the wish to establish a railway communication for them with New York.

An obstruction is any thing *set in the way*, whether it totally closes the passage or only hinders and retards progress. A road may be obstructed more or less. The word impediment is almost synonymous with obstruction, except that it is seldom, if ever, used to signify an entire blocking up of the way. It is an obstacle—not an impassable barrier. To understand these words in their ordinary import, and then say that a railroad is not *per se* an obstruction or impediment to the free use of a street by the public, is rather more than I can do. But perhaps it is not quite safe to interpret them according to their popular sense. Certain it is that they have sometimes been otherwise used in acts of Assembly. A law of Massachusetts provides, that "if any railroad shalt be so laid out as to cross any turnpike or other way, it shall be so made as not to *obstruct* such turnpike or way." It was decided (23 Pick., 226,) that this did not prevent all interference with the road, but required only that it should cause the least possible inconvenience or impediment. By a statute of this State, enacted in 1803, the owners of lands adjoining navigable streams were permitted to build dams, provided that such dams should "not *obstruct or impede* the navigation of such streams, or prevent the fish from passing up the same." This Court (4 Watts, 440,) declared, that if these words were taken literally, the owners could not avail themselves of the privilege at all; but as this construction would have been contrary to the grant itself, a more liberal one was adopted, and a dam which did not *materially* hinder the navigation was held not to be within the prohibition. Although the reasoning of these cases does not altogether fit the one before us, they are entitled to much weight. They are decisive, indeed, of one thing, which is important, namely: that the words in question may sometimes have a legal signification different from that which we would otherwise have been disposed to assign them. For the sake of consistency, we must follow in the steps of those who went before us, though it be true that the track is not very clearly marked.

Let it then be conceded as a possible thing, that a railroad can be so constructed on a public street that it will not be an obstruction to its free use—that such railroad is not in any sense a nuisance *per se*—that a street may be occupied in common by a railroad and the public without any such inconvenience to the latter as will amount to an impediment, or abridge the freedom of its use for ordinary purposes—still it is not true (as the converse of the argument would make it) that the street is unobstructed as long as travel upon it is not entirely prevented. If it be proved that a man may squeeze himself along beside the track, or dodge across at the peril of his life, it does not follow that the use of the street is free, unobstructed, and unimpeded. We hold, therefore, that under a charter like this, a railroad cannot be built on a street in such a manner as to cause any *material* obstruction. If we assume, as we do, that the clause under consideration does not entirely forbid the company from going on any street, we must also allow them to create such impediments as cannot be avoided. But those which are not absolutely *necessary* to the making and using of the railroad, are unlawful; for managers are bound to leave the street as nearly free from obstructions as they can, and for that purpose to spare no reasonable expenditure of money or labor. If, for instance, the railroad be made above the level of the street, they must grade the rest of the street also, if that will make it better for the public accommodation. They cannot say to the city authorities: We have destroyed your street, and rendered it impassable; but we have not impeded its free use, because you can restore it again to a tolerable condition, at your own expense. Neither does it make any difference whether it be a main thoroughfare or an unimportant by-street, for this act of incorporation protects all alike.

We have attentively considered the bill, answer, and evidence in the cause, and they satisfy us of the following facts: (1.) A considerable portion of one street within the present limits of Erie city is occupied almost entirely by the railroad in a manner which makes any considerable use of it for other purposes almost impossible; and this is true, although the defendants themselves say that the street might be safely and conveniently used if it were properly graded—a duty which they left unperformed. (2.) Two streets are crossed by the railroad on bridges, which are too low and too narrow for the large wagons passing one another, or for a single wagon with a bulky load. (3.) Two other streets are crossed on an embankment, considerably above grade, with a ditch on each side, and thus all passage along those streets, by any kind of vehicle, is as completely stopped as it could be by a stone wall twenty feet high. All these things are illegal, for the reasons given. That some of these streets are on low, wet ground, and little used, might be a sort of apology for the defendants, if we were sitting here to take excuses for the violation of the law. But that is no part of our duty.

