The Press.

THURSDAY, JUNE 4, 1863.

Washburn on Easements and Servitudes.*

The term easement does not strictly correspond to servitude, for the latter may be either real or personal. *Servitutes aut personarum sunt . . . aut rerum . . .* I. 1, D. 8, 1. But all easements are servitudes, though the converse is not true, and the real servitudes of the civil law are exactly what the common law terms easements. It might, therefore, not unreasonably be expected that a writer on the law of easements should avail himself of the profound learning on the doctrine of servitudes, with which the civil law and the continental jurisprudence abound. But Mr. Washburn has, with slight exceptions, purposely abstained from making use of this store of material, for a reason which, to us, at least, is insufficient. So far, he thinks, as the common colonies with the civil law, the latter is useless; while, where they differ, a discussion of the doctrines of the civil law would be apt to mislead the reader; a mode of reasoning analagous to that assigned for the destruction of the Alexandrian Library: "If these books," said Omar, "agree with the Koran they are useless; if they differ from it they are pernicious." We regret, for the sake of the common law itself, that Mr. Washburn has decided not to present in an accessible form the labors of the Roman and Continental jurists upon this subject, for our system, which has already borrowed so much, without acknowledgment, from foreign law, might in this, as in other cases, be improved by the operation.

It is singular that, after two thousand years, a definition of servitude should still be a desideratum. The classical jurists do not even attempt it; at least no trace of such attempt is found in the Digest. Nor has any of the numerous modern definitions been so successful as to meet with general acceptance. Thibaut, indeed (§ 296, note), admits the difficulty of constructing a precise definition, and, certainly none of those cited by Mr. Washburn is all satisfactory. Perhaps the best is that of the French Code, Art. 637: "A servitude is a burden upon an immovable, for the use and benefit of an immovable belonging to a different owner.

Even at this late date, authorities differ in regard to the essential quality of servitudes. Savigny (Besitz p. 118) says "servitudes are rights severed from the ownership, *jure in re*, as contrasted with the ownership itself, viewed as the totality of all real rights." Mackeldey (§ 274) says, "servitude is that real right in the thing of another, which is exerted in using the thing." Both of these definitions treat the servitude as a right of property in the *res servitus*. On the other hand, Elvers, the latest authority known to us, explodes the idea that a servitude is even a limited property in the *res servitus*, but considers it as a right of property in some *quality* appertaining to the thing; such quality, by a legal fiction, being regarded as corporeal, and consequently denies to the owner of the servitude all right of dominion over the *res servitus* itself—(pp. 32-40.) Of course, until this fundamental point is settled, it is vain to expect a satisfactory definition of servitudes. Fortunately, however, the work is rather philosophical than practical; for while it is so difficult to construct a perfect definition, it is not at all difficult to decide, in a given case, whether the right is or is not a servitude.

As to the sources of servitudes, Mr. Washburn lays down the general rule that, being estates in land, they are only created by grant, which may be proved in various ways, as by deed, by prescription, or by long enjoyment, amounting to a presumption that a deed originally existed. We think this statement restricts too much the origin of servitudes. The French code, cited by Mr. W., deduces their origin from three sources: 1. The natural situation of the tracts; 2. positive law; 3. agreement between the owners of the land. The civil law enumerates five sources: Agreement, judgment (in partitions), prescription, testament, statute. Thibaut, (§314, 315.) It seems to us that, in denying all other sources of servitudes than grant, Mr. Washburn has fallen into an error which affects injuriously the logical arrangement of his work. Positive law is especially important as a source of servitudes, and some of the most important of these rights, such as water rights, are either originated wholly or greatly modified by it. But this mistake of our author would be unimportant had it not led to the exclusion from his work of those important servitudes established by law for the benefit of the public; of that whole class of cases where the State, by an act of supreme authority, confers on one person or country, an easement in the property of another. Such act of the Legislature is clearly not a grant, at least in the usual sense of the term; that proceeds from the owner of the land—this from a third party. Mr. Washburne's doctrine that easements have but a single source has led him to shut out this interesting subject as a whole, though fragmentary notices of it are scattered through the volume. In other respects, the arrangement of the work is hardly susceptible of improvement. The three chapters on easements and servitudes of way, easements and servitudes of water, and easements and servitudes other than those of way and water, constituting the body of the work, discuss, in a copious and perspicuous manner, the legal doctrines which prevail in regard to those subjects. Among these, the comparatively modern subject of Dedication to Public Use, deserves special mention for its careful treatment, and the very recent doctrine of Rights in Subterranean Waters is elaborately discussed.

Following these is a chapter on the Loss or Extinguishment of Easements. In this we observe some points upon which the common law differs from the civil law. The difference in the mode of destruction of the servient or dominant estate has been pointed out by Mr. Washburn. Under the civil law, a restoration of the subject or object rehabilitates the servitude, (Mackeldey, § 292), which seems not to be the case at common law. So, too, at common law *mere non-user* of an easement does not extinguish it, but an adverse user by the owner of the servient estate must concur; whereas by the civil law a *non-user* for ten years *inter presentes*, or for twenty years *inter absentes* amounts to a prescription against the servitude. (Mackeldey, § 292, cit. 13, C. 3, 34.) By the French code, a *non-user* for thirty years extinguishes the servitude. (Code Civil, art. 706.)

