Miners Journal.

POTTSVILLE, PA.

SATURDAY, OCTOBER 6, 1855.

APPEAL TO THE VOTERS.

ON TO THE POLLS ON TUESDAY NEXT,

VOTE THE AMERICAN TICKET;

AND WE WILL GUARANTEE THAT

YOU WILL NEVER REGRET IT

AS LONG AS YOU LIVE.

THE NEW ROUTE TO PHILADELPHIA.

We ask attention to a communication in our columns, on the subject of the proposed new outlet from our Coal fields to Philadelphia. The importance of this new thoroughfare can only be appreciated by those who have long felt the want of it.

Projects for a route, to "relieve the Reading R. R. of a portion of its ever burthened tonnage," in the language of our correspondent, have been agitated in the "Coal diggings" for several years past, but the difficulties inseparable from the location of another road along the valley of the Schuylkill, preoccupied by a canal and a rival rail road, were considered insurmountable. In the mean time, the necessity of some decisive measures was daily becoming more apparent, and it has been and is rendered certain, that by the time the new line could be completed, the demand for coal would exceed the capacity of the routes combined.

With regard to the two lines now in operation, it may be remarked, that in order to ensure even moderate dividends to the stockholders, after paying interest on the enormous liabilities of those companies, high charges will have to be perpetuated, particularly by the Railroad; and the Canal cannot be used in the winter season.

Now let us examine the *elements* of the new route—as the astronomers say. If the Allentown and Auburn, and the Norristown and Allentown railroads should be built, they will doubtless be able to sustain themselves profitably, independent of the traffic between Pottsville and Philadelphia; and therefore all the *profit* actually required to sustain our new route, will be the interest on, say $180,000, the estimated cost of the connecting link.—But it will be fair to charge this line with its proportionate share of interest on the cost of the whole route. The estimated cost of the portions of the above named routes used by this line is not quite two millions, but say two and a half millions. The Norristown and Philadelphia road, say one million, making three and a half millions, including the connecting link. It will certainly be liberal if we assume one-third of this capital, as the proportion chargeable to our line. Assuming one million tons of coal, as the annual business of the road, eight mills per ton per mile is the maximum cost of transportation on a road of this description, or sixty-three cents per ton, from Auburn to Philadelphia. Then 6 per ct. interest on $1,166,000 (one-third of 3½ millions) will give $70,000 annual interest, which divided on one million tons, gives *seven cents* per ton—making the cost of transportation and interest *seventy cents* per ton, from Auburn, and all that is charged over that amount, will go towards extra dividends. This calculation, may at first view be deemed visionary, but we are satisfied it will bear a rigid scrutiny.

A line can also be branched off at Mauch Chunk and run down the Schuylkill, bringing all the landings into requisition, and then pass over the Neck to the Delaware, where a better shipping port can be established than now exists at Port Richmond.

Highly Important.

Since the above was in type, we have learned from a gentleman from New York that the money for the making of the connecting link between Auburn and Allentown, has all been taken, and the road will be placed under contract as speedily as possible. The Norristown and Perkiomen connection at Seibert's Gap, should therefore to be commenced at the same time—the different interests in the line of the new Road from Seibert's Gap to the Delaware front, Philadelphia, ought to go to work at once, and ensure the prosecution to completion of it.

The difficulties to be overcome in the grading and construction of the contemplated new road, are not so great as at first supposed; and it will be perceived in connection with this matter, that our communicant, who is a practical man, and thoroughly acquainted with the obstacles to be surmounted, in the building of the new road, corrects some important errors which appeared in our paper some time since, in regard to grading at certain points. With this corrected view, the new railroad from Pottsville to Philadelphia becomes yet more feasible, as the grading is lighter than at first supposed, and the estimated cost of the connecting link, but a trifle comparatively.

When everything is taken into consideration,—new and most advantageous Coal depots at Philadelphia and along the route of the proposed new road; decreased tolls on that article to operator and dealer, thereby affording it in Philadelphia at a reduced price to the consumer; a more favorable point of shipment below Philadelphia on the Delaware, and the checking of at present onerous and burdensome charges, the warm est interest in our opinion, should be felt in this region, along the route, and in the city, in the project, and measures be adopted to start simultaneously with the new Coal road to New York, and speedily secure the desired Perkiomen and Norristown connection. Figures are adduced to show exactly what difficulties are to be overcome, and what the connection will cost. There is nothing chimerical in the matter. Everything is plain, and those deeply interested in the growing trade of this Region, cannot fail to perceive that the benefits to be derived from the projected new road, to themselves, are incalculable. The question is,—shall the road be constructed?

THE SHERIFFALTY.

In our last issue, we spoke of the great misfortune that would befall our County, if we should commit the grave error of electing to the Sheriffalty, a timid, vacillating, irresolute man. In this region with its peculiar classes of residents, all are aware that the Sheriff is not only a civil, but when occasion commands, a military officer. The man therefore, who at a moment's warning may be called to command a body of military, and suppress disorder, should possess judgment, courage, firmness, and discretion. He should also, be entirely free from grog-shop alliances, and one that the citizens of our county at all times could place confidence in, and trust.

