Pittsburgh Gazette.

PITTSBURGH:

WEDNESDAY MORNING, MARCH 10, 1858.

OFFICIAL PAPER OF THE CITY.

News of the City and Neighborhood.

The P., Ft. W. & C. R. R. Crossing.

We give in full, below, the decision of the Court in the matter in the caption. It was prepared and read by Judge Hampton yesterday morning. The injunction upon the Mayor and City asked for in the bill filed on the 16th of February last by J. H. Hampton, Esq., a compend of which we gave at the time, is granted as may be seen by a perusal of the following:

HAMPTON, P. J.—The bill sets forth the act of Assembly, incorporating the Ohio and Pennsylvania Railroad Company, approved the 11th of April, 1848, with its various supplements, together with an act bearing date the 16th of April, 1856, by which that Company, together with other similar companies in Ohio, Indiana and Illinois, were by virtue of the legal enactments of those States respectively, consolidated into one corporation, known by the name of the "Pittsburgh, Fort Wayne and Chicago Railroad Company," possessing and enjoying all the rights, privileges and franchises granted or conferred upon the original corporations.

That under their original charter they constructed their road from Crestline, in the State of Ohio, to Federal street, in the city of Allegheny. That by the terms of their charter they were bound to connect their road with the Pennsylvania Railroad at or near the city of Pittsburgh. That in order to complete this connection as speedily as possible, and to prevent any difficulty between themselves and the city of Pittsburgh, they applied for the passage of an ordinance by the latter. That on the 9th of January, 1854, an ordinance was passed granting them the right of way across Penn street, to connect with the Pennsylvania Railroad on Liberty street, in said city. That said ordinance contained a proviso limiting the time for completing such connection to two years from the date of its passage, and requiring the selection of one of the routes named therein within six months thereafter. That by a supplemental act of the Legislature, passed the 14th day of December, 1854, they were authorized to construct their road on its present route west of the Aqueduct and Canal, in the city of Pittsburgh, to Liberty street, there to connect with the Pennsylvania Railroad. That they proceeded with all possible speed and at a great expense to erect a bridge across the Allegheny river, and construct their road from Federal street, in Allegheny city, to the line of Penn street, in the city of Pittsburgh, and that the same was completed and opened for use in September last, and has been in constant use ever since. That they have purchased grounds on the north side of Penn street for a depot, at an expense of $150,000, and have also purchased a lot of ground extending from Penn to Liberty street on the line of their road. That they were prevented from completing their road within the period of two years by causes over which they had no control; but that within that period they had entered into extensive contracts, and expended the sum of $120,000 in the prosecution of the work.

It further states that on the 27th day of January last, they commenced operations on Penn street, preparatory to laying their track across the same, when their engineer and workmen were arrested by the Mayor and his officers, and held to bail to answer, for a supposed offence, in the Court of Quarter Sessions. That the city authorities have threatened by letters and verbal declarations that they will prevent the Company, by force, if necessary, from constructing their road over Penn street, and forming a connection with the Pennsylvania Railroad on Liberty street. That by reason of the wrongful conduct of the city, her officers and agents, they are wholly estopped, hindered and prevented, from completing the connection.

They, therefore, pray the Court to enjoin the said defendants, their servants and agents, from interfering with their alleged rights in the premises; and from preventing the construction of said road, and from using it when made.

The facts set forth by the complainants' bill, being verified by the President's affidavit, and not denied by answers or affidavits on part of the respondents, must be taken as true for the purposes of the present application. If these facts clearly established the right of the Company to lay down the track of their road across Penn street, and connect the same with the Pennsylvania Railroad on Liberty street, the preliminary injunction prayed for must be granted; otherwise it must be refused.

This right is claimed on two grounds:

1st. Under their charter of the 11th April, 1848; and its supplement, passed 14th Dec., 1854.

2d. Under the ordinance passed by the City Councils the 9th of January, 1854.

The learned counsel for the respondents resist this application on these grounds:

1st. Because the Legislature has no power over the streets of Pittsburgh, they having been laid out and dedicated to the public by the Penns, on ground embraced within the limits of one of their manors, which was never confiscated, and the title to which was never vested in the State.

2d. Because the Company failed to complete their road within the time specified in the Ordinance, to wit: the period of two years—by which failure all the rights and privileges granted by the same were forfeited.

3d. That the Company, in case they failed to agree with the City on the terms upon which they might cross Penn street, was bound by their charter to apply to the Court of Common Pleas for the appointment of viewers.

These objections will be considered in their order, hereafter.

Let us first consider the rights of the complainants, under their charter and its supplement; and secondly, their rights under the Ordinance of the City Councils.

By the first section of the Act of the 11th of April, 1848, chartering this Company, it is provided, "That the said Railroad Company shall connect, at or near the City of Pittsburgh, with the Pennsylvania Railroad, with the consent of the Pennsylvania Railroad Company." This consent, the bill alleges, has been duly obtained.

The first section of a supplement to this Act, approved the 14th of December, 1854, provides, "That the Ohio and Pennsylvania Railroad Company is hereby authorized to connect its Railroad with the Pennsylvania Canal and the Pennsylvania Railroad, in the City of Pittsburgh, by erecting its proposed bridge across the Allegheny river, alongside of the Canal Aqueduct now erected there." The Company is prohibited from approaching nearer to the Aqueduct or Canal than two hundred feet, at any point between the Collector's office, in Allegheny, and Liberty street, in the City of Pittsburgh, without the consent of the Canal Commissioners.

Whatever powers are granted by the charter of a private corporation, either in express terms or by necessary implication, may be exercised by the company, but beyond that it cannot go. In regard to this kind of grant, the ordinary rule of construction is reversed, and the charter is to be construed liberally in favor of the public, and most strongly against the grantees. A doubtful charter, or a doubtful power under a charter, cannot exist. When the power is expressly given, there can be no room for doubt; so when the implication arises naturally and necessarily out of the express-powers, the right is equally clear. If the powers or privileges be coupled with conditions; they must be strictly complied with; but if no conditions be annexed, the powers granted may be exercised in a reasonable manner, having due regard to the rights of others whose interests may be affected thereby.

In the Commonwealth vs. Erie and North-east Railroad Company, (3 Casey, 354-5,) Black, C. J., says: "The right of a company to build a railroad on the street of a city depends, like the lawfulness of all its other acts, upon the terms of its charter. Of course when the power is given in express words, there can be no dispute about it. It may also be given by implication for instance, if a company be authorized to make a railroad by a straight line, between two designated points, this implies the right to run upon, along, or across, all the streets or roads which lie in the course of such line. So also when an act of incorporation directs a road to be made between certain termini, by such route as the granters of the privilege shall think best, it may be located on an intervening street or other common highway, if in the judgment of the directors, it be necessary or expedient to do so."

By applying these rules of construction to the act of Dec., 1854, let us inquire whether this Company has the right to cross Penn street and connect their road with the Pennsylvania Railroad on Liberty street as claimed in their bill? That act, as we have already seen, authorized them to erect their bridge over the Allegheny river, where it now stands, and to construct their road so as to connect with the Pennsylvania Railroad, on Liberty street, at a point not less than two hundred feet from the canal. Here we have two points expressly given, only a few hundred feet apart, with Penn street lying directly between them, in such a position as to render it utterly impossible to connect these two points without crossing this street. What, then, is the clear, distinct, and necessary implication arising out of this express power granted by the Legislature? If a Railroad Company were expressly authorized to construct their road along Liberty street from its eastern extremity to the Point, this would involve the necessity of crossing, perhaps, a dozen other streets in its progress; and yet it would scarcely be thought necessary by any one, to name each one of those streets, and confer special power on the Company to cross the same. In such case the right to cross all intermediate streets would be clearly implied; otherwise the power to construct their road between the two given points would be rendered nugatory. So here, if the complainants are denied the privilege of crossing Penn street, the express power of connecting the two given points, conferred by the act, becomes a dead letter on the statute book.

This right is rendered still more clear, when we take into consideration the fact that this company is *compelled* by its original charter to connect with the Pennsylvania Railroad *at* or *near* the city of Pittsburgh; and its route, in order to form that connection, is specifically designated by the supplement of Dec. 1854, and the privilege so granted is not coupled with any conditions whatever as to the terms on which it shall be exercised or enjoyed. Thus, it is abundantly manifest, that their right to cross this street, and form the connection with the Pennsylvania Railroad, on Liberty street, could not be more clear, distinct and certain, if the power were specifically given in express terms.

But there is another aspect of this question which renders the right claimed by the company still more impregnable. Under their original charter and its supplement, requiring them to form this connection, and designating the route, they have erected their bridge, purchased the right of way, and property for a depot, and constructed their road at a vast expense, to the line of Penn street, within a few feet of the point of intersection with the Pennsylvania Railroad, on Liberty street. All this has been done on the faith of a contract with the public; for it is now the settled doctrine, says Mr. Justice Woodward; (3 Casey, 309,) both in England and the American Courts, that an act of incorporation is a bargain between a company of adventurers and the public. "If this be so, even the Legislature itself could not interfere with the rights of this company under their charter, without at the same time protecting the corporators from injury, and that only by an express reservation in the charter itself.

