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☞ ADVERTISERS are earnestly requested to hand in their favors before 5 P. M., and as early in the days as practicable. Advertisements not inserted for a special and time will invariably be charged until ordered out.

CINCINNATI.—C. W. James, No. [illegible] Harrison street, Cincinnati, is our agent for this city. Advertisements and subscriptions handed to him will receive prompt attention.

PHILADELPHIA NORTH AMERICAN.—Advertisements and subscriptions to the North American and United States Gazette, Philadelphia, received and forwarded from this office.

☞ SEE NEXT PAGE FOR LOCAL MATTERS TELEGRAPHIC NEWS, &c.

THE WHEELING BRIDGE CASE.—We have been obligingly furnished, from Harrisburg, with the report, in manuscript, of Mr. DARSIE, on the Wheeling Bridge case, which was unanimously adopted by both Houses of the Legislature, and which we hasten to lay before our readers. As this subject is one of exceeding interest to this city and State, and of vast moment to the whole western country, (as companies are now preparing to Bridge all our great navigable streams,) this report will command earnest and universal attention. It is expected the case will be argued before the Supreme Court, at Washington, at its present session, and the great question finally settled.

EDITORIAL HONESTY—THE MERCURY.—The dishonest effort made by the Mercury to escape from the dilemma in which either its gross carelessness or wilful perversity had placed it, convinces us that it is wholly reckless, and entirely lacking in the commonest principles of editorial fairness and justice. In order to show this, we ask the attention of our readers to the following facts. On Wednesday last, we had some remarks on the confirmation of Presidential nominations, in which, we first complain of the factious and ungenerous opposition of Democratic Senators, originating from party grounds—declaring, however, that if they can show any good reasons, founded on "personal or public grounds," they will be "justified in withholding their assent." We next refer to a rumor that opposition might be expected from some Whig Senators, growing out of some "personal dissatisfaction with the appointments." Such opposition we pronounce scarcely justifiable, and declare our opinion that a Whig Senator ought to stand aloof from all petty cliques in his own party, and that, in the confirmation of appointments, he should waive considerations personal to himself, and seek only to advance the success of the government, because, as a Whig, (for as such we were addressing him) his party principles were intimately identified with the prosperity of the administration, and its *success in promoting the good of the country!*

The next day the Mercury comments upon our article, and gives the following distorted version of it:

> So here is the morality of the Gazette—sustain the administration appointments; *the qualifications of the persons appointed, are of no consequence*; the duties we owe to our party, are altogether superior to those which we owe to our country." It is a happy thing for the country that the Gazette's morality is peculiarly its own—were it otherwise, in vain might Henry Clay denounce in burning words, the blindness, the bigotry, and the intolerance of party spirits.

The succeeding day we called its attention to the injustice done us, which has had the effect only of causing it to evince still further the low character of its editorial morality. There was nothing in our article to justify, in the slightest degree, the distorted paraphrase the editor has put in our mouth. Every part of our article is strictly guarded. We no where say, or intimate, "that the qualifications of the persons appointed are of no consequence," and "that the duties we owe to our party are altogether superior to those we owe to our country." This language, as applied to us, is a gross, wilful, and unmitigated forgery—a falsehood of the editor's own coining; no part of the fraternity of which belongs to us. Instead of using such language or ideas, we carefully inculcated the contrary. In one part of the article we declare that objections founded on "personal or public grounds"—personal to the nominee, were a justification of opposition.. In another part, while we exhort Whig Senators to eschew cliques, an opposition founded on considerations personal to themselves, we urge upon them the duty, as Whigs, of advancing the success of the government, not by telling them that the duties they owe to party are superior to those they owe to country, as the Mercury falsely asserts, but by inuresting to them that the welfare of their party and party principles was intimately identified with the prosperity of the administration, and *its success in promoting the good of the country!*

The Mercury may gratify its own spleen by such acts of gross injustice, and very probably commend itself to the forgiveness of such corrupt carcass which it described the great body of the Locofoco party to be, in its salutatory address, but it must be content with the contempt of every upright man, of any and all parties, as the penalty of its dishonest course.