A large part of the evidence refers to the danger encountered by persons obliged to cross the railroad when trains were approaching, and the delay and inconvenience caused by cars, which totally blocked up the crossing places. If the defendants have a right to make the road on a street, they have also the right to use it when made. They may carry all the freight and passengers they can get. If the number of cars and locomotives necessary to do their business be so great as sometimes to choke the thoroughfares over which they pass, it must be remembered, that the same thing would happen in a much greater degree, if the twentieth part of the business were done in carriages, coaches and common road wagons. If the cars are suffered to stand for an unnecessary length of time, at places inconvenient to the public, the act is indictable as a nuisance, and for any want of proper care, the defendants are liable in damages to the persons injured by it. But it cannot be said that they have violated their charter in causing obstructions of this kind, unless such obstructions could have been prevented or diminished by a different construction of the road.

Under other circumstances, the voluminous body of evidence laid before us might require a much more extended discussion. But we are content with the compendious reference we have made to it, because every inch of this railroad which lies upon any street of the city is unlawful, at all events. If the defendants had begun their railroad at the place designated in their act of incorporation, they would not have interfered with any of the streets mentioned in the bill, except Ash Lane, and that would have been crossed at a different place. When a railroad authorised to be made at one place is made at another, it is a mere nuisance on every highway it touches in its illegal course. The streets in question, not being on any route which the defendants were authorised to take, they are on them in disobedience of their charter, and all they have done there is without the shadow of authority. It is useless, therefore, to enquire how much of the inconvenience complained of might have been avoided by a better construction. It is enough to say that the railroad has no business at all to be where it is.

It appears that the city authorities gave their consent to the use of the streets, and to the location of the railroad on the ground which it now occupies. This privilege was given "so far as the Mayor and Councils have legal power in the premises," upon condition that the railroad should cause the least possible obstruction to the ordinary travel and business of the streets, and with a reservation of the right to withdraw the privilege whenever it should appear to the Councils to be injurious to the interest and welfare of the city. The condition was broken, and the privilege was revoked. But if the resolution of the Councils had remained in full force up to this time, it would have been of no avail here. They had no "legal power in the premises." An act of the legislature cannot be repealed or modified by the ordinance of a city corporation. What the defendants did in disregard of the law was no less an offence against the rights of the public, because the city was in some sort *particeps criminis*. If both had persisted in it, the Commonwealth's duty would have required her to see that the rights of her citizens were vindicated against both.

III. It is alleged and proved, and not denied, that the railroad has been laid down on and along a public road, called the Buffalo road, in such a way, that for some distance it cannot be, and is not used by the public at all, but on the contrary, that portion of the people who would otherwise travel thereon are obliged to take another way, which the railroad company has opened for them. Of course, this is within the prohibition against obstructions and impediments to the free use of public highways. The answer to this charge is not based on any interpretation which the charter is thought to be capable of. Other grounds are taken. One defence is, that the railroad could not be made in a straight line without taking a part of the Buffalo road. We can only say, that if a railroad cannot be made straight without violating the law, it must be made crooked, or not made at all. Equally baseless (even if true) is the other argument, that the public has suffered no injury by this act. Those public interests which lie outside of the defendants' charter are not committed to their keeping. The legislature has thought proper to guard the right of the people to the free use of their own roads, by enjoining the defendants not to impede or obstruct them. This injunction it was wrong to disregard, even for the sake of a supposed public benefit. The people have rejected the boon which the company tendered them, and the State *parens patriæ* now demands for them the rights which are secured and reserved by her own laws.

IV. The charge that the defendants have, by contract, surrendered the control of their road to a foreign corporation, was but faintly pressed in the argument. We do not consider the contract illegal, and if our opinion were different we would withold it until all the parties could be brought before us.

This disposes of the principal allegations in the bill. But aside from these there are one or two matters suggested by the defendant's counsel, which ought not to be passed without a remark.

They have argued that no decree could be based on obstructions created by the use of the rail road because the bill of incorporation contemplates only against the road being so *constructed* as not to impede, &c. And the bill charges nothing else. Whatever impediments are caused by the ordinary and proper use of a railroad we attribute to its construction if such impediments could have been avoided by a different construction. The legislature said to the corporators, you may make a railroad between certain given points and use it when made, by running cars and steam engines on it; but you must so make it that its existence and use in this way will not impede the travelling on any highway now laid out. The railroad is so made that locomotives cannot be used on it, without impeding travel on a certain highway, previously laid out. Such a railroad is not constructed according to the law. If it were, the use would be proper enough.