The subject of Repairs to Easements and remedy for injuries is also well handled. The rule as to repairs is clearly and correctly stated, though rather concrete in form. Elvers presents it abstractedly thus: *Servitus in faciendo consistere nequit*, except that when the enjoyment of the servitude is impaired by some *fact* which the owner of the dominant estate is prevented from repairing, he may, for the reason that he might thereby infringe the rights of the owner of the servient estate, the former may by an action compel the latter to remove the obstruction himself. (pp. 62-66). And, besides the *servitus oneris ferendi*, he extends the exception to the case where a tree, which stood on the servient estate, has been blown down across the way which constitutes the servitude, and obstructs it. (p. 64-5.)

The mechanical arrangement of the book into paragraphs, with a table of contents at the head of each section, is a great convenience for ready reference, and deserves mention for its novelty.

In conclusion, we would point out, as a signal merit, the avoidance of a defect too common to law writers; we mean letting the reader think for themselves, instead of taking the trouble to state the principle in the author's own words. Legal authors, of late, seem to think the responsibility of saying what was decided, but confine themselves to giving the words of the judge, leaving the reader to make out, if he can, what they were intended to express. Now, the judge decides merely the case before him; his thoughts are full of that point with all its attendant circumstances, and he often expresses himself without the limitations and modifications which he would have introduced had the principle, which he is applying to a single instance, been before his mind in all its bearings and relations. Hence, though his language may be true of the facts about which it is employed, it may be only a partial truth, and, therefore, not true when applied to a different state of facts. To cite an opinion in *extenso* would be an intolerable prolixity, since the main body of every opinion is composed not of principles, but of the application of principles; to quote detached sentences from it, while having an air of accuracy, is in reality little better than copying the reporter's syllabus; digests may be made in this way, but not books. The province of the writer on jurisprudence is to deduce from an opinion, or a series of opinions, the principle of law which lies at the foundation. Of course, this requires much laborious thinking, as well to extract the idea, as to give it a concise and lucid expression. And then, too, it is hazardous to one's reputation to assume to lay down principles. It is both easier and safer for the writer to put instances, and shelter himself behind an *ita scriptum est*.

It is not, therefore, surprising that writers on legal subjects should be, in a vast majority of cases, book-makers, not authors; and that of the thousands of volumes which lighten the pockets and load the shelves of the profession, hardly a dozen merit the name of books.

*A Treatise on the American Law of Easements and Servitudes, by Emory Washburn, LL.D., &c., &c. Philadelphia: George W. Childs. 1863

A Poetic Prophecy.

To the Editor of The Press:

SIR: While reading a dictionary of poetical quotations, I happened upon the following extract from Mrs. Hales' "Ormond Grosvenor." It struck me as being a beautiful prophecy, written by the pen of inspiration, heralding a better time coming, "when this cruel war is over," peace again beams upon our now distracted land, and *all* will be free. As an encouragement to our brave soldiers, and to our people, I respectfully request its publication in your good and patriotic paper.

I am, sir, very respectfully yours,

W. CURTIS.

"A Government, on freedom's basis built,
Has, in all ages, been the theme of song,
And the desire of every heart beaten for this the Grecian patriot fought—for this
The noble Roman died—shall I go on,
Name Tell, and Hampden, and our Washington?
The perfect hero, whose example shows
How war with righteousness may be allied—
The conqueror with the Christian: and how man
In helping others, finds his highest fame.

"And then we'll raise on Liberty's broad base
A structure of wise Government; and show
In our new world a glorious specimen
Of social order, Freeman, equals all,
By reason sway'd, self-govern'd, self-improv'd,
And the electric chain of public good
Twin'd round the private happiness of each.
And every heart thrill'd by the patriot chord
That sounds the glory of America.

"A free Republic—where beneath the sway
Of mild and equal laws, framed by themselves,
One people dwell, and own no lord save God."

PHILADELPHIA, June 1, 1863.

LEMONS FOR THE SICK.—The New York *Times* says:—The prompt response to the appeal recently made for contributions of lemons with which to form acidulated beverages for the invalid soldiers in the Virginia and Washington hospitals, is another proof of the anxiety of people generally to do what they can in the way of patriotic and humane work for the benefit of our army. Over a hundred boxes have, within the last four days, been forwarded to Washington, freely contributed and freely transmitted to the bedsides of the wounded. We hope this will not be a spasmodic movement. The summer heats are just beginning, and there will be a steady and earnest demand for this fruit for months to come, even if our wounded in the hospitals should not be vastly increased by the battles likely to be fought in June, July and August. It would perhaps be well if there were a mixed committee of ladies and gentlemen formed to attend permanently to this little matter during the summer. It would be a pretty and a Christian labor.