Now, last week, we made what we presumed to be a correction of the statement that Mr. Matz the candidate of the sham Democracy for the Sheriffalty was a member of the Liquor League. We have since been informed by a leading Democrat of our Borough that Mr. Matz must be involved in the League interest, or he could not receive the vote of the members of the party controlled by the operation of the League, which he now commands. That very natural assumption alone condemns him. Who will support the candidate of the grog-shops?

When we examine the merits of his opponent, Daniel Koch, the American candidate for the same important office, the contrast is marked, and favorable to Mr. K. Although we differ with him on one point, yet we recognise in Mr. Koch a man of *intelligence, worth, propriety, and courage.* While he is an earnest advocate of a stringent license system, in the sale of intoxicating liquors, we favor entire, uncompromising prohibition; but though we differ on this point, we must express our undisguised admiration at the consistent and manly manner in which Mr. Koch has opposed and still opposes the continuance of the grog-shops of our county. Under the circumstances, we can heartily support him for the office, which he would so admirably fill. Mr. Koch's views on the subject of the grog-shops of this region are well known. Three years since he drew up a bill, well framed and digested, on the subject, which we sent to Senator Hendricks. It was the first of the character, and reflected credit on the framer. Of the candidates for the Sheriffalty, we think Mr. Koch most eminently fitted for the position.

Of Mr. McKeown, the other candidate, we know nothing; but have no doubt that he is an excellent man. Mr. Koch, however, is undoubtedly the best candidate in the field.

THE ALMS HOUSE INVESTIGATION.—This investigation has not been completed yet; but the Committee will shortly, we understend, finish its labors. The Irishman McCabe, is in prison, awaiting trial. He is said to be insane; but we presume it is a feint on his part to escape punishment. The following advertisement is published by the Board of Directors:—

WANTED—Immediately at the Schuylkill County Alms House, one person as Keeper of the Insane Department, one person as Keeper of the Sick Department, and one person as Baker for the Institution. To men of good character and capability, liberal wages will be paid. (American men preferred.)

By Order of the Board of Directors.

As efforts have hitherto been made to put foreign Roman Catholics into positions of responsibility, in our Alms House, it is quite time that a change is effected, and Americans substituted. Let our voters act upon the hint, "American men preferred," and elect an American Board of Directors. It is possible that if the incompetency in the management of the Alms House is really as great as has been stated, that the Court will remove the existing Board. At any rate it is important that ROSS BULL, Esq., of Port Carbon, the American candidate for Director of the Poor should be elected, to correct existing evils in the conduct of that Institution.

THREE IMPORTANT OFFICES.—The three most important County offices, to occupy, which none but the best men before the people should be selected, are Sheriff, Commissioner and Director of the Poor. The greatest care should be observed in voting for the several candidates in the field for these positions. In another place we have spoken of the varied merits of the different candidates for the Sheriffalty. We now desire to attract attention to the two principal candidates for the office of Commissioner. We are assured by Squire Kline and others who are intimately acquainted with Peter Miller, the American nominee for that position, that his merit as a talented, energetic and capable gentleman cannot be too highly spoken of, and that he will make a good Commissioner. His opponent, Paul Dengle, the sham Democratic candidate for the same office, is on the other hand, on equally reliable authority, totally unfit, in every respect for the position, and would if elected, be a mere tool in the hands of those whose greatest experiness appears to be to defraud the county. Let the voters of Schuylkill County judge between the twain.

THE CANDIDATE FOR CANAL COMMISSIONER.—The State Council of the Know Nothings, has endorsed the nomination of Thomas Nicholson for the office of Canal Commissioner. As Nicholson is the candidate of the Whigs and Republicans also, his chances of of success are most favorable. In our opinion, it would be the best policy for all parties in the State, opposed to the sham Democracy, to unite unanimously in the support of Mr. Nicholson. In that event, he would undoubtedly, be elected by one of the most overwhelming majorities, even accorded in Pennsylvania, to a candidate for that office.

EDITOR'S TABLE.

GRAHAM'S MAGAZINE for October is upon our table. A number of remarkably fine engravings embellish this number, prominent among which are two entitled, "Bed Time," and "De Caus in Prison." The lady readers of this favorite Magazine will be delighted with that portion devoted to "Fashion," which comprises numerous pattern plates, and a fine colored engraving, "Paris Fashions for October." In addition to a spirited "Editor's Table," and a charming piece of music entitled "I'll Weep with Thee," the literary contents are from the pens of several favorite contributors. Altogether, "Graham" for the present month, is in every department, all that its most ardent admirers could wish it,—interesting, instructive and amusing.