But the Legislature has not attempted to exercise any such power, nor has the State interposed any obstacles or objections to the connection sought to be formed. This right, it seems, is claimed by the corporate authorities of the city of Pittsburgh, who derive all their powers over the streets of the city from their charter granted by the legislature. The mere statement of such a proposition carries with it its own refutation.

Let us consider, in the second place, the rights of the company under the ordinance passed by the city councils, on the 9th of January, 1854. The provisions of that ordinance are as follows:

"SECTION 1. Be it ordained and enacted by the citizens of Pittsburgh in Select and Common Councils assembled, That the Ohio and Pennsylvania Railroad Company be, and is hereby authorized to extend a single track of its railroad into the city of Pittsburgh, from the Allegheny river to Liberty street, along either St. Clair street, Hand street, or by a line on either side of the Aqueduct and Pennsylvania Canal, with the necessary turn outs at its Depot in the city of Pittsburgh: *Provided* the said Railroad Company shall select one of the routes within six months, and shall complete the road upon the same within two years from the date of this ordinance.

"SECTION 2. That the Ohio and Pennsylvania Railroad Company, whenever any portion of its track shall be constructed in any street under this ordinance, shall conform to the street grades, and shall construct a track not inferior to that laid on Liberty street: *Provided* that such street shall be kept open for convenient uses of common trade and obstructed as little as possible during the construction of said railroad.

SECTION 3. That, if the route by the aqueduct should be adopted, the consent of the city is hereby given to the extension of the present piers and abutments of said aqueduct, by good and substantial masonry, erected in connection with the present walls, and in such manner as not in any degree to diminish their security, so as to support the superstructure of a railroad bridge, which shall be entirely independent of the superstructure of the said aqueduct; *provided*, That the said bridge shall not interfere with the free use of the aqueduct for the purposes for which it is now used, and that the Railroad Company shall be responsible for any injury that may be caused to the aqueduct by the erection and use of said bridge, and that the said bridge shall not be used for any other than railroad purposes, without the consent of the City of Pittsburgh.

SECTION 4. That, upon completion of a railroad bridge upon either of the routes authorized by this Ordinance, it shall be the duty of the Ohio and Pennsylvania Railroad Company to provide convenient and suitable buildings for the accommodation of freight and passengers, within the corporate limits of the City of Pittsburgh."

The bill asserts that the Company, relying on the faith of this Ordinance, selected the present route of their road, within six months, and proceeded in good faith to construct the same; and that, on the 27th of July, 1854, they entered into a contract with Messrs. Henderson, Alston & Company, for building the foundations and piers of the bridge over the Allegheny river, at the place where it now stands. That they proceeded with the work thereon, and, within two years from the passage of said Ordinance, they made other contracts, expended large sums of money and incurred liabilities to the amount of one hundred and twenty thousand dollars, for carrying on and completing said road, and forming a connection with the Pennsylvania Railroad.

The bill then sets forth the causes, specifically, which operated to prevent the completion of their road within the two years prescribed by the Ordinance, and alleges that they could neither have been foreseen, prevented nor controlled by the Company.

These facts, as we have already said, are to be taken as true, for the purposes of our present inquiry; and they raise the single question: whether the Company, by not completing their road within the two years limited by the Ordinance, forfeited all their rights and privileges granted by the same? If so, they are estopped from claiming the right to cross this street under its provisions.

This ordinance seems to have been framed under the provision of the 11th section of the general railroad law of Ohio, which was adopted by our own legislature, so far as this road is concerned. By that section it is enacted, "If it shall be necessary, in the location of any part of any railroad to occupy any road, street, alley or public way, on ground of any kind, or any part thereof, it shall be competent for the municipal or other corporation or public officers, or public authorities owning or having charge thereof, and the Rail Road Company to agree upon the manner and upon the terms and conditions upon which the same may be used or occupied, and if said parties shall be unable to agree thereon, and it shall be necessary in the judgement of the Directors of such Rail Road Company to use or occupy such road, alley, or other public way or ground, such company may apply to the Court of Common Pleas of the County &c.," for the appointment of three disinterested freeholders to determine the manner and terms upon which the same shall be used.

This ordinance under consideration was evidently framed and adopted in reference to this section, and is consequently to be regarded as an "agreement" between the contracting parties. It specifies the "manner, terms and conditions, upon which" any of the streets therein named or included may be used or occupied by the company. The company accepted the same and proceeded to lay out and construct their road and bridges according to its provisions.—If the company had completed their road to the line of Penn street, and sought to cross the same within the period of two years in order to form the connection with the Pennsylvania Rail Road on Liberty street, it will not be pretended that the city could have prevented them from so doing.

This ordinance then is to be received in the light of a contract between the company and the city corporation, and if the rights and privileges thereby conferred upon the complainants be not forfeited by mere lapse of time, they may still proceed to form the connection sought for on Liberty street.

It will be perceived by reference to the ordinance that not a farthing of revenue was to be divided, nor any pecuniary advantage secured to the city, by its provisions. Nor is it alleged or proved to us by affidavits or otherwise, that the city corporation has lost a single dollar by the failure of the company to complete their road within the period of two years, while on the other hand it appears that a large sum of money, amounting to over a hundred thousand dollars, has been expended by the company on the faith of this contract. No doubt individual citizens may have sustained a loss by reason of this road not having been sooner completed, but that loss cannot be set up here by this corporation as a defence to the complainants' bill; more especially as the company are now endeavoring to repair that loss by a speedy completion of the road.

What then is the rule in equity applicable to this state of facts?

The time here specified is clearly not of the essence of the contract, but the city corporation could derive no benefit from its performance, nor sustain any loss from its breach.—Its condition could not have been altered either for the better or the worse by the completion or non completion of the road within the time. If this be so it follows, of course, that equity would not decree a forfeiture of the rights of the other party, when the delay has been satisfactorily accounted for, and when so large an amount of money has been expended in the part performance of the contract in good faith, and when the consequences of such forfeiture would be so disastrous to the complainants. Such a measure could only be insisted on when the opposite party could not be placed in *statu quo*, or compensated in on the damages for the loss he may have sustained, (2 Story's Eq. I. P. p771, 2, 5, 6.)

This ordinance then being still in force as an agreement between the parties, excepting merely the question of time, it is to be regarded as full compliance with the 11th section of the act referred to, and finding on the respondents.

Thus it appears that the complainants are entitled to the injunction prayed for on both grounds of claim, unless the grounds taken by the respondents are sufficient to defeat them, which will be next considered.

The right of a Supreme Legislative power in a state to authorize the construction of a railroad on the streets of a city or other public highway has been so often asserted here and elsewhere as to leave no room for doubt or cavil. It has been settled in England, (1 Barnwell & Ald 30) in Massachusetts, (23 Peck 328) in New York, (7 Barb. 509) and in Pennsylvania, (6 Wh. 43, 1 Har. 559, 3 Cas. 354.)

But the learned counsel for the respondents contends, that although the legislature possesses this power over the highways of the commonwealth generally, yet that the city of Pittsburgh is situated within the limits of one of the *Manors* of the Penns which was not confiscated at the time of the Revolution, and the title thereto was not vested in the commonwealth, and consequently, the legislature does not possess the same sovereignty over the streets here as elsewhere.

It is difficult to perceive how this position, even if true, could avail the defendants, who claim the right to control and regulate the use of these streets, when all the powers or authority they possess is derived by their charter from the legislature, which they say has no power over the subject. Such a doctrine would be fatal to the exercise of that salutary control over the streets of this city rightfully vested in them by their charter, and which is so essential to the public good.

But the position is not sound. Sovereignty in all governments, over all the territory within the state, must be vested somewhere. In monarchies, it is vested in the crown; in republics, it is vested in the people who may delegate such powers to the legislature and other departments of government, for the time being, as they deem necessary and proper for the public welfare. The sovereignty of the state, as the organized agent of the people, extends to every foot of her territory, except perhaps, where she has parted with that sovereignty over certain portions thereof to the United States for purposes connected with the necessary operations of the general government.

Some have supposed that the right of eminent domain, as this sovereignty over the soil is sometimes denominated, arises exclusively or even partially from the extra allowance of six per centum of the lands granted by the state to her citizens. This is doubtless a wise and equitable measure, but is not the foundation of sovereignty in the state, otherwise no more than that allowance could be taken by the state for public purposes, and when that was exhausted, the sovereign power of the commonwealth would be exhausted likewise. Whereas in fact there is, and can be, no limit to the amount that may be taken, provided adequate compensation be made therefor.

The second and third grounds assumed by the learned counsel for the respondents have already been considered and disposed of in our examination of the plaintiffs' rights under their charter and the ordinance passed by the city councils.

We have thus disposed of all the questions raised by the counsel on both sides, and taking the facts set forth in the bill to be true, we are clearly of the opinion that the preliminary injunction prayed for should be awarded.