PROPOSALS.

PROPOSALS FOR TIMBER AND MATERIALS FOR THE NAVY.

NAVY DEPARTMENT,
BUREAU OF CONSTRUCTION AND REPAIR,
May 29, 1863.

SEALED PROPOSALS to furnish TIMBER and MATERIALS for the Navy, for the fiscal year ending 30th June, 1864, will be received at the Bureau of Construction and Repair, until the 20th day of June next.

Proposals must be endorsed "Proposals for Timber and Materials for the Navy," that they may be distinguished from other business letters, and directed to the Chief of the Bureau of Construction and Repair.

The materials and articles embraced in the classes named are particularly described in the printed schedules, any of which will be furnished to such as desire to offer, on application to the commandants of the respective yards, or to the Navy Agent nearest thereto, and those of all the yards upon application to the Bureau. This division into classes being for the convenience of dealers in each, such portions only will be furnished as are actually required *for* bids. The Commandant and Navy Agent of each station will, in addition to the schedule of classes of their own yards, have a copy of the schedules of the other yards for examination only, from which may be judged whether it will be desirable to make application for any of the classes of those yards.

Offers must be made for the whole of the class at any yard upon one of the printed schedules, or in strict conformity therewith, or they will not be considered. In computing the aggregate the price stated in the column of prices will be the standard, and the aggregate of the class will be carried out according to the prices stated.

The schedule which the bidder encloses must be pasted to his offer, and each of them signed by him. Opposite each article in the schedule the price must be set, the amount carried out, the aggregate footed up for each class, and the amount likewise written in words: If the parties who bid do not reside near the place where the articles are to be delivered, they must name in their offer a person to whom orders on them are to be delivered.

The contracts will be awarded to the lowest *bona fide* bidder, who gives proper security for its fulfilment. The United States reserves the right to reject all the bids for any class, if deemed exorbitant.

All articles must be of the very best quality, to be delivered in the navy yards in good order, and in suitable vessels and packages, properly marked with the name of the contractor, as the case may be, at the expense and risk of the contractor, and in all respects subject to the inspection, measurement, count, weight, &c., of the yard where received, and to the entire satisfaction of the Commandant thereof.

Bidders are referred to the Commandants of the respective yards for samples, instructions, or particular description of the articles; and, all other things being equal, a preference will be given to articles of American manufacture.

Every offer, as required by the law of 10th of August, 1846, must be accompanied by a written guarantee, the form of which is given below.

And also by a certificate signed by the Collector of Internal Revenue for the District in which the bidder resides, that he has a license to deal in the article for which he bids.

Bids will include packages and delivery in this city. Sellers' name and date of purchase required on each package.

No bids from parties who have failed to fulfil a former agreement will be considered.

Bids from known dealers only will be attended to, and each bid must be accompanied by the written guarantee of two responsible persons for the faithful performance of the agreement.

Proposals to be endorsed "Proposals for Subsistence Stores," and directed to

W. K. BUCK,
jel-2t Capt. and C. S. Vol. Service

ARMY CLOTHING AND EQUIPAGE OFFICE, TWELFTH and GIRARD Streets,
PHILADELPHIA, June 1, 1863.

SEALED PROPOSALS are invited at this Office until 12 o'clock M. on SATURDAY, the 6th June inst., to furnish promptly at the Schuylkill Arsenal—

Wax Upper Leather, to be first-class, oak-tanned, from slaughter hides, well finished.

Bidders will state in their proposals the price, quantity bid for, and time of delivery.

The ability of the bidder to fill the contract must be guaranteed by two responsible persons, whose signatures must be appended to the guarantee, and said guarantee must accompany the bid.

No bid will be considered that does not comply fully with the above requirements.

A sample can be seen at this Office, and bidders are invited to be present at the opening of the bids.

G. H. CROSMAN,
jel2-5t Ast. Q. M. General U. S. Army.

OFFICE COMMISSARY OF SUBSISTENCE, No. 1102 GIRARD street,
PHILADELPHIA, June 3, 1863.

PROPOSALS will be received at this Office until 12 o'clock M. on FRIDAY, June 6th, for furnishing for the use of the United States Army, at such times and in such quantities as may be required, within 30 days from date of opening proposals, the following subsistence stores, viz:

200 barrels first quality PRIME MESS PORK, to be full salted, free from rust or stain, 200 pounds meat, in new, well-coopered, oak barrels.
200 barrels first quality new EXTRA MESS BEEF, meat to be packed in new, well coopered oak barrels.
60,000 pounds PRIME RIO COFFEE, in double bags.
100,000 pounds light yellow COFFEE SUGAR, in new, light, well-coopered barrels.
10,000 pounds WHITE SUGAR, in barrels.
10,000 pounds good HARD SOAP, in round lumps, full weight.
2,000 gallons pure VINEGAR, in new barrels.
1,000 gallons MOLASSES or SYRUP, in new barrels
500 pounds best quality pure ground BLACK PEPPER, in 4 oz. papers.