"THE DESERTED WIFE."—We are indebted to the courtesy of the publisher, T. B. PETERSON, No. 102 Chesnut street, Philadelphia, for a copy of this new work by Mrs. Emma D. E. N. Southworth, the author of a number of charming works, which are destined to endure as long as a single admirer of pure and chaste American works can be found. This book is one of power and interest. The scene is laid in the South, and the story and admirably drawn characters will interest even those who are afflicted with *ennui* while perusing ordinary works of fiction. In connection we would remark that the author is a writer of decided genius and originality, and that we think "The Deserted Wife," her latest production, will occupy a prominent place in the literature of the country. *Apropos*, we know of no publisher in the country, more indefatigable, nor any one that is creating a more extensive business than Mr. Peterson.

Local Affairs.

METEOROLOGICAL NOTATIONS.

Reported by Dr. A. Heyer, of Pottsv. Sci. Assoc'n.

SEPTEMBER.	THERM'S		BAROM.	GENERAL OBSERVATIONS
9th mo., 30 days.	Morn.	High't.	Morn.	*Topograph. & Geographical.*
Saturd. 29	59	68	29.16	Height of Pottsville (corner
Sunday 30	60	62	29.00	of Market & 2d. sts.) above
Monday 1	55	70	28.80	mean tide, 633.957 ft.—Dis-
Tuesd'y 2	57	63	28.71	tance from Philadelphia, 95
Wedn'y 3	54	58	28.84	miles.—Latitude, 40°. 44'
Thurs'y 4	53	64	28.80	15".—Population in 1508
Friday 5	58	69	28.91	17,206.

29—S. fresh; morn. clear, aft. slightly cloudy.
20—S. E. light; cloudy, rainy.
1—W. do.; cloudy, cold.
2—E. do.; morn. foggy, aft. rainy.
3—N. W. fresh; morn. rainy, aft. slightly clear.
4—N. W. high; morn a slight rain—noon clear—eve. a Northern light.
5—W. light; morn foggy—cleared.

☞ *Autumn* is with us in all its glory. Yesterday was clear, cool and delightful.

☞ A *magnificent* Aurora Borealis was observed on Thursday night. It illuminated the northern heavens with fitful gleams until a late hour.

☞ *Fatal Result.*—Frederick Hill, aged 14 years, son of Mr. Charles Hill, of this Borough, who was injured so badly some days since, by falling from a chesnut tree, died we regret to learn, on Wednesday.

☞ *At a stated meeting of the Mechanics' Library Association*, held in their room on Thursday evening, October 4th, 1855, the following officers were elected, viz., President, L. J. Martin; Vice-President, W. Crulikshanks; Secretary, Wm. Carter; Assistant Secretary, D. P. Wolcott; Treasurer J. Britton; Librarian, J. T. Boyle; Assistant Librarian, L. J. Kind; Committee of Finance, F. Carter; F. Dewees, and C. Hay.

☞ *Premiums to Pottsville Exhibitors.*—At the late State Fair, at Harrisburg, premiums were awarded to Dr. Thomas Davis and Deihm & Huffman, of this Borough. The former for the beautiful roan horse, "Jimmy Polk," and the latter for a splendid specimen of a trotting buggy, which attracted general admiration for beauty of style and finish, and excellence of workmanship throughout. The buggy was purchased by a citizen of Dauphin county.

☞ *Explosion of Gas.*—Exaggerated accounts of a terrible explosion of gas, at Bro-kamp, reached us on Thursday, from Minersville. Report said that 10 men had been killed and wounded in the Mines of Gideon Bast, at Wolf Creek. But the truth is, that only two men were killed, and one seriously and one slightly burned. We understand that the two who are killed were Englishmen, one by the name of Oliver. We are told that the men who explode the gas, were driving an air way into an old drift or hole, into which they had been cautioned against taking their lamps; but it appears that they did go into it notwithstanding, and suffered death as the penalty for their rashness.

The explosion shook or tore down some part of the works, so as to obstruct the passage of the men from its lower parts, and consequently they were stopped in until the pile could be removed, which gave rise to the report that so many were injured.

☞ *Accidents at the Mines.*—Five persons were burned at the Mammoth Shaft Colliery, St. Clair, on Tuesday noon, by an explosion of gas. One of them was killed instantly, or he was dead when found; another died on Wednesday morning, and a third is not expected to live. The remaining two are not so seriously injured, and it is expected that they will recover.

It appears that the mining boss had examined one of the breasts and informed the miner, who was engaged in working it, of the fact, cautioning him at the same time, not to go into it.—But disregarding the warning, with the most reckless and unpardonable carelessness, he ascended the breast with a naked lamp flaming on his cap and an *unlit Safety Lamp in his hand.*

It is singular that all the recent explosions should be so clearly traced to carelessness on the part of the miner. But we know them—even the best miners to be reckless and fearless, and we are only surprised that explosions still more terrible in their nature do not often occur.

On Wednesday morning while unloading a truck of prop timber, a man, whose name we have not learned, was instantly killed by one of the heavy timbers falling on his head, crushing it in the most terrible manner.