The defendants' counsel have made another point which it is right to notice. It is said that though this proceeding is conducted in the name of the State, its real object is to redress a supposed injury, which is private or at most merely local in its character. We are urged to look not at the flag, but at the parties who fight under it. These parties—the public authorities of Erie and the people of the neighborhood—encouraged the defendants to expend large sums of money in building the railroad, and the attempt which they are now making to break it up, is denounced in the argument, as one of wanton caprice. The only party before us, is the Commonwealth. We do not even know the names of the other persons alluded to. The Commonwealth complains in due form, by her accredited legal representative, the Attorney General, that one of her corporations has violated its charter. We have investigated the case and found the complaint to be true. The delinquent corporation cannot justify itself by showing that in the commission of the wrong it received aid and comfort from other persons. If the Mayor and Councils of Erie or their constituents, conferred on the branch of City Fathers were guilty of a sin, for which their best excuse is that they seem to have repented of it, and are now disposed to assist the State in bringing the other offenders to the same wholesome state of mind. It cannot be that the defendants were *invited* by the people or their officers, for they must have known that a city ordinance could not authorise what an Act of the Legislature forbade. No laches can legally be imputed to the Commonwealth, and in point of fact, she has been guilty of no unfairness. She spoke her will plainly in the Act of Incorporation, and gave it to the defendants to be a guide to their feet and a lamp to their path. They disregard it. The Attorney General proves the fact, and stands up for judgment. We cannot refuse what law and equity demand.

DECREE.

This cause came on to be heard before the Supreme Court, on the bill of complaint, on the answer of the defendants, and on the proofs and evidence taken by both parties, and was argued by counsel; and thereupon it appears to this Court, that the defendants have built, and do now use and maintain a certain railroad known as the Erie and North-East Railroad, of which said railroad a part is within the present limits of the city of Erie, and upon certain streets thereof, and another part is upon the bed of a certain public road known as the Buffalo Road in Harbor Creek Township, Erie County; and that the said railroad in those parts thereof, is a public and common nuisance. It is, therefore,

Ordered, adjudged and *decreed*, that the defendants shall, on or before the expiration of four months from this date, break up so much of their said road as lies upon the said streets, and upon the Buffalo road, and remove the materials thereof, so as to leave the said streets and road in as good condition as they were in before the construction of said railroad.

And it is further declared and adjudged, that the said defendants are bound to make the borough of Erie with such limits as it had in 1842, the western terminus of their railroad. It is therefore decreed and ordered, that the said defendants shall, within four months from this date, change the route and construction of their railroad accordingly, and make their Western terminus at what was the eastern line of the said borough in 1842, or within the same borough. And the said defendants shall re-construct their railroad to supply the parts hereby ordered to be broken up, according to plans and specifications, to be by them made, and to be submitted to, and approved by this Court, on full notice to the counsel of the Commonwealth, and not otherwise. And the defendant shall pay all lawful costs, to be taxed by the Prothonotary.

BY LOWRIE, J.—I concur in nearly every part of the opinion read by my brother, the Chief Justice, and in the decree that is about to be pronounced, and it would have afforded me great pleasure to have had the concurrence of my brethren in pronouncing one more stringent in its requisitions.

The defendants were incorporated in 1842 to make a railroad from Erie to the State line on the east, and it is very plain that the sole thought that was in the mind of the Legislature, in incorporating it, was to provide a means of commercial connection between the harbor of Erie and the State of New York. It is very plain, also that this company has turned almost entirely aside from this purpose to one that was not at all intended, and, with the aid of that fraudulent concern, the Franklin Canal Company's road, they have carried out their own main purpose of forming a connection between Ohio and New York, and have converted the intended and proper terminus of their road into little better than a water station.

And in the course of their proceedings, they have shown very little regard to the public authorities of the State. Contrary to law, and in violation of the express orders of the road commissioners, they took possession of a part of the Buffalo or Ridge road, and used it according to their own will. And much of the same disregard of the public authorities has been exhibited in their relations with the public officers of the city of Erie. Though a mere private corporation, and operating for the purposes of gain, they seem to have assumed that the regular local authorities must stand aside for them, as if in the presence of their official superiors. I discover very little palliation for their errors, and should have been willing to allow them much less indulgence in the mode of retracing their steps.