All articles to be of the best quality, securely packed, and in perfect order for transportation.

Bids will include packages and delivery in this city. Sellers' name and date of purchase required on each package.

No bids from parties who have failed to fulfil a former agreement will be considered.

Bids from known dealers only will be attended to, and each bid must be accompanied by the written guarantee of two responsible persons for the faithful performance of the agreement.

Proposals to be endorsed "Proposals for Subsistence Stores," and directed to

J. M. GUMMEY & SONS,
No. 508 WALNUT Street.

QUARTERMASTER GENERAL'S OFFICE, WASHINGTON CITY, March 21, 1863.—Owners of steam vessels are invited to send to the Quartermaster General's Office tenders for their charter or sale. Such tenders should contain descriptions of the vessels, their dimensions, enrolled or registered tonnage, actual carrying capacity, speed, whether propelled by one or two sidewheel or propellers, whether iron or copper-fastened; size and power of engines and boilers; and should state the time for which they are offered for charter, with the estimated value of the vessels in case they will be required to be purchased instead of chartering.

Owners of steam vessels already in the service of the Quartermaster's Department are requested to make known to the Department any reduction in their present rates which they may be willing to make, and the lowest price at which they will be willing to sell them.

All such tenders should be addressed to the Quartermaster General of the United States, at Washington, and should be endorsed "Proposals for Charter or Sale of Steamers."

When received they will be considered, and the Department will endeavor to relieve the heavy expense attending army transportation, upon the oceans and inland waters, by substituting, whenever it can do so, cheaper vessels of equal capacity for those now employed.

mh25-3m

CUSTOM-HOUSE, PHILADELPHIA, COLLECTOR'S OFFICE, May 16, 1863.

SEALED PROPOSALS will be received at this office until the 20th day of June, for the supply of ratings to the petty officers and seamen of the United States Revenue Marine Service, for the term of one year from the 1st day of JULY next.

The rations to be of good and wholesome quality, to be approved by the captain; and the different articles composing the rations to be delivered on board the vessel, in a good and sufficient manner, and in the vessels provided by the contractor; and the contents thereof distinctly marked on each.

It is to be understood that the contractor will be bound to furnish, upon reasonable notice, as often as may be required by the Captain of the vessel, for the appropriation of the collector (not exceeding, upon an average, one ration per week), such fresh meat and fresh vegetables as may be equivalent to the corresponding parts of the ration allowed in the naval service.

Specifications will be furnished at this office.

WM. B. THOMAS, Collector.

COAL.—WRITTEN PROPOSALS will be received until the 15th JUNE, for the delivery on the north wharf at WEST POINT, N. Y., of the following quantities of PRIME WHITE ASH COAL, *viz*:

60 tons (2,240 lbs. per ton) Large Egg size.
760 tons " " Egg size.
300 tons " " Stove size.

Proposals for Coal, and price of each size, stated separately.

Coal can be delivered from the Schuylkill, Lehigh, and Wyoming regions, at the West Point wharf, from canal boats, which receive it at the mines, without breaking bulk, via the Schuylkill and Delaware and Hudson Canals.

The Coal to be delivered between the 1st of July and 1st of September next.

Facilities (not including men) for unloading will be furnished.

Proposals to be addressed to

EDWARD C BOYNTON,
Captain and Quartermaster.
WEST POINT, N. Y., May 31, 1863. my30 tu8t8t

GENERAL ORDERS, No. 105.
WAR DEPARTMENT, ADJT. GENERAL'S OFFICE, WASHINGTON, May 22, 1863.

The organization of an INVALID CORPS is hereby authorized.

This Corps shall consist of Companies, and if it shall hereafter be thought best, of Battalions.

The Companies shall be made up from the following sources, viz:

First. By taking those officers and enlisted men of commands now in the field (whether actually present or temporarily absent) who, from wounds received in action or disease contracted in the line of duty, are unfit for field service, but are still capable of effective garrison duty, or of performing the duties of a military nature in Invalid Corps. Regimental Commanders shall at once make a careful inspection of their commands, and report to Division and Company Officers, and from their own knowledge, rolls (according to the Form furnished) of the names of all the officers and enlisted men under their command who fulfill the following conditions, viz:

1. That they are unfit for actual service on account of wounds or disease contracted in the line of duty; this fact being certified by a Medical Officer in the service, if such officer be attached to the regiment.

2. That they are fit for garrison duty; this fact being likewise certified by the Medical Officer, as above, after personal examination.

3. That they are, in the opinion of their Commanding Officers, worthy and deserving.

These rolls shall be certified by the Examining Surgeon and Regimental Commander, and transmitted, through the regular channels of military correspondence, to the Provost Marshal General of the United States.

The Regimental Commander shall enter in the column of remarks, opposite each officer's name, on the roll, a recommendation to the general character of the officer for intelligence, industry, sobriety, and attention to duty; and all intermediate Commanders shall add thereon such facts as they may possess in the case, or if they have none, they shall state that they know of no reason to endorse their opinion of the officer or officers making the recommendation. Similar rolls shall be forwarded from time to time, whenever the officers shall be reported for the conditions enumerated or the exigencies of the service may render it expedient.