We learn with pleasure that A. W. Marks, Esq. has been elected Secretary of the Citizens' Insurance Company. Mr. Marks is every way qualified for the position, and will, no doubt, prove a faithful and valuable officer.

What is more delicious than a cup of good Coffee—what more exhilerating and invigorating. But then it must be good coffee, not the execrable stuff which frequently goes under that name, which is first ruined in the roasting, and then rendered still worse by dissipating all the aroma left in the boiling. In this latter respect a great improvement has been made, in an invention called "Haxtond's Patent Coffee-Boiler," by which the steam is condensed, and the aroma entirely preserved. By this apparatus there is no danger of ever boiling or boiling away the coffee—a great convenience for those who have to wait. It is very simple. It is manufactured by Barndollar & Craig.

COWS WORKED AS OXEN.—A correspondent of the Southern Cultivator says—"I have worked cows in harness, not under fifteen, without detriment in any respect; on the contrary, their offspring were superior to the rest of the stock—due of course to the extra feed and attention the cows received. I should like to see these cows introtended—for many of the poorer classes have no other animal power to aid them in their farming operations."

We have ourselves frequently seen, in Portugal, cows in harness, and they answer most admirably. They are, however, yoked the same as oxen. It is a very common thing to see the driver of a team stop in the streets and milk his cows, which, with part of a loaf of corn bread, commonly constitutes his dinner—they thus answer a double purpose.

FROM HARRISBURGH.

Correspondence of the Pittsburgh Gazette.

HARRISBURGH, Feb. 13th, 1850.

Both Houses had under consideration to day, a joint resolution, authorizing the Governor to have prepared and presented to the National Monument Association, at Washington, a block of Pennsylvania marble, or granite, at the expense of the State. Various inscriptions were proposed in both Houses. The two which seemed to meet with the most general favor, were as follows: "*Pennsylvania and the Union, as constituted, A. D. 1650, one and inseparable;*" "Pennsylvania: Founded 1681, by Deeds of Peace."

Upon these propositions there was much speaking. Several gentlemen acquitted themselves quite handsomely, and showed that on the great question of the perpetuity of the Union, the tamest man in the House could rise to a dignity and solemnity very nearly bordering upon the indefinable regions of eloquence. That subject was still undecided in either House, at the hour of adjournment.

COBDEN.

RAILWAYS IN ENGLAND.—From an article in the *Times*, it would appear that confidence is in a great measure being restored to Railways. The year 1844 closed with 2,148 miles of Railway open for use, to which were added, in 1845, 393 miles; in 1846, 595 miles; in 1847, 750 miles; and in 1848, 1,191 miles. The lines at present in action furnish respectable and remunerative employment to 53,000 men; besides which there is a body of nearly 200,000 men engaged upon the construction of works still incomplete.

THE GIPSIES.—A late English paper, in speaking of the Gipsies, says:

> "This mysterious and wonderful people are rapidly fading away. Lines of railroads run through glens they haunted, and the whistle of the steam engines harshly breaks the solitude of the woods which the Gipsey tradition and superstition had invested with romance."

FROM NEW YORK.

Correspondence of the Pittsburgh Gazette.

NEW YORK, Feb. 12, 1850.

The city, to day, is busy burying the unrecognised remains of the sufferers by the Hague Street explosion, and wasting money that could better be dispensed for the relief of the survivers, and, at the same time, be more agreeable to that large and growing class which doubts the propriety of converting the city government into a public undertaker for the victims of war, malignant disease, or accidents. The evidence before the coroner's jury is much canvassed by scientific engineers, and sayans generally, but the most remarkable fact is the evidence of an engineer named Ford, who takes and maintains very skillfully that a new element has caused this explosion, and demonstrated the existence of a motive more active and powerful than steam. The new power he terms *Gaze*, or steam decomposed, and made more volatile, in a way similar to water under the name of *steam*. A new engine and boiler has been prepared, by Mr. Ford, with a view to testing his new motor, and it is not out of the bounds of reason to hope that steam may be superseded.