In exercising their privileges the company will be required to use all needful care and caution to protect the rights and secure the safety and convenience of the public. This street is a great thoroughfare, over which thousands of our citizens are accustomed to pass every day, whose comfort and convenience must necessarily, in some degree, be disturbed by the trains occasionally passing over it. But such inconvenience, perhaps, would be found to be very small, when compared with what it would be if all the freight, carried by each road to be forwarded by the other, had to be hauled on drays from one depot to the other.

But this inconvenience, whatever it may be, the law says must be borne for the public good. In the language of Chief Justice Black, "If such conversion of a public street to purposes for which it was not originally designed, does operate severely upon a portion of the people, the injury must be borne for the sake of the far greater good which results to the public from the cheap, easy and rapid conveyance of persons and property by railway. The commerce of a nation must not be stopped or impeded for the convenience of a neighborhood." (3 Casey, 354.)

It is not the province of the Courts to make, modify, or repeal the law, but to ascertain and declare what it is. If it be wrong, let it be altered by the legislature. Its justice must always be vindicated by its own majesty, and in a country like ours, where the law-making power is vested in the people, the citizen who resorts to force for the redress of grievances, admits himself to be unfit for self-government, and no enemy to the peace and good order of society. Might is not the safest arbiter of right, for a strong arm can be wielded as well on wrong as the right side of a cause, and the number and weight of the blows, unlike the number of witnesses and the weight of their evidence, may hinder and obstruct, rather than aid and promote, the cause of justice. Instead, therefore, of attempting to execute the threats complained of in the bill, let the respondents patiently await the final decision of the law, when, if their cause be just, its justice will be made manifest before the whole community, and thus will they triumph without disgrace, and enjoy their victory without remorse.

Let the decree be drawn up by counsel under the rule, and let the complainants file a bond, with approved security, in the sum of $10,000.

THE New York *Tribune* thus notices the arrival of Bishop Simpson:

Bishop Simpson, of the Methodist Episcopal Church, is among the passengers who arrived by the Europa. The Bishop visited England and Ireland early last Summer as a delegate to the Wesleyan Conferences in those countries. Subsequently he passed through France, Germany and Norway, observing the condition of the Methodist missions, and in September was present at the Evangelical Alliance in Berlin.

During the Winter he extended his travels to Turkey, Palestine, Egypt and Greece. His health while in the East was considerably impaired, but is now improving.

He attended Divine service Sunday morning in the new Methodist Church (Dr. McClintock's) on the Fourth avenue, where he was warmly greeted by a large circle of friends, and when a most affectionate mention was made of his return by the venerable Dr. Bangs, the congregation united in giving thanks to God for his safe and prosperous journey.

He left New York for his home in this city yesterday morning, and is probably here now.

KELLY'S CASE.—In the Court of Oyer & Terminer, yesterday, Judge McClure read an opinion over-ruling the motion for a new trial in the case of James M. Kelly, tried, found guilty and convicted of the murder of old Mr. Weisman, in October last. Kelly was then asked by the Judge if he had anything to say why the sentence of the law should not be pronounced, he answered:

"Yes, sir, I have a few remarks to make. In my first trial, Ashbrook Richards swore here that I told him that I struck old man Weisman five or six times with the iron piece, which is false. Gordon swore that I was acquainted with him, which is also false, and if I have to die on the scaffold for this murder, I will die an innocent man."

The Judge then said:

"James M. Kelly, the sentence of the law is, that you be taken from hence to the Jail, and from thence to the place of execution, and there be hanged by the neck until you are dead, and may God have mercy on your soul."

A MEETING, of the Firemens' Association was held on Monday night at the Neptune House. The new constitution and by-Laws were read amended and adopted.

The Secretary was also instructed to have the Constitution printed in pamphlet form, for the use of the Fire Department.

On motion, a Committee of five was appointed to confer with the Committee on Fire Engines and Hose, relative to the wants of the Association. The following is the Committee:—Messrs. Collingwood, McCurdy, Hays Montgomery and Kaye.

The Association then adjourned until the last Monday of the present month.

BONDS.—Ellmaker vs. The County of Allegheny and the Pennsylvania Railroad Company. In equity, and now to wit March 6th, 1858. This case having come up for hearing, and after hearing, S. & George D. Campbell, for the complainant, and John R. Large and T. Williams for the County of Allegheny, and Theodore Cuzler, for the Pennsylvania Railroad Company. It is hereby ordered and decreed that the complainant and others, holders of the bonds issued by the county of Allegheny, in payment of the subscription made by the said county to the capital stock of the Pennsylvania Railroad Company, may surrender the bonds so held by them.—*Phila. Bul.*

MONROE STEWART DEAD.—This man, who has had an eventful history in the last year, died of small-pox yesterday, at Passavant's Hospital. The time of his death was between three and four o'clock in the afternoon. A family by the name of Hull, in the Seventh Ward, have, out of pure motives of kindness and commiseration, taken it upon themselves to bury him decently, at their own expense, this afternoon, in the city burying-ground. Two weeks ago yesterday morning, he received his pardon of the crime of which he had been declared guilty, and to-day he is no more. He is now before a Judge who knows all about his case. Fife, Stewart and Charlotte Jones! Let them rest in peace.

THE THEOLOGICAL AND MISCELLANEOUS WORKS, comprising a very valuable collection from the library of a clergyman, removing, to be sold by catalogue on the second floor of Davis' new auction buildings, Fifth street, to-morrow evening, are now arranged for examination, and specially deserve the attention of all readers.

THE LECTURE.—We would love to see Mr. Bradford's lecture which he read last night in Lafayette Hall, in print. He had a small audience, but one that appreciated him. He laid bare the decayed and decaying roots, and then with the sharpest of axes, cut away with all his might. The Philosophy of Reform in American Society, is, as Mr. B. contends, for the church to wash her garments clean before she takes her seat in judgment upon, and in denunciation of, the sins of men. Let the American Tract Society cease to forge books over the names of eminent Christian men, before it condemns forgery in railroad and bank officers; let it condemn American slavery as well as the sin of dancing and of smoking cigars. Let the American churches cease to recognize slavery with its concomitant curses, and its blasting and demoralizing influences, and then its condemnation of theft, of plunder, and the like will have force and "go forth with power." Such was the tenor of a lecture delivered in a very pleasant and unostentatious manner to a pleased audience.

UNDER the very decided caption of "NOT SO," we find the following in the Baltimore *American* of yesterday: As we intimated at the time, the statement copied from a Philadelphia paper that Mr. Thomas Winans was about to supply the capital necessary to complete the Pittsburg and Connellsville Railroad, is entirely without foundation. Our esteemed townsman has no doubt an abundant fortune, but we question whether it is sufficient to stand all the exhaustive processes of building fleets of steamships, erecting opera houses, and completing costly railroads, to which public rumor has lately subjected it.

DECISION.—Judge Agnew delivered an opinion in Beaver county, on Monday, of some interest. It was in relation to rolling stock on a railroad. The substance of his decision is that a mortgage is a protection to personal property whether as appurtenant or as a fixture: that railroad iron at reasonable points along the line of a road cannot be seized in execution. Questions involving these points were argued before Beaver County Court on the 23rd ultimo by B. B. Chamberlin, Esq., of New Brighton, and Judge Shaler of this city.

THE Governor has appointed JOHN MACKIN to be Flour Inspector, in place of Wm. Culp, whose term has expired.

In common with most of our Flour dealers, we preferred the re-appointment of Mr. Culp, who has proved himself a most excellent officer; but since we cannot get him, we are pleased with the appointment of Mr. Mackin. We have known him for several years, and esteem him highly, and have no doubt he will prove a popular and efficient officer. We congratulate him on his success in obtaining this appointment.

SOME time Monday night, the store of John Keil, near the Clinton rolling mill, South Pittsburgh, was entered by burglars, who carried off, among a large quantity of other property, twenty fine shirts, a large lot of calicos, two cloth coats, a piece of red flannel, some knives and forks, a lot of boys' stockings, etc. We did not learn whether any persons had been arrested.

THE total earnings of the P., Ft. W. & C. R. R. for the month of Feb. were...... $98,152 92
For same month last year.......... 114,103 78

Decrease......................$15,950 86
Earnings for January.......... 94,665 95
Increase for February.......... 3,486 97

SALES OF STOCKS.—The following sales were made last evening by P. M. Davis, auctioneer, at the Commercial Sales Rooms, No. 54 Fifth st:
5 Shares Citizens' Bank..........$51 21
4 do Lawrence Co. Bonds $500 each at 30 per cent.

DANIEL GALLAGHER, who was stabbed at the Neptune Engine House, on Saturday night, is said to be in a critical condition. The Mayor has taken his deposition in the case. Moorhead, the man who stabbed Gallagher, is still in custody awaiting the result of the wounds alleged to have been inflicted by him.

COLLISION.—Two hundred soldiers for Jefferson Barracks, Mo., started out on the mail train on the Pittsburgh, Fort Wayne & Chicago Railroad Tuesday morning. When near Contney's Station the train came in collision with a freight train. No body was injured, but two cars were smashed.