Second. By taking those officers and enlisted men still in service and borne on the rolls, but who are absent from duty, in Hospital or Convalescent Camps, or are otherwise under the control of Medical Officers. In these cases, the Medical Officer in charge shall prepare the rolls, according to Form, entering the names of officers and men from the same Regiment on a roll by themselves, and, after the recommendation of the Surgeon, duly signed, to the proper Regimental Commander, who will forward them, as above directed, subject to the same conditions and requirements. If in any case, the Regimental Commander shall think an officer unfit, in point of character, to continue in the service of the Invalid Corps, though disabled and certified for duty, he will so well state his objections in a column of remarks, and note the exception before signing the certificate. If any officer or enlisted man now in the service, but absent from his command, shall the Medical Officer in charge of a Hospital or Convalescent Camp, desire to make his application, he will forward the papers dated below for those who have been honorably discharged the service.

Third. By accepting those officers and enlisted men who have been honorably discharged on account of wounds or disease contracted in the line of duty, and who desire to re-enter the service. In the case of an officer, an application for appointment must be made to the Adjutant General of the United States, which, through the officer detailed as Acting Assistant Provost Marshal General for the Regiment, or Brigade of this kind will be considered unless the following conditions are completely fulfilled:

1. The applicant produce the certificate of the Surgeon of the Board of Enrolment for the District in which he resides, that he is unfit for duty, on account of wounds or disease, and is not liable to draft, but is fit for garrison duty.

2. That he produce evidence of honorable discharge on account of wounds or disability contracted in the line of duty.

3. That he produce recommendations from the Regiment, Brigade, and Division Commanders under whom he formerly served, that he is worthy of being thus provided for and capable of returning adequate service to the Government, and in case it shall be impracticable to get this last evidence, he may, having established the first two points to the satisfaction of the Board of Enrolment, file an affidavit to the fact, and present its certificate of the fact. This evidence must all be obtained by the applicant, and must be transmitted with the application for appointment.

Where there is no Acting Assistant Provost Marshal General for the State, the application may be forwarded through the Adjutant General of the State, who is designed by the Governor of the State, as such military history of the applicant as he may know, or as are afforded by his records, and forward the same to the Provost Marshal General of the United States. Enlisted men, honorably discharged on account of disability, desiring to re-enlist in the Invalid Corps, will present themselves to the Board of Enrolment for the District in which they reside, for examination by the Surgeon thereof, who will examine them and report the result to the Board of Enrolment.

The Board of Enrolment will consider each case, and if the applicant is found to fulfil the conditions specified below, the Board shall give him a certificate to that effect, viz:

1. That he is unfit for service in the field.
2. That he is fit for garrison duty.
3. That he is meritorious and deserving.

4. That he has been honorably discharged from the service.

The Provost Marshal for the District shall then send the application, with the certificate of the Board of Enrolment, to the Provost Marshal General of the State, who shall procure such evidence of service and character as the records of the Company to which the applicant was on file at the Headquarters of the State, may show, and if satisfied that it is a meritorious case, and that the man is deserving, he will enlist him in accordance with such special rules as the Provost Marshal General may establish.

Medical Inspectors, Surgeons in charge of Hospitals, Military Commanders, and all others having authority to discharge, under existing laws and regulations, are forbidden to grant discharges to any men under their control who may be fit for service in the Invalid Corps.

The Provost Marshal General is charged with the execution of this order, and the corps organized under it will be under the control of his Bureau.

By order of the Secretary of War

C. W. TOWNSEND,
Assistant Adjutant General.

PROVOST MARSHAL GENERAL'S OFFICE,
WASHINGTON, May 22, 1863.

NOTICE.

The attention of all officers who have been honorably discharged from the service on account of wounds, who desire to re-enter the service in the Invalid Corps, is called to the provisions of General Orders No. 105, of 1863, from the War Department, published in the papers throughout the country. Such officers are requested to comply promptly with the provisions of that order, and to send their written applications, as therein provided, for positions in the Invalid Corps, stating the character of their disability, with as little delay as possible, to the Acting Assistant Provost Marshal General of the State in which they may be. Such Acting Assistant Provost Marshal General will at once forward the application with his endorsement, to the Provost Marshal General at Washington.

Officers for the Invalid Corps will be appointed immediately upon furnishing the evidence required by General Orders No. 105, of 1863, from War Department. Their pay and emoluments will commence from date of acceptance of such appointments, and not from date of organization of the respective commands to which they may be assigned.

Provost Marshal General.

OFFICE PENNSYLVANIA RAILROAD COMPANY,
PHILADELPHIA, May 22, 1863.