Cholera, the city fathers assert, is doing some mischief among the paupers at Ward's Island, but not enough to create any alarm, inasmuch as we have not been clear of the pestilence for more than a year; a wholesome degree of alarm will prevail here, and we shall have a clean city, with all necessary precautions to keep off the disease. Among the new publications of the day is a pamphlet by Dr. J. S. Bowran, upon the circulation of the blood, and other topics. In it the theory inculcated by Harvey, and generally entertained by the world, in relation to the circulation of the blood by means of the heart, is attacked, and a new and reasonable hypothesis suggested. Instead of the heart forcing the blood throughout the system, by its contraction and expansion, it is contended that the blood is brought from the central organs by the sympathy of the capillary organs and, again, attracted to the centre by the sympathy of the lungs, etc. The Doctor is no superficial observer, and has given his colleagues a problem to solve worthy of their examination.

To morrow we are to have a mass meeting, in the Park, of persons engaged in Sunday newspaper work, under the disguise of a "news boys" meeting. At present, Sunday papers are cried almost at the pulpit stairs, to the shame of the city, and a determined movement is afoot to root them out. The Herald is on Sunday simply a good newspaper, and the same can be said of Major Noah's paper, but the rest are libels upon literature and public decency. Stories whose *moral* is pollution, and puffs of dens where drunkards congregate is their staple table of contents, and if there is moral power enough here to crush them it will be a mercy. As a general thing, our daily papers do not desecrate the Sabbath by work, or even by keeping their offices open, and those in their employ are not cut off from any of the privileges of that day of rest. But Sunday papers will not be killed.

Southern merchants are flocking here and trade is very brisk, and large amounts of goods going South.. As a natural result, the price of money is firmer, and paper in the street is more abundant, ready to be sold at an advance in price.—Still the banks are ready to meet most of the demand, and let their line of discounts run off to the highest point. Stocks continue firm, with an advance of many kinds. The failure of Rawdon, Groesbeck & Bridgham, has not unsettled the market, but given it more strength. It has developed the fact that a large amount of stocks have been bought by capitalists, at the low figures, and that the brokers have not the control of the market.

Cotton has not been much affected by the news from abroad; the letters did not confirm the telegraph, and some lots have been sold at a shade off. Coffee speculators do not like the news, and have sold considerable parcels upon private terms, but known to be at a reduction. Breadstuffs are quiet, but firm, with a fair trade doing. In iron, there is no change, but holders are firm, and prefident an advance. A large contract has been made for the Erie road, at low rates.

C.

REPORT OF MR. DARSIE, ON THE SUBJECT OF THE WHEELING BRIDGE.

On Monday last, Mr. DARSIE from the select committee, to which was referred so much of the Governor's Message as relates to obstructions to the navigation of the Ohio river, by the erection of a Bridge opposite the City of Wheeling, submitted the following Report, which was unanimously adopted:—

The Ohio River, connected as it is with the Atlantic sea board, and with the Northern Lakes by the great public works constructed by the State of Pennsylvania, is the main inland channel of commerce between the States of this Union. For one thousand miles it is the highway along which freight and passengers arrive at and depart from these works. In overcoming the obstacles of land transportation between the Ohio and Atlantic sea board, along which commerce had painfully halted, and in opening channels of cheap, easy, and secure transportation, to and from the Ohio river, Pennsylvania has expended many millions of dollars, has burthened herself with debt, and subjected her people to heavy taxation, looking for reimbursement to the revenue that might be derived from the trade and travel passing through these channels, and the advantages of the Ohio river as a free and common highway, by which commerce might arrive at, and depart from, her ports.

In the benefit derived from these works, the people of every State have shared; and by the cheap, secure, and speedy transportation furnished for manufactures and agricultural products, they have benefitted the whole world.

It has been estimated that property exceeding fifty millions of dollars in value, and more than three hundred thousand passengers, pass to and from the Ohio river, along the channels and through the avenues opened on that river by Pennsylvania.