LEG BROKEN.—Capt. Wm. Abrams, recently of the steamer *Cincinnati*, had his leg broken above the ankle, on Monday evening, at the foot of Wood street. The Captain was conveyed to a house near by and his broken limb set to rights by Dr. M'Cook.

THALBERG.—By an advertisement in to-day's paper it will be seen that Thalberg will give one and only one concert in this city on the 25th.

RESUMING.—McKnight & Brother's Rolling Mill in Birmingham resumes business to-day.

DURING the conflagration of Canton, caused by the bombardment of the British, the extensive medical warehouse of our countryman, Dr. J. C. Ayer, of Lowell, (the depot of his Cherry Pectoral and Cathartic Pills, for China) was totally destroyed. He now makes a demand upon our government for indemnity from the loss of his property, and hence will grow another nut to crack with our elder brother Johnny. Stick to it Doctor; and if our Government maintains our rights wherever your Pills are sold, we shall only be unprotected on tracts that are very barren.—*Reformer, Trenton, N. J.*

BOY'S Raglans and sack coats, Gents French and sack coats Raglans, &c., and a full stock of winter gloves, Gauntlets, Mufflers, Shawls, for Men and Boys, still on hand at Carnaghans, Federal street Allegheny. Cash buyers will find the prices an inducement.

PARTIAL REPORT FROM THE LECOMPTON COMMITTEE.—We learn that the Special Committee of Congress, on the Lecompton Constitution, have determined to make a partial report in the course of a day or two. They will set forth that their final report will not be made until all the members of the Committee have time afforded them to come on to Philadelphia. The object of this visit is that each man may get himself a new suit at the Brown Stone Clothing Hall of Rockhill & Wilson, Nos. 603 and 605 Chestnut street, Philadelphia.

GLYCERINE, GLYCERINE, GLYCERINE,
Highly perfumed. Sure cure and preventative of Chapped Hands, Face and Lips, for sale at SUPER'S DRUG STORE, corner Penn and St. Clair Streets.

Another Instance of Tape Worm Cured by the use of DR. McLANE'S CELEBRATED VERMIFUGE, prepared by Fleming Bros.

NEW YORK, October 15th, 1852.

This is to certify that I was troubled with a tape worm for more than six months. I tried all the known remedies for this dreadful affliction, but without being able to destroy it. I got one of Dr. McLane's Almanacs, which contained notices of several wonderful cures that had been performed by his celebrated Vermifuge, prepared by Fleming Bros.—I resolved to try it; and immediately purchased a bottle, which I took according to directions; and the result was, I discharged one large tape worm measuring more than a yard, besides a number of small ones.
MRS. M. SCOTT, No. 70 Cannon street.

Purchasers will be careful to ask for DR. M'LANE'S CELEBRATED VERMIFUGE, manufactured by FLEMING BROS. of PITTSBURGH, PA. All other Vermifuges in comparison are worthless. Dr. M'Lane's genuine Vermifuge, also his celebrated Liver Pills, can now be had at all respectable drug stores. *None genuine without the signature of* FLEMING BROS.
mr2,d&wlwT

Telegraphic.

CONGRESSIONAL.

WASHINGTON CITY, March 9.

SENATE.—The Senate took up the Kansas Bill, when Mr. Hamlin said that no subject of equal importance had been under consideration since he had occupied a seat in the Senate. He regretted that it had been made a party question, because there was no despotism on earth like a party despotism. He had felt it, but be thanked God he was a freeman now. In all the records of time, but one act of similar turpitude had ever been attempted. He had no eulogy to bestow on the Union; it needs none; its eulogy was written in the past. He then replied to the statements of Mr. Hammond, arranging his remarks under three distinct heads: 1st. The faith of the South, and manner she kept it. 2d. The capacity of the South for a separate and distinct government. 3d. The character of the laboring masses of the North. He said that in speaking of these points he should be compelled to use the term the South put into his mouth by the Senator from South Carolina, but in his heart he knew no North, no South, no East, no West. We are citizens of one common country. The North mean to stick to the Union; they do not mean to go out of it and neither shall the South.

Without concluding his speech, Mr. Hamlin gave way to an executive session.

WASHINGTON CITY, March 9.—The Treasury Department has decided that Hemp Carpeting, Caustic Soda and Blank Copying Books are entitled to entry at 15 per cent.

The Grand Jury are engaged in the investigation of the case of ex-Lieut. Rhind, for sending a challenge to Commander Boutwell.

Herman H. Heath, editor of the North West Newspaper, was confirmed as Post Master at Dubuque.

The Advisory Board, appointed to prepare a code of regulations for the naval service, have made report that they disagree on some reformatory measures, chiefly in reference to the relative positions under the law of disbursing and medical staff officers to officers of the line. The representatives of the former on board claim that they should be entitled to consideration as staff officers, and that the regulations in this respect should be similar to those of the army. On these and other points two reports are submitted, but with these exceptions the board generally agree.

DETROIT, March 9.—The propellor Globe, belonging to the Great Western Railway was capsized and sunk while loading live stock at the M. C. R. R. Wharf this afternoon. She had over 100 head of cattle aboard many of which were lost. The vessel will be raised.

ST. LOUIS, March 9.—The river is stationary, with good stage of water to Cairo. Nothing new from upper streams. Weather clear and mild.

LOUISVILLE, March 9.—River, falling; six feet eleven inches in the canal; weather clear; thermometer 40°.

[Special Dispatch to the Pittsburgh Gazette.]

HARRISBURG, March 9.

SENATE.—The bill compelling railroad companies to fence their roads in Beaver county, passed second reading, slightly amended, and was postponed for the present. Senate bill No. 358, relative to insane convicts, passed finally, and goes to the House.

HOUSE.—This being private bill day, the House took up bills on the private calendar, acting upon the following, among others: The bill relating to the Canonsburg School District; a bill incorporating the Brady's Bend Iron Company; a bill to incorporate the Greensburg Gas and Water Company; a bill relative to the Overseers of the Poor in Lawrence county; a bill to legitimate Mary Tidball—all passed finally, and go to the Senate. The vote was re-considered by which the bill compelling the Pittsburgh and Steubenville R. R. Co. to erect a tressel-work for a road in Washington Co., was yesterday lost, after being vetoed by the Governor; and on the question, Shall the bill pass, notwithstanding the objections of the Governor? the vote stood, 64 yeas to 16 nays; our Representatives voting yea, except Mr. Foster. The bills relating to the Western Pennsylvania Hospital, Allegheny Institute, and the Canonsburg Road, have all been signed by the Governor, and thereby become laws. The House insisted on its amendments (non-concurred in by the Senate,) in relation to the bill providing for the widening of Diamond alley.

House bill No. 379, relative to streets in Pittsburgh, passed finally, and goes to the Senate. Nothing else of importance.

WASHINGTON CITY, March 9.—The Senate confirmed the nomination of Mr. Cook as Postmaster at Chicago.

The President has appointed William Flinn Navy Agent for the District of Columbia.

BALTIMORE, March 9.—The Methodist Episcopal Conference to-day resolved to establish a newspaper in part to disabuse the public mind on the question of Slavery, claiming to occupy a conservative position.

CLEVELAND, March 9.—A fire occurred in Elyria last night, which destroyed eight buildings. The loss is estimated at $10,000, with an insurance of $6,000.

Telegraphic Markets.

PHILADELPHIA, March 9—Cloverseed has again declined, and 200 bus sold at $4,60. Flour is held with increased firmness as the receipts from the West have fallen off, and stock is rapidly becoming reduced; sales of superfine at $4,60@$4,62½, and extra at $4,87½@$5,25. No change in Rye Flour or Corn Meal; nothing doing. Wheat of prime quality is scarce and wanted at $1,07@$1,08 ₽ bus for good Red, and $1,28@$1,32 for White. Rye sells on arrival at 70. Corn is active and commands 60@61, the latter being an advance. Oats are dull. Provisions are held with more firmness: sales of 500 bbls Mess Pork at $17 at sixty days, and 150 casks Green Meats at 9¼@9¾ for Hams, and 7 for Shoulders. Lard is firm at 10@10½ in bbls and 11½ for kegs. Whiskey is dull; several sales of bbls at 21@22, the later rate for Ohio.

BALTIMORE, March 9—Flour firm. Wheat steady at $1,14@$1,20 for White. Corn also firm, sales of White at 59@60 and Yellow at 60@61. Whiskey dull at 21. Provisions firm; sales of Bulk Meat at 6¾@7 for Shoulders, and 8@8¾ for Sides; Bacon Shoulders 7½, and Sides 9½; Mess Pork $16,75. Lard firm at 10.