The undersigned has been authorized to offer for sale at par the First Mortgage SINKING FUND SEVEN-PER-CENT. BONDS of the Holidaysburg, Cove Railroad Company, amounting to Three Hundred Thousand Dollars ($300,000), issued to J. Edgar Thomson, Trustee, under an act of Assembly of the State of Virginia, authorizing the construction of a Railroad Bridge across the Ohio river at Steubenville, confirmed by an act of Congress, approved July 14, 1862.

These bonds are for one thousand dollars ($1,000) each, secured by a mortgage on the property and franchises of the Company, and redeemable on the first day of February, 1883. The coupons attached are payable on the first day of February and of August in each and every year, at the office of the Pennsylvania Railroad Company, in the city of Philadelphia, and the principal thereof at the Farmers and Mechanics' Bank in the said city, at maturity.

This Railroad Bridge is now being constructed in the best manner with stone piers and abutments, and iron superstructure, after a plan prepared by J. H. Linville, civil engineer and approved by J. Edgar Thomson, President of the Pennsylvania Railroad Company.

This bridge, when completed, will form part of a through line from Pittsburg to Cincinnati, under one management, twenty-nine miles shorter than any other route, and fifty-eight miles shorter than the present route, via Crestline. It is expected that the line will be ready for business throughout its whole extent by July 1, 1864, and it must eventually become the great through route for both passengers and freight to and from the South and Southwest.

The Tolls that will be charged by the said company under its charter, for the use of this bridge, are specifically pledged to the payment of the interest on the bonds, and twenty per cent. thereof is added to the amount of payment of interest and such expenses as may be necessary to a sinking fund for the redemption of the principal of the bonds at maturity.

The amount of traffic passing over this bridge will yield, under a limited estimate, a fund amply sufficient to provide for the interest and the necessary accumulation for a sinking fund, to provide for the principal of the bonds before they mature. The bonds are, therefore, recommended as a first-class security.

Further information desired will be given by the undersigned.

(may28-tue3t) EDMUND SMITH.

GRAVE-STONES, GRAVE STONES, AND MONUMENTS, AT REDUCED PRICES.—A large assortment of Italian Grave Stones, of various designs, offered at reduced prices, at the Works of S. STEINMETZ, RIDGE Avenue, below Eleventh street.
mh30-3m

FOR SALE AND TO LET.

GERMANTOWN PROPERTY FOR SALE.—Two handsome Stone Cottages, on QUEEN Street, near Maine. Apply to WM. ROSSELL ALLEN, S. E. corner FOURTH and WALNUT, second floor. je2-3t*

FOR SALE—THE STORE AND Dwelling, N. W. corner SIXTEENTH and SUMMER streets. Has a large front on each street. Apply to WM. ROSSELL ALLEN, S. E. corner FOURTH and WALNUT, second floor. je2-3t

FOR SALE—A VERY DESIRABLE RESIDENCE, with side yard attached, on EIGHTEENTH Street, above Arch. Apply to WM. ROSSELL ALLEN, S. E. corner FOURTH and WALNUT, second floor. je2-3t

DELAWARE COUNTY COTTON FACTORIES FOR SALE.—The valuable Cotton Factories, known as AVONDALE and STRATHAVEN, situated on Crum Creek, Delaware County, one mile from Westdale Station, West Chester Railroad, two miles from Leiperville, and three from Chester, now occupied by Simeon Lord, are offered for sale. "Avondale" includes a stone mill 82 by 47 feet, 3½ stories high, with dry house, picker house, twenty-two stone tenements, and about 8 acres of land, in Springfield and Nether Providence townships. "Strathaven" includes a frame cotton mill, 82 by 30 feet, 2½ stories high, with picker house, five frame and stone tenements, and about 24 acres of land, in Nether Providence. The properties will be shown by Mr. Lord, on the premises. Early possession can be given. For terms inquire of

SAMUEL FIELD,
N. W. corner of FRONT and WALNUT streets,
my30 1t Philadelphia.

FOR SALE—A HANDSOME Country Residence, with from ten to thirty acres of Land, beautifully located on Washington Lane, convenient to the "Germantown and Chestnut Hill" and "North Pennsylvania Railroads." It is built of rubble-stone, finished throughout in excellent style, furnished with every modern convenience, two water-closets, &c., and handsomely shaded. Painted-stone stable and carriage-house, grounds highly improved, stream of water running through, several acres woodland, &c., &c.

J. M. GUMMEY & SONS,
508 WALNUT Street.

FOR RENT—A VERY DESIRABLE COUNTRY RESIDENCE, for the Summer Season, with furniture, stabling, and abundance of fine shade and variety of choice fruit, (ice-house filled), and large vegetable garden, &c. For particulars, apply to W. H. PAXSON, Bridgewater P. O., Bucks county, or W. S. BOYD, No. 17 South WATER Street.
my30-6t*

FOR SALE—THAT VERY DESIRABLE Three-story DWELLING, with three-story Back Buildings, situate at the N. W. corner of Twenty-third and Wallace streets, in good order, containing thirteen rooms, replete with all the modern improvements; has a Side Entrance and Office; would suit a physician. Apply to

JAN HORN & ECKSTEIN,
331 MARKET Street.