I am sorry that my brethren think, that when an incorporated town or city is made the terminus of railroad, the company has, by implication, a right to carry their road to any point within the town or city, and along any of its streets that they may choose, and this without being at all subject to the direction or restraint of the local authorities. I should have been pleased to have the concurrence of my brethren in a contrary doctrine. It seems to me that this is giving to mere private corporations or associations a superiority thus far over those public functionaries to whom the interests of the public are intrusted, and this, too, by no necessary implication. It seems hard enough to have to make such an implication in relation to a town or city that lies between the termini.

Let it be called illiberal to break the connection between this road and the western one. This is a matter not for us, but for the Legislature to consider, and perhaps they have done so. It is not impossible that we may allow the cry of illiberality to drive us into a Quixotic and impracticable connection. State pride, State enterprise, patriotism is selfishness; but it is the very form of selfishness that is at the bottom of all national glory. I trust that it is not to be frittered away by the mere American feeling, which is always tending to obliterate the local and more effective feelings out of which our present liberties grow, and upon which they depend.

Daily Morning Post.

PITTSBURGH:

MONDAY MORNING:.....SEPTEMBER 11.

DEMOCRATIC TICKET.

FOR GOVERNOR,

WILLIAM BIGLER.

FOR JUSTICE OF THE SUPREME COURT,

JEREMIAH S. BLACK,

OF somerset county.

FOR CANAL COMMISSIONER,

HENRY S. MOTT,

OF erie county.

☞ We have no room for "leaders" to-day.

HON. AUGUSTUS C. DODGE, Senator from Iowa, who has been in our city some days, at the house of Capt. Jas. May, leaves this morning for the West. Mr. Dodge is one of young Iowa's most distinguished and able sons, and has yet, we believe, a high career of honor and usefulness to his country before him. Few men are more respected and esteemed at Washington, or endowed with more ability. He is a Democrat whom the Democracy will yet delight to honor.

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At His Old Dirty Work.

The editor of the *Gazette* delights in personal abuse, and, as usual, he has commenced the attack on the Democratic candidates by gross personalities. But such well known men in this community as Judge Shaler and Gen. Moorhead need no defence against the slanders of that paper. Many Whigs can be found who will say that the *Gazette's* assertions must have an endorsement before they will be credited.

THE HEATHEN IN ALABAMA.—A horribly atrocious murder was committed by the citizens of Mount Meigs, Alabama, a few days ago. A negro boy murdered in a brutal manner his master, Dr. McDonald, when a large number of planters assembled, and after a "thoroughly dispassionate" council, determined to burn him alive; which they carried into execution! The act of the ignorant slave was cruel enough; but the burning of him to death by people described to be men of "deliberation and intelligence," suggests a degree of malignant passion, revolting to every feeling of humanity. The Montgomery *Journal*, in which we find the proceedings, says the act was not only just, but necessary.

AN OLD ADAGE REVERSED.—However true the ancient saw, that "Faint heart never won fair lady," may be, its converse does not follow, as the case of Short and Peacock proved the other day. These two young men, having formed an affection for a Cincinnati belle determined to settle the matter with pistols and coffee. They met, and after the first fire an effort was made to reconcile them, but both parties rejected it. At the second fire Short fell, from a dangerous wound in the left shoulder. Now, witness the perversity of woman! When this lady love heard of the "affair" she determined *to cut them both!*

THE NEW YORK THEATRE.—This theatre, at which the late Mr. Brelsford was to be the leading actor, is erected on the site of Metropolitan Hall, New York, and is to be opened to morrow evening. It is said to be the most suberb theatre on this side of the Atlantic, and fully equal to any in Europe. There will be seats for something like four thousand persons, with standing room for something like two thousand more. The parquette alone will seat fourteen hundred persons, and is the largest of any theatre in the world. The stage has a frontage of ninety feet, and a depth of sixty.