Last Wednesday evening the horizon in the direction of Minersville, was lit up with a lurid glare, giving evidence of a large fire, somewhere in that direction, and on Tuesday morning it was reported that a breaker and engine house was burned down at Llewellyn. The fire proved to be at the Salem Colliery, belonging to B. Tyson & Co., Llewellyn.

Mr. Tyson informs us that one of their engine houses with blacksmith and carpenter shops was destroyed, and that two of their engines are much injured, but that they expect to have them rebuilt and in operation again in two or three weeks! It is supposed by many that the fire was the work of an incendiary, but Mr. Tyson thinks it resulted from the carelessness of the engineer, who was absent from the engine house at the time of the accident.

☞ *Improvements in Minersville.*—W. & R. Kline's new building, on the corner of Sunbury and Main streets, is rapidly progressing and will be ready for use in a short time. It is intended for a Cabinet Ware House, the front of the lower story being open, or faced with large show windows. The house is three stories high, of brick, 38 feet deep on Main street and 22½ feet front on Sunbury street. It is an elegantly built house for the purpose, and inferior to but few, if any, in Minersville.

This young and enterprising firm has a splendid stock of furniture in their ware house, in Market street, Pottsville, and they contemplate furnishing this new house in Minersville with articles of a superior quality. As neat and attractive as the building may be, that which it will contain will be still more worthy of admiration. A few houses of this style in the lower end of town would add much to the appearance of Minersville.

The new School House at Minersville, is gradually assuming shape and form, as brick after brick is laid in its place under the skillful application of the line and the trowel. The people here are proud of this new building, and they have reason to be, since it will be the largest, finest and most convenient School House in the County.

The Catholic church is under roof and will soon be in a condition to receive the faithful, and apart from its other uses it will be a decided improvement to the town.

Mr. DeHaven is enlarging his work shops and re-building them with stone. Already the wall on Main street has reached the second story, and the work is still going on rapidly under the hammers of the masons. One of the new *Patent Steam Tilt Hammers*, lately invented by R. R. Saylor, Esq., of Reading, and for which he obtained letters patent in 1853, is still in successful operation at DeHaven's shop. We have noticed this hammer before, and its admirable performance entitles it to the consideration of all our machinists; some of whom doubted its practicability. This hammer has several advantages over the old style, one of which is, that it can be made to strike a light or heavy blow at the will of the operator. It will also strike any number of strokes per minute, up to 75 or 80, and will *strike while the iron is hot.*

An experiment was made a week or so ago by the men at the hammer to see what quantity could be heated and drawn out into blooms in a day, and in 9 hours steady operation they turned out no less than 6 tons 11 cwt., all from scrap iron.

It is stated that Mr. William DeHaven and Mr. Charles Bennet have purchased the patent right for Pennsylvania, and there is no doubt but that it will ere long come into general use among our iron manufacturers.

☞ *The Port Carbon Iron Works—T. H. Winterstein's New Engines.*—T. H. Winterstein's Port Carbon Iron Works have been but recently rebuilt and extended, at a cost of over $20,000, and his establishment under present circumstances can scarcely be said to be inferior to any Iron Works in the county, being exceeded in extent by but one other establishment. His convenience for work in his line appears to be ample, as the machinery in his shop is of the best kind, and of the latest improvement.

But our intention is not to *puff* Mr. Winterstein or his new engines, we intend to describe them, in connection with his establishment, for the information of our readers.

The machine shop is 120 feet long, by 80 wide. The blacksmith shop is about 80 by 80; engine house, with pattern shop above, car shop 60 by 30; and moulding shop 120 ft. long, by 100 ft. wide. The machine shops, &c., are built of stone, and the moulding shop of brick. An engine 25 horse power drives all the machinery, including two fans—one for the blacksmith fires and the other for the cupola. Among the new machinery we may mention particularly a large and splendid slide lathe, manufactured for those works by Bennet, Dougherty & Thomas, of the Industrial Iron Works, Philadelphia, on Callowhill, between 20th and 21st streets.

We recently went through the Industrial Works, and there admired those splendid lathes, which of all machinery that we have seen, we think the most perfect, and best adapted for the purpose for which they are intended. Those large lathes will weigh over ten tons, and yet every part of their construction is as minute and perfect as if they were but ten ounces. There must be a great deal of difference in the working of good and bad machinery, since not only the strength and wear, but also the power required to drive it, depend much upon its nicety and exactness. Who does not admire that machinery, that engine, which works without a jar, where wheel revolves in wheel, as sweetly as perfection itself. Much of the machinery used in the work shops of our region have been manufactured in New England, and, though they generally cost less than those which are made at the Industrial Works, they are not by any means as strong and durable, and consequently in the end, dearer instead of cheaper. Besides this large lathe, which attracts so much of our attention, the usual amount of machinery ply their busy wheels throughout this extensive department.