TO RENT—A LARGE FOUR-STORY, well-built BRICK BUILDING, with Steam Engine, corner of TWENTY-SECOND and WOOD Streets. Inquire of ISAAC PUGH, No. 407 WALNUT Street, or of JAMES CORRY, TWENTY-SECOND and CALLOWHILL Streets. my23-12t*

VALUABLE IRON PROPERTY FOR SALE—MATILDA FURNACES AND ORE BANKS.—This property is situated on the Juniata River, in Huntingdon and Blair counties, Pa., within one mile of Mount Union Station, on Pennsylvania Railroad. The furnace is of the best Charcoal Iron, and has a capacity of 2,500 tons per month. It embraces about twenty-seven hundred acres of land, about three hundred acres of which are cleared land, in a high state of cultivation; the balance is good timber land, would supply charcoal for years. The buildings and improvements are a good substantial furnace, stack, steam engine, iron blowing cylinders, &c., &c., with all the necessary buildings. The ore in this property is entirely free from shale trees. Apply daily, except Tuesday and Thursday, morning, from 10 till 11 o'clock, at 805 Arch Street.
my5-tf

ENGINE FOR SALE.—A VERTICAL Lever Beam Low Pressure Steam Engine, cylinder 40 inches diameter, 5-feet stroke; Beam resting on a round Stone Column; Iron Columns and Lever Castings cut off. Also, two boilers, 22 feet long, 7 feet diameter. The engine and boilers are in good order, and have been used only about two years. Apply to

H. N. BURROUGHS,
108 South DELAWARE Avenue.

PENNSYLVANIA IRON ORE LANDS FOR SALE—TO CAPITALISTS AND IRON MANUFACTURERS.—I have for sale four thousand acres of the very best iron ore land in the State. They are situated in the JUNIATA VALLEY, along the line of the Bedford Railroad, in Bedford county.

The property is in large tracts, and a portion of it is limestone. The lands stretch along the eastern side and base of Tussey's Mountain, for from five to ten miles, and include the ore seams for the whole distance.

The ore seams are three, viz.: The soft fossil seam, 36 feet in thickness; the small hematite seam, about twelve feet in thickness; the celebrated hematite seam, about three feet in thickness.

Timber for the very superior quality, is abundant. The Bedford Railroad cuts through the ore and limestone sections of the land. Coal and iron ore can be placed in the cars at once. The Great Broad Top Coal Vein is within two miles of the railway. Parties who desire to erect Coke Furnaces can purchase a valuable tract of coal land connected with the ore lands for sale.

There are several fine locations for furnaces. The ore is the same as the Bloomfield ore, out of which the iron of the Pittsburg Iron Works is made. Undivided interests in the land, or if preferred the whole will be sold together.

Parties requested to visit the lands. Terms easy.

Address J. M. SCHOFIELD,
Bedford, Pennsylvania.

WEST MARKET STREET FOR SALE, a large and valuable four-story STORE, with a three-story building in the rear; Lot 24 by 150 feet to Jones' Alley. Suitable for a wholesale manufactory or store, &c.
je3-6t* D. S. CADWALLADER,
108 South FOURTH Street.

$5,000 AND $3,000—TO LOAN ON Mortgage, either on good city or country properties.
my29-6t* 108 SOUTH FOURTH Street.

MEDICAL.

READ THE FOLLOWING CAREFULLY.—At the close of a Course of Lectures, delivered to crowded audiences in this and other cities, by PROF. C. H. BOLLES, who has been developing his discovery for nearly four years, at 1420 WALNUT Street, in the City of Philadelphia, in the application of GALVANISM, MAGNETISM, and other modifications of LIFE PHYSIC, the following resolutions were unanimously passed:

Resolved, That, as we have been eye witnesses for many weeks in the Lecture Room of Professor Bolles, we have good reason to believe that he has discovered new principles in the Healing Art, and the application of Electricity to the various diseased conditions of the human system; and that, in the treatment of different diseases, we believe it to be unrivalled, in the land, and his Muscle, the application of Electricity is a reliable therapeutic agent; and that he has taught us a new, rational, and scientific Philosophy, and we believe the only reliable theory of disease and mode of cure.

Resolved, That the principles of this philosophy advanced, and so clearly demonstrated in the Course of Lectures, is entirely new and original with Prof. Bolles, and is known to be opposed to the Medical Profession, and that the great success which has attended his practice in this city alone the result of his scientific Philosophy, and the laws hitherto unknown to man, and that the many failures of other men in this city using this mighty agent is their ignorance of the true principles of Electricity.

Resolved, That we, in duty to suffering humanity, and for the great benefit of the sick, do most earnestly recommating to a condition of health and happiness, commend Professor and his Discovery and Practice to the public, and bid him God speed, as we believe his great mission is one of benevolence and mercy, and calculated to benefit humanity to the extent of restoring the sick and diseased to a final restoration of health and physical happiness.