COMING—GOOD.—A treaty has been concluded by which the Sandwich Islands are to be annexed to the United States. The King and all the members of his council except two, were in favor of it. *Good.* We hope the treaty is all right. What says Johnny Bull and Johnny Chappesu now? The *Gazette* and *Journal* should blaze away now on the subject of slavery. It is part of a design to extend slavery, *perhaps.* At any rate, our neighbor should say so, and stick to it. "A lie well stuck to is as good as the truth." Doubtful.

☞ The *American* has won the prize. It told more falsehoods about the Democratic Convention on Saturday than any other Whig paper. Its competitors tried hard, but the Nova Scotian came out ahead. Has the editor of the *American* joined the "Know Nothings?"

GOVERNOR BIGLER'S SPEECH.—We will publish to-morrow, a portion of Governor Bigler's speech at Montrose, on the 31st ult. He comes out in plain language on the Nebraska question, and speaks out his sentiments on all subjects without reserve. The crowded state of our columns prevent us from publishing it to-day.

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"The proportion of Roman Catholics to Protestants in the United States is but small in comparison, according to the census of 1850, of their respective number of churches, viz: Roman Catholic churches, 1,221; principal Protestant churches, viz: Methodists, 13,280; Baptists, 9,735; Presbyterians, 4,824; Congregational, 1,806; Reformed Dutch, 386; German Reformed, 388; Episcopalian, 1,459; Lutheran, 1,217; Christians, 658; Unitarian, 242; Universalists, 529; Quaker or Friends, 726; Moravians, 828. Total, 35,712 Protestant churches, besides a large number of minor sects, which are not included. The whole number of churches in the United States in 1850 was 38,061, of which more than 30,000 were Protestant places of worship.

WARLIKE PREPARATIONS AT PORT-AU-PRINCE.—Advices from Port-au-Prince to the 18th ult., announce that much excitement exists there in consequence of the Emperor having ordered all the fortifications to be repaired and strengthened, and all the shot, shell, powder and lead in the various forts and arsenals in and about the city to be removed for safety to the mountains. It was surmised that this movement was in consequence of the visit of the United States frigate Columbia, but some suppose it has something to do with the fact that the French frigate L'Orient had been sailing around the Island for the previous three weeks.

☞ **Dr. Morse's Invigorating Elixir and Cordial.**—Whence proceed the lassitude, the depression, the debility, the indifference to life, the instability, the continual feeling of illness which it is impossible to define or localize, so common, so hard to bear, and so little pitied by the robust and healthy? We answer—from the stomach and the nervous system, between which there exists the closest sympathy. Want of vital energy, sluggishness in the secretive organs, a general *inertia* of the system, is at the bottom of all the difficulty. To rouse the whole organization from the torpor, to imbue it with new life, activity and vigor, and to sustain it in that condition, there is no preparation comparable with DR. MORSE'S INVIGORATING ELIXIR OR CORDIAL. Other stimuli may excite the dormant physical energies for a time, but like the night-flash of the lightning that leaves behind it a deeper gloom, the exhibition of these exhilarants is followed, after the first excitement is over, by a depression of body and mind more profound and paralyzing than ever. The remedy is literally worse than the disease. But the Elixir has a dynamic influence. It not only creates a new condition of the physical organization, but perpetuates it. The animal spirits are not only cheered and elevated by its agency, but kept up to their new level without flagging. A regulable compound, congenial to the system. It seasts to act upon the constitution itself, and to revolutionize it. In chronic diseases of the nerves, the stomach, and the liver, its operation is all but miraculous.

The Cordial is put up, highly concentrated, in pint bottles. Price three dollars per bottle, two for five dollars, six for twelve dollars.

C. H. RING, Proprietor,
192 Broadway, New York.

Sold by Druggists throughout the United States, Canada, and the West Indies.

AGENTS.

FLEMING & BROS., No 50 Wood street, Pittsburgh.
DR. GEO. H. KEYSER, No. 140 Wood street, do
J. P. FLEMING, Allegheny City. sep24w

☞ **The Great French Remedies!!**—MBALLY'S ANTIDOTE AND LOTION.—Those persons who wish for a safe, speedy, and permanent cure, should use the above celebrated and unrivalled FRENCH PREPARATIONS. They have now been in use for five years—have been thoroughly tested in thousands of the most obstinate cases, and invariably have given satisfaction. They are not composed simply of balsam Copaiva, but are entirely different from all other preparations, both in the nature of their ingredients and the manner in which they operate upon the patient. Hence the wonderful success attending their use.