NEW YORK, March 9—Cotton quiet, 4000 bales sold. Flour heavy; 7500 bbls sold. Wheat very dull, and nominal. Corn firm; sales 24,000 bush. Mess Pork has declined 5c; sales at $16,80@$16,85. Bacon steady at 8½@8½. Linseed Oil has advanced 2c; sales at 60@61. Tobacco 6@17. Tallow 10¾@11. Whiskey has declined ¼c: sales at 22. Coffee steady at 9½@11¾. Molasses firmer at 32@33. Freights on Cotton to Liverpool ⅛; on Flour 1s 6d. Stocks firm; Chicago & Rock Island 85; Cumberland Coal 21; Lacrosse & Milwaukie 10¾; Michigan Southern 28½; N Y Central 91⅜; Galena & Chicago 92½; Erie 41½; Cleveland & Toledo 48⅝; Cleveland & Pittsburgh 14; Milwaukie & Mississippi 38; Missouri Sixes 84¼; Tennessee 89¼; North Carolina 94¼; Stocks advanced after the close of the Board.

CINCINNATI, March 9.—Flour $3,70@3,75 for superfine, and $3,80@4 for extra; receipts light.—Whisky steady at 16½c. Provisions firm. Mess Pork $15. Cloverseed $4,85@4,90. Linseed Oil firm at 58c. Groceries buoyant. Sugar and Molasses unsettled in prices. Cheese in fair demand at 7½c for selected W. R.; 9@10c for English dairy, and 17c for Morton's pine apple. Butter dull at 13@15c for roll. The money market is unchanged: sight exchange, N. Y. one per cent. premium, and on New Orleans ½@1 per cent. premium and dull.

Commercial.

COMMITTEE OF ARBITRATION FOR FEBRUARY.
ISAIAH DICKEY, V. P., W. W. MAIR, JOHN FLEMING, DAVID M'CANDLESS, JAMES GARDINER.

PITTSBURGH MARKETS.

[Reported Specially for the Pittsburgh Gazette.]

PITTSBURGH, WEDNESDAY, MARCH 10, 1858.

FLOUR—There is considerable variation in quotations: from first hands sales of 30 bbls extra at $3,75 and 25 and 17 do, at $3,90. From store, 40 bbls super at $3,75; 28 do at $3,60; 20 do extra at $4,10; 25 do at $3,90; 25 do extra and family do at $4,25 and $4,62; 60 do at $3,70 for super, $4,37 for extra and $4,87 for family do; and 30 do at $4,00, $4,50 and $4 90.

GRAIN—Sales from wagon of 100 bus Rye at 50, 150 bus Red Wheat at 70@75 and 300 bus Oats at 28; from store, 100 bus do at 29 and 100 do at 30.

GROCERIES—Sales of 10 hhds Sugar at 7 and 6 do at 7¼; Molasses, 10 bbls from first hands at 33 and 30 and 15 do at 35, from store.

DRIED APPLES—A sale of 1200 bus to go East at $1,37; 150 do at same; 25 do, in the small way at $1,40 and 15 do at $1,50.

SEEDS—Sales of 20 bus Clover from first hands at $4,75 and 25 do from store at $5,00. Flaxseed, 50 bus at $1,05.

FEATHERS—Small sales from store at 50.

HAY—Sales of 21 loads at $9@$14 ₽ ton and 4 do Straw at $7,50.

COOPERAGE—A sale 70 flour bbls at 30.

BACON—Sales of 4000 lbs at 7½ for Shoulders, 8½ for Sides and 9½ for Hams.

WHISKEY—A sale of 20 bbls Rectified at 21, and 7 do at 20@22.

LARD—A sale of 600 lbs Country at 9½.

CHEESE—Sales of 30 bxs at 9.

BUTTER AND EGGS—Sales of 13 bbls prime Roll Butter at 15@16; Eggs, 5 bbls at 11½, and 30 do in lots at 11.

MONETARY AND COMMERCIAL.

Private dispatches from New Orleans of Saturday's date quote Sugar scarce and advancing, fair selling at 6c. Molasses buoyant at 30c—[Cin Gaz.

We annex a comparative statement of the Foreign Imports at New York for the week and since Jan. 1:

For the week.	1856	1857.	1858.
Dry Goods	$1,566,255	$1,278,546	$1,187,879
General Merchandise	1,939,562	1,440,905	1,370,060
Total for the week	$3,505,817	$2,719,451	$2,557,929
Previously reported	28,106,676	43,043,429	16,639,077
Since January 1	$31,612,493	$45,762,880	$19,197,016

We annex a comparative statement of the Exports (exclusive of specie) from New York to foreign ports for the week, and since Jan. 1:

	1856.	1857	1858.
Total for the week	$1,823,237	$1,539,707	$811,944
Previously reported	9,493,505	9,037,988	8,047,546
Since Jan. 1	$10,316,742	$10,577,735	$8,859,490

—N Y Trib.

The weekly statement of the Philadelphia Banks was made up at the meeting of the Board of Presidents this afternoon. The footings compare as follows with those of the previous week:

	March 1.	March 8.		
Capital	$11,300,065	11,300,065		
Loans	20,251,066	20,472 166	Inc.	$221,100
Specie	4,993,936	5,174,615	Inc.	153,679
Due fm other Bks	1,079,344	1,046,282	Dec.	33,062
Due to other Bks	2,645,662	2,726,129	Inc.	80,576
Deposits	11,830,632	12,253,282	Inc.	577,250
Circulation	1,808,731	1,898,352	Inc.	87,621

—[Phil Bull.

Imports by Railroad.

P. FT. W. & C. R. R.—52 wagon hubs, Phelps, Carr & co; 224 bdls paper, East; 16 sks rye, H H Collins; 32 bdls paper, Perkins & co; 7 bgs dr apples: 3 do beans, 3 do rye, 35 do oats, S Hall; 51 sks rye, 66 do corn, L Peterson; 24 bls husks, Edmondson & co: 2 cks pots, 1 kg butter, 1 do lard, R Robison & co; 300 bus wheat, 1 bbl butter, Shriver & Dilworth; 1 do, Atwell, Lee & co; 22 bbls apples, D C Herbst; 9 do, 155 sks barley, 10 do corn, J Craig; 10 bbls flour, Loyd & co; 27 sks dr apples, 44 do cloverseed, 40 bbls flour, Brown & Kirkpatrick; 100 bus corn, 2 bbls cloverseed 66 do flour, P Peterson; 600 bus wheat, Voegtley; 120 bus apples, Mairs; 280 bus oats, D Mercer; 20 doz brooms 7 sks flaxseed, 1 bbl butter, 1 do eggs, Scott, Graham & co; 18 sks rags, Chadwick; 5 bbls butter, 7 do eggs, Knox & M'Kee; 1 car lumber, Orr; 17 bbls apples, Whitehead; 12 cars cattle, owners; 27 bbls butter, 10 do eggs, Rea; 2400 bus wheat, Kennedy & Bro; 2700 do, 138 sks dr apples 406 pcs meat, 220 bus flaxseed, 1082 bbls flour, 58 cks bacon, 24 bbls oil, 84 sks hair, 90 tcs lard, 118 bbls pork, 14 do beans, 7 do butter, Clarke & co.

RIVER NEWS.

The steamers Fulton City, Capt Brickell, Moderator, Capt Marratta and Vixen, Capt Mason were in St Louis on Saturday and advertised to leave for Pittsburgh on the afternoon of that day.

At last accounts, Tennessee and Cumberland rivers were falling, but each in a good navagable condition.........The Delta from Cincinnati, and new Uncle Sam from Louisville, passed Cairo on Thursday for New Orleans. The Empress and Antelope for Louisville, and Alma for Cincinnati, and Prairie Rose from St Louis to this port, passed Cairo on Friday.........The ice in the Missouri, at Kansas City, broke up on the 26th, and several steamers left St Louis for the Missouri river on Friday and Saturday. It is generally believed that the Upper Mississippi is navigable to Keokuk The gorge at Canton was very weak and cannot hold long.

The Lockwood, recently burnt near New Albany, was 220 feet long, 33 feet beam, 31 feet floor, and 6 feet hold. She was built expressly for the Missouri river, by Capt W P Lamothe, of Alton, and owned exclusively by him. She cost $42,000, and there was not a dollar of insurance. Capt Lamothe's loss will be very heavy. He had gone to the expense of nearly his whole fortune to build the Lockwood, and fit her out. She was a first class passenger boat, and would not have suffered by comparison with any of the fine passenger steamers now running in that river, either for speed or elegance. She was built by New Albany mechanics, and received her outfit at that place.

The Monongahela, which has been aground below St Louis nearly two months, is again afloat. Capt Cox is aboard with a crew sufficient to bring her up.

The Mississippi is backed up by the Ohio to the extent of some twenty-five miles, and there is no perceptible current at the mouth. Some ice has been gradually coming out during the day, ceasing towards night.

Mr James F Geary, the local reporter of the St Louis Leader, who was one of the victims of the Pacific Hotel conflagration, was a brother of Joseph Geary, Esq, of Pottsville. Mr Geary had rescued his wife, and on returning for his daughter, inhaled the hot air which subsequently proved fatal. His brother has gone to St Louis to take charge of the remains.

Amusements.

Thalberg and Vieuxtemps
RESPECTFULLY announce that they will give their
FIRST AND ONLY CONCERT
IN THIS CITY ON
THURSDAY, MARCH 25TH,
AT
CITY HALL.
mr10

PITTSBURGH THEATRE.—
MISS KIMBERLY..........LESSEE AND MANAGERESS.
J. G. HANLEY..........STAGE MANAGER.