But the chief attraction in it at present, lies in two new engines which Mr. Winterstein has just finished. They are two 45 horse power engines connected, and are capable of working to 100 horse power, conjointly, with all ease. They were built for Dubois & Low, of Williamsport, on the Susquehanna, to drive their saw mills, and are calculated to drive two gangs, of 16 saws each, besides three "muley saws," 5 circular saws, &c. &c. The mills for which those engines are intended, are the most extensive in the State, and probably in the country. The shafting which drives the saws by means of pulleys, is 140 feet long and 5 inches in diameter. It passes over a large cog wheel which is driven by the two engines, one on each side, and is supported by means of two large cast iron hostings, situated respectively to the left and right of each crank.—The long shaft supports 13 pullies, 4 and 6 feet in diameter, weighing each 18 cwt., which work the numerous saws, besides a large number of smaller pullies to operate on the sidelings, &c.

These engines are built with the locomotive style of cylinders. They are 22 inches in diameter, and 22 inches in length, receiving the steam at each end through the bed plate, instead of at the sides or on top, as this style of engines generally do. And this is one of their peculiarities, connected with the cast iron frame bed plate which Mr. Winterstein claims as his own invention, and which he has been pressed by many of his friends to patent.

Those cast iron frame bed plates are solid in character, yet, graceful in style, and possess the great advantage of giving the engineer or mechanist an opportunity to take off his guides, cylinder, broken bolts, &c., &c., without the necessity of removing the entire bed plate from its foundation, as in the old style, to be enabled to do so. This also does away with the massive wooden frames formerly made use of, the cast iron lying immediately on the mason work.

These engines are much to be admired, not only for the improvements which they embody, but because of their peculiar beauty and compactness; their simplicity and great strength. Indeed so uniform are they, and so little clogged with complicated machinery, that we do not see any room for future improvement on them. Besides these there are four new engines under way in the shop, generally on the improved plan.

In the blacksmith shop, St. Clair "Hickory Coal," from the mines of Wm. Milnes, Jr., & Co., has been successfully used. But for the smelting of iron, McGinnes' Coal is preferred.

Mr. Daniel Winterstein has charge of the moulding shop which is large and convenient, being supplied with an enormous crane, which will lift castings of the weight of 10 tons to any part of the shop. Our attention was attracted by the smoothness and beauty of the work turned out from this department, and can recollect but one place that we have visited, which turns out better castings, and that is at the *Industrial Iron Works* before alluded to, in Philadelphia.

Mr. Winterstein uses Alden's patent fan blowers, which he finds superior to any other kind.—Alden & Noyes metalic self-adjusting packing, he also uses in his steam cylinder in preference to any other, and we think it one of the best inventions of the kind that we have seen. It is kept in order with but a tithe of the laber generally used in packing, and is almost perpetual.

In conclusion, we would remark that Mr. Winterstein deserves encouragement and patronage for the perseverance which he has exhibited in perfecting or improving the machinery so much in use in this region. He is one of our oldest machinists, and among the best and most enterprising of our citizens. Port Carbon has reason to be proud of such men, for it is to him, and to others of his character, that she owes her business existence.

In this connection it was our intention to have noticed the iron works of Messrs. Fissler & Bros., but as neither of those gentlemen were at home, when we visited Port Carbon for the purpose, we shall have to do so at some future time.

☞ *Proceedings of the Borough Council, first Tuesday Evening of October, 1855.*—The Council being called to order by the President at half past seven o'clock—seven being the stated hour—a quorum was found to be present, notwithstanding the flood of rain that was descending. Roseberry, Derr, Heaton, Severn, Koplisch, Schoener, Heffner and Parker present.

The minutes of the last meeting were read and adopted, and the Council proceeded to business in the usual manner.

Various Committees on accounts, fire apparatus, culverts, streets, &c., reported progress and were allowed to be continued.

From Street Committee—subject of opening road on Bunker Hill. Mr. Schoener reported that the street is open, so as to be passable, which is all that the Court demanded until next spring.

Street Committee, subject of cleaning out Norwegian creek, culvert in Morris' Addition, and various street repairs, reported the creek and Third street finished, and other work in progress.

Mr. Heaton stated that complaints were made by many citizens in the upper end of Railroad street, because that part of Norwegian creek was not cleansed, and consequently subjecting them to inconvenience and danger from its overflowing during heavy rains.

From Committee on Survey—subject of side walks in Courtland street. Mr. Severn reported that they found that street sufficiently wide for every purpose, and did not thing it necessary to make any improvements. They asked to be discharged. So ordered.

From Street Committee on the subject of purchasing the culvert in Market street, recently built by Mr. Wm. Milnes. Mr. Heaton reported that he had spoken to Mr. Milnes about it, and that Mr. Milnes offered to give up the culvert to the use of the Borough for $132; it cost him $232, and is 2 feet in diameter.

The President said that at some future time a large culvert would have to be constructed in Market street, as the present private one would be of no use to the opposite side of the street.—Mr. Heffner said that the culvert was higher than the cellars in the lower part of the street. Mr. Derr proposed to let the subject lay over until the next meeting, as there was not data enough before the Council for it to act on. So ordered.