A gentleman connected with the Western Railroad says: "I have expended for other people during the last three years over $300, for remedies of this description, and have never found a single article that gave such universal satisfaction as your Antidote and Lotion does. I do not recollect of their ever failing to cure in a single instance. Many have been cured by the use of one bottle, two or three days."

Price, Antidote $1; Lotion 50 cents per bottle.

Invented by M. Bally, Physician to the Paris Hospitals, and prepared from the original recipes, and sold wholesale and retail by DUBOY & CO., Sole Proprietors for the United States and Canadas. Principal Depot, 458 Broadway, New York.

Sold in Pittsburgh, wholesale and retail, by FLEMING BROTHERS, (Successors to J. Kidd & Co.,) No. 60 Wood street. Wholesling—J. H. PATTERSON & CO., and by Druggists everywhere. je25

SPECIAL NOTICES.

AGENT

For Selling and Buying Patent Rights.

THE subscriber, having learned from his intercourse with Patentees, and with persons who were desirous to sell Patent Rights for Cities, Counties, States, &c., as well as with persons who wish to purchase such rights, that an agent to transact that kind of business was much needed here, has determined to devote his time and his abilities to the business of those who may desire to employ him.

Pledging himself to attend faithfully to all matters entrusted to him, he concludes by referring the public to the following testimonial of a few of the citizens of Pittsburgh, &c. MOSES F. EATON.

Pittsburgh, August 23, 1854.

Pittsburgh, August 17th, 1854.

The subscribers have long been acquainted with Mr. Moses F. Eaton, and have no hesitation in recommending him, to all who may wish to employ his services, as a gentleman of undoubted integrity and indefatigable industry, in whose exertions every reliance may be placed.

Neville B. Craig, W. McCullough, Jr.,
Wm. Larimer, Jr., John Graham,
W. H. Denny, H. Childs & Co.,
James Marshall, N. Holmes & Sons,
P. R. Friend, Kramer & Rahm,
F. Lorenz, L. R. Livingston.

☞ **Philadelphia, 1854.**—The attention of the citizens of Pittsburgh and vicinity, who wish to read a Philadelphia paper, is called to the *Evening Register*, a journal published every day, containing a complete record of all local matters that transpire to the hour of going to press, with particular attention paid to the department, it will recommend itself strongly to the favor of those persons who formerly resided in that vicinity, as it conveys a faithful picture of the vast changes occurring in their former homes. To the reading and manufacturing portion of the community no better medium could be selected for advertising their wares and products, that will come before the eye of the merchants the advantages of patronizing the factories of the "west and" (? the East. As a journal of liberal sentiments, advocating all the reforms of the age, we heartily recommend it to one and all, believing that all may be benefited by subscribing and supporting a paper that *supports the people.—"non nobis sed omnibus."* The subscription price is $5 per year, in advance, and should be sent, (post paid,) to WILLIAM H. SHERZER, N. E. corner Third and Chestnut streets, Philadelphia, Pa.

A LARGE LOT FOR SALE.

A LOT 60 FEET on the river bank, in Birmingham, 233 feet by 330 feet, and bounded by a public road, will be sold on reasonable terms. It is near Bakewell & Co's glass works, and several other manufacturing establishments. It is the largest and best lot now to be had in Birmingham for manufacturing purposes. Title perfect, and clear of incumbrance. Enquire of

C. B. M. SMITH, at his Law Office,
Fourth street, above Smithfield, Pittsburgh.

☞ Notice.—The Partnership heretofore existing and doing business under the name and style of BENNETT, MARSHALL & CO., was dissolved on the 19th inst., by mutual consent.

BENNETT, MARSHALL & CO.

Pittsburgh, June 28th, 1854.

Copartnership.

THIS UNDERSIGNED have entered into Copartnership under the name and style of GRAFF, BENNETT & CO., for the purpose of manufacturing Iron, Nails, &c., at the Clinton Rolling Mill, South Pittsburgh. Office at present with English & Richardson, No. 116 Water, and 150 First street.

WM. B. ENGLISH,
ROBT. H. MARSHALL,
JAS. J. BENNETT,
JOHN GRAFF.