PRICE OF ADMISSION.

Boxes	50c.	Private Box, large	$6,00
Second Tier	25c.	Private Box, small	5,00
Third Tier	15c.	Colored Box	50c
Colored Gallery	25c.		

Single Seats in Private Box, $1,00.

Unparalleled attraction—first night of the Star Sisters, LUCILLE and HELEN, and Mr. T. HAMILTON. WEDNESDAY EVENING, MARCH 10th, 1858, will be presented for the third time in Pittsburgh, a remarkable play full of fun, flash and frolic—wit and merriment—dancing, singing, minstrelsy, etc—organ grinding, banjo playing—all the well known popular songs of the day—fire works, bonfires, illuminations, sto—shaker dances, pawnbrokers' shops, fashionable gambling hells, fortune tellers and astrologists, concluding with a grand carnival and masque ball entitled the THREE FAST MEN; or, THE FEMALE BLUEBEARDS.

FURNITURE Oil Cloth—beautiful styles of figured and imitation of woods. For sale by fe24 J. & H. PHILLIPS.

PUTNAM'S Improved, and other styles of Window Shade fixtures. For sale by fe24 J. & H. PHILLIPS.

LARD—20 kegs No. 1 family Lard for sale by fe25 ATWELL, LEE & CO.

Regular Steamers.

Monongahela River U. S. Mail Packets.
STEAMER TELEGRAPH, | STEAMER JEFFERSON,
CAPT. J. C. WOODWARD. | CAPT. GEORGE CLARK.

THE ABOVE NEW STEAMERS ARE now running regularly. Morning Boats leave Pittsburgh at 8 o'clock A. M., and Evening Boats at 6 o'clock P. M. for M'Keesport, Elizabethtown, Monongahela City, Bellevernon, Fayette City, Greenfield, California and Brownsville, there connecting with Hacks and Coaches for Uniontown, Fayette Springs, Morgantown, Waynesburg, Carmichaeltown and Jefferson.

Passengers ticketed through from Pittsburgh to Uniontown for $2, meals and state-rooms on boats inclusive.—Boats returning from Brownsville leave at 8 o'clock in the morning and 5 in the evening. For further information enquire at the Office, Wharf Boat, at the foot of Grant street.
an5 G. W. SWINDLER, AGENT.

FOR Missouri River Direct.
A Rare Chance to Passengers & Shippers.
Will go Through without Reshipping, to BOONEVILLE, BRUNSWICK, LEXINGTON, WESTON LEAVENWORTH CITY, KANSAS CITY, ST. JOSEPH, NEBRASKA CITY, AND OMAHA CITY.

THE splendid new and fast running Passenger steamer SKY-LARK, Capt. BEN. JOHNSON, will leave for the above and all intermediate ports, on THIS DAY, 8th inst. For freight or passage apply on board or to
ja21 FLACK, BARNES & CO., Agents, Office, No. 87 Water street.

Cincinnati, &c.

FOR CINCINNATI & LOUISVILLE.—The fine passenger steamer JENNY GRAY, Captain Dunlap, will leave for the above and all intermediate ports on the opening of navigation. For freight or passage apply on board, or to
fe26 FLACK, BARNES & CO., Agents.

FOR CINCINNATI AND LOUISVILLE—The new and splendid passenger steamer ENDEAVOR, W. J. Markell, will leave for the above and all intermediate ports on THIS DAY the 10th inst., at 4 o'clock P. M. For freight or passage apply on board or to
fe12 FLACK, BARNES, & CO., Agents.

FOR CINCINNATI & LOUISVILLE—The fine steamer GAZEL, Capt. E. Evans, will leave for the above and all intermediate ports, on THIS DAY, 10th inst., at 4 P. M. For freight or passage apply on board or to
fe12 FLACK, BARNES & CO., Agts.

FOR CINCINNATI & LOUISVILLE—The fine steamer DR. KANE, Capt. S. Shuman, will leave for the above and all intermediate ports, on THIS DAY, 10th inst. at 10 o'clock, A. M. For freight or passage apply on board or to
fe11 FLACK, BARNES & CO., Agents.

Nashville, &c.

FOR NASHVILLE.—The fine steamer HASTINGS, Capt. Porter, will leave for the above and all intermediate ports on THIS DAY, 10th inst. For freight or passage apply on board, or to
fe5 FLACK, BARNES & CO., Agents.

St. Louis, &c.

FOR ST. LOUIS, KEOKUK, GALENA, DUBUQUE AND ST. PAUL.—The splendid steamer HAZEL DELL, Capt Roes, will leave for the above and all intermediate ports on the opening of navigation. For freight or passage apply on board or to
m10 FLACK, BARNES & CO.

FOR ST. LOUIS.—The splendid steamer PRIMA DONNA, Capt Marsh Ford, will leave for the above and all intermediate ports on the opening of navigation. For freight or passage apply on board or to
mr10 FLACK, BARNES & CO.

FOR ST. LOUIS, KEOKUK, BURLINGTON, MUSCATINE, ROCK ISLAND, DAVENPORT, GALENA, DUBUQUE AND ST. PAUL—The fine new side-wheel steamer PEMBINA, Captain T. H. Griffith, will leave for the above and all intermediate ports on the opening of navigation. For freight or passage apply on board, or to
fe27 FLACK, BARNES & CO., Agents.

FOR ST. LOUIS, KEOKUK, BURLINGTON, MUSCATINE, ROCK ISLAND, DAVENPORT, GALENA, DUBUQUE AND ST. PAUL.—The fine new side-wheel steamer CANADA, Capt. J. Ward, will leave for the above and all intermediate ports on the opening of navigation. For freight or passage apply on board, or to (fe27) FLACK, BARNES & CO., Ag'ts.

FOR ST. LOUIS AND MISSOURI RIVER.—The splendid steamer S. B. METEOR, Capt. T. E. Draffent, will leave for the above and all intermediate ports on the opening of navigation. For freight or passage apply on board.
mr9

FOR ST. LOUIS.—The splendid steamer METROPOLIS, Captain Calhoun, will leave for the above and all intermediate ports on the opening of Navigation. For freight or passage apply to
mr9 REA & JONES.

FOR ST. LOUIS.—The splendid steamer MELNOTTE, Capt. A. McGowan, will leave for the above and all intermediate ports on the opening of Navigation. For freight or passage apply on board or to mr8 FLACK, BARNES & CO.

FOR ST. LOUIS.—The splendid steamer ORB, Capt. Way, will leave for the above and all intermediate ports, on THIS DAY, 10th inst at 4 P. M. For freight or passage apply on board or to
mr4 FLACK, BARNES & CO., Agts.

FOR ST. LOUIS—The splendid steamer EMPIRE CITY, Capt. Vandergriff, will leave for the above and all intermediate ports on THIS DAY, 10th inst., at 4 o'clock, P. M. For freight or passage apply on board or to
mr3 FLACK, BARNES & CO., Agents.

FOR ST. LOUIS & KEOKUK.—The fine passenger packet J. H. CONN, Capt. Woodburn, will leave for the above and all intermediate ports, on the opening of navigation. For passage or freight apply on board or to FLACK, BARNES & CO., Agts.

FOR ST. LOUIS.—The fine new steamer GREAT WEST, Capt. McCullough, will leave for the above and all intermediate ports on the opening of navigation. For freight or passage apply on board or to (mr2) FLACK, BARNES & CO., Agts.

FOR ST. LOUIS—The splendid steamer ARGONAUT, Capt. Geo. L. McLean, will leave for the above and all intermediate ports, on THIS DAY, 10th inst., at 4 P. M. For freight or passage apply on board or to
ja25 FLACK, BARNES & CO., Agents.

FOR ST. LOUIS.—The splendid steamer CLIFTON, Capt. Thomas Poe, will leave for the above and all intermediate ports, on the opening of navigation. For freight or passage apply on board or to [mr1] de3 FLACK & BARNES, Agts.

FOR ST. LOUIS—The splendid steamer NATHANIEL HOLMES, Capt. Kenniday, will leave for the above and intermediate ports, on the opening of navigation. For freight or passage apply on board or to [mr1] FLACK, BARNES & CO., Agents.

FOR MISSOURI RIVER.—The fine new steamer ROWENA, Capt. Dozier, will leave for the above and all intermediate ports on THIS DAY, the 10th inst. For freight or passage apply on board or to
fe2 FLACK, BARNES & CO., Agts.

FOR ST. LOUIS.—The fine new passenger steamer, "ANGLO SAXON," Capt. Baker, will leave for the above and intermediate ports on THIS DAY, 10th inst., at 4 o'clock P. M. For freight or passage apply on board or to
REA & JONES, 67 Water street.
feb2 FLACK, BARNES & CO., Ag'ts, No. 87 Water St.

FOR ST. LOUIS.—The fine new fast running passenger steamer IOWA, Capt. Moore, will leave for the above and all intermediate ports on THIS DAY 10th inst., at 4 P. M. For freight or passage apply on board or to
ja22 FLACK, BARNES & CO., Agents.