From the Committee on enclosing the Market House. Mr. Severn reported that the Committee recommend that it be enclosed; but were not prepared to say whether it would be best to board it up close, or to enclose it from the curb, leaving a walk between the market and the enclosure; thought that it would cost about $400 to do so in the latter mode. There are 18 stalls in the Market House, which, it is supposed, will rent for $25 per year, each.

Mr. Severn presented a petition from the citizens in favor of having the Market House removed, which was numerously signed by the residents of that part of town.

Mr. Kaercher said that every town of any size had a Market House; that ours had been erected at considerable expense, and that it was only the fault of the citizens, that it was not kept up and encouraged; that instead of our side walks being blocked up with truck, it could be sold to better advantage to both sellers and buyers in the proper place for all such things—the Market House. He said that there was no reason why we should not have as good a market as the folks have in Reading or Harrisburg, therefore he would go for enclosing the House, and did not think any other part of the town fit for the keeping of a market but its legitimate place—Market street. The matter was put before the Council for action, and the Committee instructed to *enclose it.*

Street Committee on the subject of curbing and raising Coal and Norwegian streets, reported progress. Mr. Kaercher asked whether this work was to be done at the expense of the citizens or the Borough.

Mr. Schoener—I understand that the Borough will do it.

The President stated that under the construction of the resolution, it was understood that the Borough will be at the expense.

Mr. Severn said that the Borough ought to do all the curbing and paving, and charge it to the property holders, to ensure uniformity and durability to the work.

Committee on Accounts—subject of entering up bonds against John McBarron. Mr. Severn moved that the bonds be entered up, which motion being seconded by Mr. Schoener, was adopted by the Council.

Mr. Charlemagne Tower was introduced to the Council to explain some grounds of complaint on the subject of taxes.

A certificate was presented from the County Commissioners, stating that Mr. Tower's Borough assessments on property was erroneous, and exonerated him from paying a certain amount. It appears that the Borough gave him some $3000 for 20 feet of his property for the purpose of widening the street, which only left 10 feet of the property to be taxed to Mr. Tower; whereas the assessment was still on the 30 feet. The Council therefore exonerated him from tax on the 20 feet, and gave directions to the Clerk to notice the Collector of the same.

Mr. Schoener stated to the President that much of his time was occupied in attending to the affairs in Coal and Norwegian streets, and asked that Mr. Severn be added to the Street Committee on this work.

Mr. Kaercher here remarked, that he did not think it at all necessary, as Mr. Schoener had all the sway of the thing; that he had it all his own way, and therefore did not want any assistance.

Mr. Schoener replied that he did not like such talk as that; he did not consider that he had all the sway of this affair, as the thing had been discussed and transacted before the Council, and whether right or wrong, did not reflect personally on himself alone. He referred to the Committee on Laurel street, of which Mr. Kaercher was a member, as exceeding its authority in the repairs and opening of that street.

Mr. Kaercher replied to this warmly, saying that the gentleman's reflections on Laurel street was unfortunate; that the Committee did not exceed their authority &c. But we cannot follow Mr. Kaercher in his set speech. He condemned the improvements in Coal and Norwegian streets, and the manner in which the thing was hurried through the Chamber; he thought it ought to have been left untouched for by the property holders themselves.

Mr. Derr thought the improvements very good ones, and thought that Mr. Severn ought to be added to the Committee.

Mr. Hoffa, one of the owners of property in Coal and Norwegian streets, and now residing in Philadelphia, asked permission to say a few words before the Council, which was allowed.

He stated that in '43-'44 he had notice to curb and pave his property in Coal street according to the grade established by the Council at that time, and did so at the cost of about $3,000, and went on to say that the property and improvements made on the faith of the Borough would be rendered comparatively valueless, if the present established grade was carried out, and at the same time the appearance of that part of town would be unfavorable affected. He asked what security the citizens had to improve their property when the grades of streets—when the acts of the Council were liable to yearly alterations.

A petition was presented to the Council from the citizens and property holders residing in that part of town under discussion, praying it to leave those streets alone—censuring the Borough Fathers for doing what was not wanted by the citizens themselves, and for their waste of the public funds—running the Borough into debt and difficulty, and into law suits with the property holders whom the improvements will injure. The petition was signed by many of the citizens interested in the properties on Coal and Norwegian streets.

Mr. Schoener said that many things stated in the petition, which was rather strong, were incorrect and false—that the thing was not hurried through the Chamber, but prior to the present grade being established, the matter was thoroughly discussed and only passed after due deliberation.

Mr. Derr said that many of the gentlemen who had signed the petition, told him that the present improvement was necessary and just what they wanted, and how they could now petition against it was beyond his conception. He said that Mr. Hoffa's arguments were valueless and without foundation; that the grade would not unfavorably affect his property, as it would not be higher than the floor of his houses. He continued to make remarks on the benefits it would confer, &c., and said that all the noise was about nothing.