Pittsburgh, June 28th, 1854—je30:tf

PITTSBURGH

Life, Fire and Marine Insurance Company;

OFFICE 55 FIFTH STREET,

MASONIC HALL, PITTSBURGH, PA.

CHARLES A. CARTER, Secretary. JAMES S. HOON, President.

This Company makes every insurance appertaining to or connected with LIFE RISKS.

Also, against Hull and Cargo Risks on the Ohio and Mississippi Rivers and their Tributaries, and Marine Risks generally.

And against Loss and Damage by Fire, and against the Perils of the Sea and Inland Navigation and Transportation.

Policies issued at the lowest rates consistent with safety to all parties.

DIRECTORS:

James S. Hoon, Wm. S. Haven,
Samuel M'Cartney, James D. M'Gill,
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John Scott, John Fullerton,
Joseph P. Barnsm, M. D., Robert Galway,
John M'Alpin, Alexander Reynolds, Armstrong County
Wm. F. Johnston, Horatio N. Lee, Kittanning,
James Marshall, Hiram Stows, Beaver.
George S. Selden,
my26:1y

☞ ASSOCIATED Firemen's Insurance Company of the City of Pittsburgh.

J. K. MOORHEAD, President—ROBERT FINNEY, Secretary.

Will insure against FIRE and MARINE RISKS of all kinds. Office: No. 99 Water street.

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C. H. Paulson, William Collingwood,
R. B. Roberts, John M. Irwin,
Joseph Kaye, Wm. Wilkinson,
David Campbell. ja12

☞ Western Pennsylvania Hospital.—Drs. L. Scharff, Second, between Wood and Market streets, and J. Kerr, North-east corner of Diamond, Allegheny city, are the attending Physicians to the above Institution, for the first quarter of 1854.

Applications for admission may be made to them at all hours at their offices, or at the Hospital at 2 o'clock P. M.

Recent cases of accidental injury are received at all hours, without form. ja10:3m

☞ C. WEAGERS, 110 MARKET street, Pittsburgh, Importer and Wholesale Dealer in FANCY AND STAPLE VARIETY AND DRY GOODS, offers to city and country dealers as large and well selected stock of Goods as any Eastern house, and same prices, thus saving freight, time and expenses. ja8:y1

☞ I. O. O. F.—Place of meeting, Washington Hall, Wood street, between Fifth street and Virgin alley.

PITTSBURGH LODGE, No. 536—Meets every Tuesday evening.

MONONGAHELA ENCAMPMENT, No. 57—Meets first and third Friday of each month. [marl6:1y

☞ Notice.—The JOURNEYMEN TAILORS SOCIETY, of Pittsburgh and Allegheny, meets on the first WEDNESDAY of every month, at SCHOCHLEYER'S, in the Diamond. By order.

July 7 GEO. W. SEER, Secretary.

☞ ATTENTION! S. L. G.—You are hereby notified to attend at your Armory, on MONDAYS, WEDNESDAYS and FRIDAYS, for drill, and to transact such business as may come before the Company. P. KANE,

mar29:3md Secretary pro tem.

☞ ANGERONA LODGE, I. O. O. F.—The Angerona Lodge, No. 290, I. O. of O. F., meets every Wednesday evening in Washington Hall, Wood st. [j7:y

☞ SEPTEMBER NUMBER OF PUTNAM, just received and for sale at 20 cents, by SAM'L R. LAUFFER,
au25 57 Wood street.

☞ Lecture.—Rev. W. D. Moore, Professor of Natural Science, Geology, Chemistry, &c., will deliver a lecture before the Young Men's Christian Association, in the Second Presbyterian Church, Fifth street, on MONDAY EVENING, 11th inst., at 8 o'clock. Subject—"The True Relation of Science to Scripture."

Tickets 15 cents; to be had at the principal Book Stores, and at the door. sep9:2t

☞ Horticultural Notice.—The Pittsburgh Horticultural Society will hold the annual exhibition in the NEW MARKET HALL, in the Diamond, on the 12th, 13th, 14th and 15th inst. The Society earnestly invites the co-operation and competition of Cultivators. The judges are requested to meet to examine the articles at 3 o'clock, P. M., on Tuesday, and the Hall will be open for visitors at 7 o'clock in the evening.

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