FOR ST. LOUIS.—The fine new steamer MARENGO, Capt. McCallam, will leave for the above and all intermediate ports on THIS DAY, 10th inst., at 4 o'clock P. M. For passage or freight apply on board or to
ja21 FLACK BARNES & CO.

FOR KEOKUK, DAVENPORT, ROCK ISLAND, GALENA and DUBUQUE.—The fine passenger steamer MARY COOK, Capt. Wm. Dalzell, will leave for the above and all intermediate ports on the opening of navigation. For freight or passage apply on board or to
fe25 FLACK, BARNES & CO., Agents

FOR Illinois River Direct.
TO PEORIA, PERU, LA SALLE, AND ALL INTERMEDIATE PORTS ON THE ILLINOIS RIVER.

THE new and elegant side wheel passenger steamer DENMARK, Capt Richard C. Gray, will leave for the above ports on the opening of navigation. For freight or passage apply on board or to
mr1 FLACK, BARNES & CO. Agents.

New Orleans, &c.

FOR MEMPHIS AND NEW ORLEANS—The fine new steamer R. F. SASS, Capt W T Barr, will leave for the above and all intermediate ports on the opening of navigation. For freight or passage apply on board or to
feb24 FLACK, BARNES & CO., Agents.

FOR MEMPHIS AND NEW ORLEANS.—The fine new steamer ST. LAWRENCE, Capt. R. D. Cochran, will leave for the above and all intermediate ports on THIS DAY, the 10th inst. For freight or passage apply on board or to
fe9 FLACK, BARNES & CO., Agts.

FOR MEMPHIS AND NEW ORLEANS—The splendid steamer ARCTIC, Capt. Devinney, will leave for the above and intermediate ports on THIS DAY, the 10th inst. For freight or passage apply on board or to FLACK, BARNES & CO., Agents.

Miscellaneous.

A. A. HARDY..........A. O. M'GREW
HARDY & M'GREW,
STEAMBOAT AGENTS,
CORNER OF FIRST AND FERRY STRETS,
an18:dtf PITTSBURGH, PA

NEW CARPETS,
AT THE FOURTH STREET STORE.
W. D. & H. McCALLUM
HAVE JUST RECEIVED A VERY large assortment of CARPETS, OIL CLOTHS, &c., the latest styles for Fall Trade, comprising
VELVET AND BRUSSELS,
TAPESTRY AND THREE PLY,
SUPERFINE AND
LOW PRICED INGRAINS.
Wool, Dutch, Hemp, List, Rag, Hall and Stair Carpets; Rugs, Mats, Cocoa Matting, Stair Rods, &c., &c.
Also, a choice lot of Druggets from one to four yards wide; beautiful patterns Floor Oil Cloth, from 2 to 24 feet wide, with all other goods usually found in first class Carpet Stores, all of which we are prepared to sell at the very lowest rates for cash. oc5 W. D. & H. McCALLUM.

Richardson's Irish Linens, Damasks, &c.
THE public will please bear in mind that the GENUINE GOODS are always sealed with the full signature of the firm, viz:
RICHARDSON, SONS & OWDEN.
J. BULLOCKE & J. B. LOCKE, Agents,
mr1:3md 36 Church st., near Barclay st., New York.

MATTSON'S CELEBRATED SYRINGES—These Syringes are pronounced to be superior to any syringe now in use. Those wishing anything in this line should call and examine them before purchasing elsewhere.
mr2 JOS. FLEMING.

Railroad Stocks.
THE SUBSCRIBERS will exchange $5000 of R. R. STOCKS for WESTERN LANDS. Those on the Missouri river preferred.
mr4:dtf JOSEPH S. LEECH & CO.

MURPHY & BURCHFIELD have just received new Prints, Ginghams, Irish Linens, &c.—New goods received every few days at north east corner of 4th and Market streets. mr3

SUNDRIES.—
1500 lbs. strictly fresh table Butter,
1200 doz. fresh Eggs,
1000 lbs. No. 1 Leaf Lard,
25 bush prime Dried Peaches
150 fat young Chickens,
150 Churns,
50 large fat Turkeys,
received and for sale by H. RIDDLE,
m2 No. 27 Fifth street.

Auction Sales.

P. M. DAVIS, Auctioneer.
Commercial Sales Rooms, No. 54 Fifth Street.

HARDWARE, CUTLERY, BLACKSMITH BELLOWS, &c., At Auction—On Friday afternoon, March 12th, at 2 o'clock, at the Commercial Sales Rooms, No. 54 Fifth street, will be sold, a quantity of Door Locks, Spring Latches, Knives and Forks, Table and Tea Spoons, Broad Axes, Chopping Axes, Hatchets, Spades, Cart Saddles, Carriage and Cart Harness, Cordage, Carpet Chain, Corn Brooms, Franklin Stoves, Blacksmith Bellows, Iron Safe, Liquid Glue, &c. P. M. DAVIS, Auct.

THEOLOGICAL LIBRARY.—On THURSDAY EVENING, MARCH 11th, at 7 o'clock, will be sold at the Commercial Sales Rooms, No. 54 Fifth street, the most complete and valuable collection of THEOLOGICAL BOOKS ever offered at public sale in this city. Among them will be found Chalmers Posthumous Works, 9 vols; M'Cheyne's Sermons, Pulpit Cyclopedia, Davies' Sermons, 3 vols; Cumming's Works, Spencer's Sermons, 2 vols, Armageddon by Baldwin, Goldsmith's Animated Nature, 23 vols; Cecil's Works, 3 vols; Patrick South Whitly, &c; Commentary on the Bible, 4 vols; Mosheim's Church History, Collateral Bible, 3 vols. quarto, Dr. Wright's Theology, 4 vols; Religious Library, 25 vols; Evangelical Library, 15 vols; Barnes' Notes on the New Testament, 10 vols; Benson's Commentary, 5 vols; Encyclopedia Americana, 14 vols; Nicholson's British Encyclopedia, 12 vols; Bancroft's History of the United States, 5 vols; Clarke's Commentary on the Bible, 6 vols; Doddridge's Family Expositor, Horne's Introduction to the Study of the Bible, 2 vols; Notes on the Parables and Miracles, by French, 2 vols; Blair's Sermons, 4 vols; Scott's Commentary on the Bible, 6 vols; Works of William Jay, 3 vols, etc. etc.

Catalogues are now ready and the books will be open for examination on Wednesday morning.
m9 P. M. DAVIS, Auct.

HANDSOME COUNTRY VILLA AND HOUSEHOLD FURNITURE AT AUCTION.—On Thursday morning, March 11th, at 11 o'clock, on the premises, will be sold the elegant residence of J. W. Kerr, Architect, situate at the village of Sewickley, (opposite the Rail Road Station,) which has been lately erected of the best materials, workmanship, and in modern style, embracing every convenience that could be desired, and finished in the best manner with marble mantles, ornamental stucco, etc., having a constant supply of pure wholesome water in the first and second stories, as well as the basement.

The ground, which contains upwards of one and one-third acres, is highly improved with gravel walks, ornamental and fruit trees, shrubbery, etc. The property cost upwards of $5,500, which may be examined on application to the owner at his office, No. 26 St. Clair st.

Also, a quantity of Household Furniture; among which are one superior Rosewood Case 6½ Octave Piano Forte, made by Nunns & Clark, Side Board, Dressing Bureau, Tables, Fancy Floral Stand, Chairs, Bedsteads, Bedding, China, Glass and Queensware, Carpeting, Kitchen Utensils, etc. Terms at sale. [mr9] P. M. DAVIS, Auct.

WAREHOUSE AND LOT AT AUCTION.—On Tuesday evening, March 16th, at 7½ o'clock, at the Commercial Sales Rooms, No. 54 Fifth street, will be sold that valuable Lot of Ground, situate on the south side of Second near Market street, having a front on Second street of 20 feet ¾ inch, and extending back 79 feet 10 inches, on which is erected a TWO STORY BRICK WAREHOUSE, No. 78, lately occupied by Cummins, Tunks & Co., subject to an annual ground rent of $126, payable quarterly. Terms at sale. [mr9] P. M. DAVIS, Auct.

DAILY SALES AT NO. 54 FIFTH ST.,—At the new Commercial Sales Rooms, No. 54 Fifth street, every week day, are held public sales of goods in all variety, suited for the trade and consumers, from a large stock which is constantly replenished with fresh consignments, that must be closed forthwith.

At 10 o'clock, A. M., Dry Goods and fancy articles, comprising nearly everything needed in the line for personal and family use; table cutlery, hardware, clothing, boots and shoes, ladies wear, &c.

At 2 o'clock, P. M., household and kitchen furniture, new and second hand; beds and bedding, carpets, elegant iron stone China ware, stoves, cooking utensils, groceries, &c.

At 7 o'clock, P. M., fancy articles, watches, clocks, jewelry, musical instruments, guns, clothing, dry goods, boots and shoes, books, stationery, &c. P. M. DAVIS, Auct'r.