After a prolonged discussion on this subject, in which most of the members present took a part, it was resolved that a Committee of the whole meet in Coal street at 8 o'clock on Wednesday morning, to consider the grade, with power to act.

The bills against the Borough were now taken up and severally passed, and ordered to be paid; as follows:

To Isaac Severn, for material &c.,	$6 50
To A. Moorhead, for brick,	23 37
" " " " fluid,	244 00
To Edward Richart for fire plugs,	4 00
To N. M. Newnam, repairing fire plugs,	16 50
To Pottsville gas company, one quarter,	175 25
To Smith & Downing,	18 16
To R. Smith,	60 32
To J. & S. Derr, lamp posts, &c.,	58 75
To Peter Helmothol, for work,	93 00
To Geo. Bedford, hauling cinder on street,	4 50
To J. W. Shaw, watchman,	30 00
To C. Worman and others for work,	158 05
To Joseph Kimmel, for work,	197 99
To Joel Merwine, watchman,	30 00

Mr. Kaercher—Mr. President, I think that a culvert is necessary from Second to Centre streets above Mr. Repplier's, near the gas works. The Commissioners were willing to do part. Hoffa offered a resolution requesting that the Committee be instructed to confer with the Commissioners about the culvert and see what they will give.

The bill for the curbing of Mr. Tower's property on corner, was ordered to be put into the hands of the Borough solicitor for collection.

The grading of the curbs on some of the hill streets, were ordered to be made more uniform, as it has been complained, that in some places they are out of place six inches.

Adjourned to the third Tuesday evening of the present month.

☞ *Our Court—Licenses—Sudden change of Opinion—A Scene in Court, &c.*—A few weeks ago, our Court took occasion to express their views on the License system, in commenting on the Report of the Grand Jury. These views were in accordance with those held by our citizens, who deeply deplored the awful effects produced on the community, by the legions of Groggeries which infested every hole and corner of the Region; and every good citizen felt rejoiced, that the Court (which, a large portion of the community looked upon as having favored this interest, by their acts heretofore,) was determined to take a stand, and enforce the new law effectually—that under its provisions, only one or two persons, according to population, would be licensed in each district, to sell by the quart and upwards—and that the streams of manufactured and adulterated poison that flowed from the rectifiers establishments would be dried up. These declarations we need not say, caused great rejoicing among the friends of humanity throughout the whole region—and the people by hundreds signed petitions to the Court applauding their decision—and testimony was collected to lay before the Court, to substantiate charges that had been made against this class of applicants in this Region. Great pains was also taken to collect the kind of testimony, which, it was understood the Court desired as necessary, to have these applicants rejected. It was understood in every quarter of the Region, in consequence of declarations made by the Judge, that if this testimony was produced, *they would be rejected.* Such were the state of affairs up to Monday, October 1st, the day before the time fixed for the hearing of applicants for licenses; it was then rumored that Judge Jones of Reading, had decided that under the new law *"Restraining the sale of Liquors,"* the Court had no *discretion in the premises*, and was bound to license every applicant, if he came up to the requirements of the law.—This extraordinary construction every intelligent man in the community ridiculed as absurd—but on Tuesday, when the applications were heard, this position was taken by F. W. Hughes, Esq., on behalf of one of his clients, and the *aid* he received from the bench in arriving at his points, (which was duly acknowledged by Mr. Hughes) soon satisfied every person in the Court House, that Judge Hogins had *backed out from his former position*, and had embraced this new construction of the law. The question was argued very satisfactorily by Messrs. Bartholomew and Parry, on the other side—but the pettish interruptions of these gentlemen in their arguments by the bench, showed both painfully and conclusively that the opinion of the Court was *irrevocably fixed.* At this stage of the proceedings, a drunken man staggered through the Court House, up to the platform directly in front of the Judges seat, a miserable and pitiable object, as if sent by Providence to take that position in the presence of the Judges and people, to plead for protection. After remaining a few minutes he staggered out again; when the Judge gave a labored opinion, and decided that he had *no discretion under this law*, and was bound to grant licenses to all who might apply, provided they come up to the requisitions of this law. The Court acknowledged their change of opinion on this point within two days, (after the opinion of Judge Jones had arrived from Reading,) and *seemed* to apologise for misleading the people, in having expressed a different opinion from the bench but a few days before. During the delivery of this opinion, it seemed as if a black pall had been spread over the Court House—almost every countenance changed—glance met glance in perfect astonishment—even the lawyers, who had become inured with the practice of *this* Court, looked at each other with surprise. The Court felt the embarrassment, for judging from the *pleading* and *apologetic* manner in which it was delivered, they looked like anything but Judges dispensing justice from their seats. After its conclusion, up started the same *poor inebriate* again, and tottered and reeled on the platform in front of the Judge—there he stood before the Court and the people, a miserable wreck, the victim of the Rum Shops, formed in the image of his Maker, but awfully *marred* by the demons who preside over the groggeries, pleading for protection against the Rum Shop Keepers, and, as it were, rebuking the Court for their *monstrous decision* in favor of *increasing the sale of Liquors*, under a law passed expressly for, and which bears the title of an *Act for restraining the sale thereof.* There the drunkard stood trembling and tottering,—he was a man of education too, we were informed, and a *Teacher* in the Public Schools of Cass Tp. He refused to leave, until the Judge called an officer and ordered him to prison for 24 hours, after which the Court proceeded to hear testimony, (why hear testimony, if they had no discretion,) and licensed no less than *five* of the Liquor Rectifiers who supplied the *eight hundred groggeries of the Region* with the rank poison of their establishments, although their applications were opposed by testimony, which in any other Court, not corrupted by an *impure Rum atmosphere*, would have been instantly rejected. In the case of Mr. Hinnershitz, it was proven on oath that he had been in the habit of coloring whiskey with a material called "burnt sugar," which they purchased prepared for the purpose—then mixing a gallon or so of brandy with the barrel of whiskey—which was sold *as brandy*—that other kinds of liquors, such as Rum, Wines, &c., were manufactured or *rectified* in a similar manner—and sold at the price of whiskey. Yet this man, *right in the teeth of the express declaration of the Court, that no man who mixed and adulterated liquors, should receive a license*—was *licensed to the astonishment of every person in the Court House, including the Bar.* If a man who follows such practices, and sells colored whiskey as brandy, is endorsed as an "honest man" by a Court, we are fearful that our *morals* will sink to a still lower ebb.