Resolved, That we tender Prof. Bolles our thanks for his lucid instruction and kind attention to us, individually and as a class; that he has redeemed every pledge or assurance made by him, and that we parting from him he has our best wishes for his happiness and prosperity, and we most cordially recommend to scientific investigators, and also to the diseased of body or mind.

Also, Resolved, That the proceedings of this meeting be signed by each member of the class, and published in the city papers.

By order of the Class.

M. J. GALLOWAY, M. D., Chairman.

W. B. Brown, M. D.
E. A. Steel, M. D.
J. C. Rose, M. D.
E. T. Elliot, M. D.
Frederick Walk, Allegheny House (816), Philadelphia.
Jacob Grim, 1326 Noble street, Philadelphia.
W. H. Fuller, M. D.
Thos. Allen, three doors east of Fortieth street.
S. W. Beckwith, No. 9 Woodland Terrace, Phila.
E. N. Nash, 313 North Sixth street, Philadelphia.
M. S. Tuttle, M. D.
J. H. Bartholomew, Allegheny House, Philadelphia.
PHILADELPHIA, May 4th, 1863. my18

DOCTOR A. H. STEVENS, ELECTROPHYSICIAN, is curing all CHRONIC DISEASES, both of Ladies and Gentlemen, by a new method in the use of Electricity alone, without any Medicine, or even any Pain.

BOARD may be had, with Treatment, by Patients from abroad, at reasonable rates, in the Doctor's Family.

LETTERS applying for circulars or further information will be promptly answered. Office and Residence at 418 SOUTH TEN SQUARE, Philadelphia, Pennsylvania, being in a central as well as delightful part of the city. mh30-stuthsm

MRS. JAMES BETTS' CELEBRATED SUPPORTERS FOR LADIES, and the only Supporters under eminent medical patronage. Ladies and physicians are respectfully requested to call only on Mrs. Betts, at her residence, 1020 WALNUT Street, Philadelphia, to avoid counterfeits.) Thirty thousand ladies have been advised by their physicians to use her appliances. Those only are genuine bearing the United States copyright, labels on the box, and signatures, and also on the Supporters, with testimonials. oct26-tu1ms1

TO LET—A COMMODIOUS DWELLING, No. 132 North FIFTH Street. Rent moderate. Apply to

THOS. MATLACK,
oc27-tf 47 and 49 North SECOND Street.

FOR SALE—FRUIT FARM OF 25 acres, near Royer's Ford, on the Reading road. Good buildings, and good location.

25-acre Farm on the Bristol pike, one mile above Frankford.

2-acre Farm two miles from Norristown.

28-acre Farm and large Mansion, at Holmesburg.

123 South FOURTH Street, and
my30-tf S. W. corner SEVENTEENTH and GREEN.

FOR SALE OR TO RENT—A BRICK HOUSE, WITH A ONE ACRE LOT ON MAIN STREET, MANAYUNK, No. 7. The House is large and airy, containing 13 Rooms.

Also, for Sale or to Let, a Three-story Frame, with garden, outbuildings, &c., on the Schuylkill, in Manayunk.

For particulars, apply to C. H. SHINN,
1324 WALNUT Street.
my15 tf

FARM FOR SALE—IN CHESTER County, 4 miles northwest from Downingtown, on pike leading from thence to Ephrata Springs, containing about ONE HUNDRED AND EIGHT ACRES, best quality of land, well watered and divided in fields; sufficient wood, plenty of Fruit Trees; in prime of beauty; land good, large Barn and other outbuildings; house has nine rooms, spring water at the door. Situation high and commanding, lawn in front, remarkably fine shade; forward them, so desired, subject to the same conditions and requirements. If in any case, the Regimental Commander shall think an officer unfit, in point of character, to continue in service of the Invalid Corps, though disabled and certified for duty, he will so well state his objections in a column of remarks, and note the exception before signing the certificate. If any officer or enlisted man now in the service, but absent from his command, shall the Medical Officer in charge of a Hospital or Convalescent Camp, desire to make his application, he will forward the papers dated below for those who have been honorably discharged the service.

Third. By accepting those officers and enlisted men who have been honorably discharged on account of wounds or disease contracted in the line of duty, and who desire to re-enter the service. In the case of an officer, an application for appointment must be made to the Adjutant General of the United States, which, through the officer detailed as Acting Assistant Provost Marshal General for the Regiment, or Brigade of this kind will be considered unless the following conditions are completely fulfilled:

1. That the applicant produce the certificate of the Surgeon of the Board of Enrolment for the District in which he resides, that he is unfit for duty, on account of wounds or disease, and is not liable to draft, but is fit for garrison duty.

2. That he produce evidence of honorable discharge on account of wounds or disability contracted in the line of duty.

3. That he produce recommendations from the Regiment, Brigade, and Division Commanders under whom he formerly served, that he is worthy of being thus provided for and capable of returning adequate service to the Government, and in case it shall be impracticable to get this last evidence, he may, having established the first two points to the satisfaction of the Board of Enrolment, file an aff