AUSTON LOOMIS & CO., Merchants' Exchange.

STOCK SALES BY AUSTIN LOOMIS & CO., AT THE MERCHANTS' EXCHANGE EVERY THURSDAY EVENING.—Bank, Bridge, Insurance and Copper Stock, Bond and Real Estate sold at public sale at the Merchants' Exchange by AUSTIN LOOMIS & CO.

Notes, Drafts and Loans on Real Estate negotiated on reasonable terms by AUSTIN LOOMIS & CO.,
se21 Stock Note Brokers, 92 Fourth st.

BANK STOCKS AT AUCTION.—Will be sold on Thursday evening, March 11th, at 7½ o'clock, at the Merchants' Exchange, Fourth street;
100 shares Mechanics' Bank Stock.
8 do Citizens' do do.
10 do Iron City do do.
10 do Manchester Savings Fund,
40 do East Birmingham & South Pittsburgh Gas Co.,
By AUSTIN LOOMIS & CO.,
mr9 Stock & Note Broker, Fourth st.

Wants.

WANTED IMMEDIATELY.—10,000 Men to engage in the sale of the most popular selling Books in America. Invalids, Mechanics, farmers and Teachers wishing to travel, will find this to be a very profitable and pleasant business, enabling them to see the country, and make money at the same time. Agents now in the business are clearing from $500 to $1,500 per year. For full particulars and a list of Books, address H. M. RULISON, Queen City Publishing House, 141 Main street, Cincinnati, Ohio; or, if living East, D. RULISON, Philadelphia.
au18:lydawfT

WANTED—Deer Skins wanted by
fe27 WELLS, RIDDLE & CO. No 80 Fourth st.

A GARDNER WANTED.—A man acquainted with marketing, and capable of cultivating some eight acres in vegetables and fruit. Inquire of
fe2 ISAIAH DICKEY & CO., No. 80 Water street.

STOCKS WANTED—
Mechanics' Bank Stock; M. and M. Bank Stock;
Exchange " " Western Insurance "
Monongahela " "
To fill orders, by AUSTIN LOOMIS & CO.,
ja28 Stock Brokers, 58 Fourth street.

WANTED—Notes and Drafts having 4, 6 or 12 months to run; $500 to $1000, by AUSTIN LOOMIS & CO.,
ja18 Stock and Note Brokers, 58 Fourth st.

WANTED—A quantity of good sound Rye.
ja18 JAS. GARDINER.

Medical.

DR. KEYSER'S SHOULDER BRACES—From Pittsburgh Dispatch, April 10th, 1856,—For more than years past we have constantly worn the Washington Suspender Brace, manufactured by Dr. Geo. H. Keyser, of No 140 Wood street, in this city, and would heartily recommend it to all who are compelled to follow a sedentary occupation. As we have before remarked, in calling attention to its merits, it answers for a brace and suspenders, the weight of the pantaloons being so placed as to continually tend to bring the shoulders to their natural position and expand the chest. Women, hundreds of whom are annually injured by the weight of enormous "skirts," should also procure these braces. Be particular in procuring the kind mentioned, as many of the braces, sold are humbug. Sold at Dr. GEO. H. KEYSER'S, Wholesale Druggist, 140 Wood street, sign of the Golden Mortar. fe26:d&wF

For Deaf Persons.—ACOUSTIC ARTICLES—These newly invented instruments that enable the deaf to hear in spite of deafness, are in advance of anything yet known, or likely to become of [illegible] service to deaf persons. By means of an artificial drum, the [illegible] and all the circumstances that attend [illegible] are entirely dispensed with. They [illegible] worn by ladies so as not to be perceptible to others, and are hardly felt when worn. Apply to
nod-dawF Dr. G. H. KEYSER, 140 Wood st.

An Infallible Cough Remedy.—I had been sick three months, not able to do anything, with a cough and stuffed condition of the wind-pipe; I tried several of the best physicians in this city without receiving any benefit all of them said my lungs were affected. I was confined to my bed during the greater part of this time, I expectorated a great deal of matter from my lungs. The first two doses of your Pectoral Syrup that I took, I could not take without laying down in my bed, but before I had taken two bottles I was entirely cured. I have been well ever since. My sickness commenced about the first of March, of this year. I am now, and was at the time of my sickness, living at Thomas Patterson's, in Union street, near the Diamond.
Pittsburgh, Oct. 28, '57. MICHAEL MCAVOY.
Prepared and sold by Dr. GEO. H. KEYSER, No. 140 Wood street, Pittsburgh, Pa., and by Druggists everywhere.
oo20:dawkF

Twenty Years Blindness Cured by the GRAEFFENBERG EYE LOTION.—Mrs. Charity Carnahan, of Temperanceville, was entirely blind in one eye for more than twenty years, and could scarcely see with the other. She is almost entirely cured by one bottle of "*Graeffenberg Eye Lotion*," and believes that another bottle will entirely restore her eyes. Sold at Dr. GEO. H. KEYSER'S, No. 140 Wood street, sign of the Golden Mortar. Price 25 cents.
no20:dawkF

THE HEALTH OF AMERICAN WOMEN—For many years I have been troubled with general weariness and languor, both mental and physical; caprice, listlessness, dull headache, pain in the head and temples, coldness and tendency to stiffness. palpitation of the heart, very easily fluttered or excited, appetite variable, stomach and bowels deranged, with pain. Any mental or physical exertion was sure to bring on all the symptoms, and I had in addition, falling of the womb, and great pain in that region. One physician after another exhausted his skill and gave me up. A patient and persevering use of MARSHALL'S UTERINE CATHOLICON fortunately cured me and I have no words sufficient to express my thankfulness
Mrs. JULIA ANNE JOHNSON.

I can truly say that I have been a sufferer for many years with whites and deranged menstruation. After a while I had other troubles, such as pale face, indigestion, wasting away, general languor and debility, pain in the small of the back, a sort of aching and dragging sensation, pain between the shoulder blades extending down the spine, loss of appetite, trouble in the stomach and bowels, with cold hands and feet and dreadful nervousness. The least excitement would make me feel as if I should fly away. I tried doctors and drugs, and everything, one after another, without the benefit. One bottle of MARSHALL'S UTERINE CATHOLICON changed some of my symptoms for the better, and now I am entirely and radically cured. I wish that every woman could know what it will do. CLARISSA OBER.

MARSHALL'S UTERINE CATHOLICAN has saved my life, as I verily believe. I tried doctors and medicine until it seemed useless to try longer, when I met with a lady who recommended the Catholicon so strongly that I deemed it my duty to try it. I was mostly troubled with deranged menstruation. My symptoms were principally pains in the back and abdomen, bearing down pain at the time of the illness, bloating, colic, nausea, constipation, feeling as if the back and limbs were bruised or broken, eructations and vomiting anxiety (life seemed to be a burden,) disturbed sleep, faintness, shudderings, fatigue on walking in the morning, flatulence, constipation, pressure of blood in the head, dizziness, especially when stooping, great irritability of temper, almost constant inclination to pass water, great restlessness and desire to weep or feel unhappy. I was not only entirely cured myself of all these symptoms, which I have given as an imperfect account of my sufferings, but I have known so many others cured in our town that I feel bound to let you know, that others who are similarly situated may also find relief.
EMMA VOSBURGH.

For a long time I had Uterine complaints with the following symptoms: I was nervous, emaciated and irritable; seemed to abound in complaints, some of which I will try to give you: pain in the lower organs, and a feeling as if something was going to fall out; inability to walk much on account of a feeling of fullness; aching and dragging, and shooting pains in the back, loins, and extending down the legs. the jolting produced by riding caused great pain; spasmodic shootings and pains in the side, stomach and bowels; headache, with ringing in the ears; every fiber of the body seemed sore; great irritability; intense nervousness. I could not bear the least excitement without being prostrated for a day; I could scarcely move about the house, and did not take pleasure in anything. I had given up hope, having tried everything, as I supposed in vain, but a friend called my attention to MARSHALL'S UTERINE CATHOLICON. I took it, hoping against hope. Most fortunately it cured me, and there is not a healthier or more grateful woman in the country. I trust all will use it. 'It is truly the woman's friend in need.'
Mrs. FLORENCE LESLIE.

MARSHALL'S UTERINE CATHOLICON will certainly cure Falling of the Womb, Whites, Suppressed, Irregular or Painful Menstruation, Bloating, Inflammations and Diseases of the Kidneys or Urinary Organs, Retention or Incontinence of Urine, Heartburn, Costiveness, Nervousness, Faintings, Palpitations, Cramps, Disturbed Sleep, and all troubles organic or sympathetic, connected with the Uterine organs.

The price of MARSHALL'S UTERINE CATHOLICON is One Dollar and a Half per single bottle.

On the receipt of six dollars five bottles shall be sent by express, free of charge, to the end of the express route.

Be particular to write the post office address, town, county and State.

We will guarantee that the Medicine will be sent on receipt of the money. Address DR. GEO. H. KEYSER,
No. 140 Wood street, Pittsburgh,
col:dawkF Sign of the Golden Mortar.