We have only room to say a few words on the extraordinary construction put upon the new License Law, by the Court.

This law is drawn up like every other license law for selling spirituous liquors—it refers to the other laws, and embraces a part of the other laws—it requires publication like the other laws did—it provides for hearing testimony for and against Licenses, like the other laws did—it is discretionary throughout, and the Judges have perfect liberty to limit the Licenses to one or two in each district, or increase the number to a dozen, or even refuse to grant any. This is the only proper construction that can be put upon it—and it was the construction put upon it, by every Judge in Pennsylvania, until the foolish decision of Judge Jones was trumped up, to suit the meridian of Berks county, and the German Lager Beer manufacturers. If there is no discretion in granting licenses under this law, we ask why does the law require testimony to be heard for and against the applicants, similar to the manner practiced under the other License laws, where discretionary power on the part of the Court was never doubted? In granting licenses to Beer Houses under the Beer law—every person who paid his $5, the Treasurer was bound to grant a license, without testimony—here there was no discretion. In granting store licenses to sell Liquor, to every person who paid the license, the Treasurer was bound to grant it—without testimony. Here there was no discretion. The same way with granting Auction licenses, Broker's licenses, no testimony is required, and the law says the licenses *shall be granted.* Here of course there is no discretion—but in this law, which is drawn up like the old License law, and becoming *a part of it*, repealing only those portions inconsistent with it—does not say that licenses *shall* be granted. The 5th section is as follows:

"That said Court, by their rules, shall fix a time at which applications for said licenses shall be heard, at which time all persons making *objections* shall be heard."

The 9th section, following after says—"That the bond required to be taken of all persons *who shall receive licenses* to sell spirituous liquors &c.

Now these two sections gives the *discretionary power* so clearly, that no man can help seeing it, unless he does not want to see it. What is the meaning of the phrase "all persons making *objections* shall be heard? Making objections to what? to the applicant or to the necessity of licensing the house? It don't say to hear *objections against the applicant*—it covers *all* objections, as to the *necessity of the license*, quite as much as to the applicant himself—and then the phrase in the 9th section, after the testimony is heard *"all persons who shall receive license"* &c, corroborates and confirms the *discretionary power of the Court*, given in the 5th section. We appeal to every man of common sense, and even of common understanding, whether this is not the most fair, the most reasonable, and the *only sensible construction* that can be put upon these sections of the law.

Then the sudden change in the Court, was as extraordinary as it is unaccountable. The Court had examined the law *thoroughly*, as we were told in June last, when they gave their opinion as to its provisions—they examined it again to issue the rules of Court—and then their views were expressed from the bench a few weeks ago—also in private conversation with regard to the kind and number of licenses that ought to be granted—which would seem that the Court was *then* thoroughly conversant with the law—but our Court, in its opinions, seems to be something like the Irishman's flea—"you put your finger upon it, and it is there—but when you take it up, it isn't there." Then the *coincidence* of opinion between Mr. Hughes and the Court, as to the right point, which the Court aided in defining, struck every person as a little *remarkable.* The declaration too from the bench, in giving the opinion, that "the Court had nothing to do with the morals of the people," was a most extraordinary declaration—a declaration which we presume was never heard from any other Court in Christendom—or at least we never heard it before. It sounded *monstrous* to us, and seemed to clash very harshly with all our preconceived ideas of the establishment of Courts of Justice—if they were not instituted to punish and prevent crime, to hold up vice and immorality, in all its terrors, by the majesty of the law in executing justice to the evil doer, and thus *guard and protect the morals of the