The principal points of trade connected with these works by the Ohio river, are, Cincinnati, Louisville, St. Louis, and New Orleans. To and from these depots of trade for the vast western and southwestern region, the transportation is carried on chiefly by steam boats—of these a large portion were constructed at Pittsburgh, and owned and navigated by citizens of this State, contributing in no small degree to its wealth and honor. The enterprize of her citizens has opened regular and stated communication by these vessels between the ports of this State and all the ports on the Ohio and Mississippi rivers, and their tributaries. Regular steam packets run from Pittsburgh to New Orleans, St. Louis, Galena, Nashville, and Louisville, and intermediate ports. Between Pittsburgh and Cincinnati, a regular daily line of steam packets has been for some years established, transporting, as is estimated, annually, by this line alone, one hundred and sixty eight thousand passengers, and eighty thousand tons of freight, with cheapness, speed and security, unsurpassed in the history of commerce. Each succeeding year witnesses increased capital, enterprize and skill, in steam boat navigation, and the construction of steam vessels on the western waters, improving speed and comfort, diminishing expense, and overcoming obstacles to their navigation. During the last year, one hundred and fifty steam boats were built on the Ohio river, and fifty of these with a tonnage of seven thousand two hundred and twenty tons, were built at Pittsburgh. Conscious how important the navigation of the Ohio is to her prosperity, Pennsylvania has made appropriations to improve it within her own borders, and at her instance Congress has also made repeated appropriations for the same purpose, and now Pennsylvania may boast of the commerce that passes between the East and the West, along the channels she has opened with the Ohio river, and of the steam marine that arrives at, and departs from her western ports, as being unsurpassed by any State in the Union. It is evident that the great works of Pennsylvania, terminating on the Ohio, and the liberal expenditures by her citizens, in equipping vessels for its free navigation based on the essential rights of its free navigation as a public and common highway, not only through her own borders, but along its whole course. This right is guaranteed, moreover, by the sanction of laws, and the compact between the States. Your committee would refer to the following authorities:

1. The well established principle of national law, that a state possessing the upper part of a navigable river, is entitled to descend to the sea, without being embarrassed with useless and oppressive duties and regulations."—1 Kent's Com. 35.

2. The resolution of Congress, in 1786, offered by Mr. Grayson, of Virginia, declaring that the navigable waters, leading into the Mississippi, should be free and common highways for the citizens of the United States.

3. The provisions of the ordinance of 1787, establishing the above principle as a compact between the States—which has been made a condition of the Admission of every State into the Union, bordering on these waters.—*Ordinance* 1787.—Constitution of Missouri, Alabama, &c.

4. The provisions of the Constitution of the United States, that Congress shall be regulated by Congress; and that no preference shall be given to the ports of one State over those of another.

5. The Compact of Virginia, on the 15th of December, 1789, on the admission into the Union of her Kentucky territory, as a separate and independent State—that the use and navigation of the Ohio river should be free and common to the citizens of the United States.—*Revised code*, 1819, *page* 59.

But notwithstanding these guarantees, the essential rights of the people of Pennsylvania have been invaded, the commerce of her citizens interrupted, their steamboats exposed to danger, and subjected to insulting and oppressive impositions; trade and travel has been stopped in its passage, to and from her public works, vessels have been shut up in her ports, and the freedom of the Ohio river, as a public and common highway, has been denied to her citizens.

One hundred miles below Pittsburgh, the Ohio river is divided by Zanes Island into two branches, the Eastern channel being one thousand and ten feet, and the Western seven hundred and ten feet in width, both navigable at usual stages of water, for steam vessels. In Virginia, on the eastern shore of the river, stands the city of Wheeling, and on the western shore the small town of Bridgeport in the state of Ohio. The position of the island between those points being convenient for bridging, persons interested in making Wheeling the head of navigation, besieged Congress, for many years, to erect a bridge across the Ohio at that point; the pretence being that great public convenience for travel and transportation of the mail, along the national road, would be thereby attained. These solicitations were resisted by the National Legislature; and after careful examinaon, by skillful government engineers, the project was finally rejected, on the ground that it could not be executed without seriously obstructing navigation. The measure was earnestly opposed by Pennsylvania as an infringement of her rights, and deeply injurious to her interest, as is shown by the resolutions adopted at the Sessions of the Legislature of 1842 and 1844, instructing her Senators, and requesting her members in Congress to use all means in their power to defeat the measure.

Failing to obtain the sanction of Congress (the only lawful authority, if any exists for that purpose) the persons interested proceeded to act under authority of the States of Virginia and Ohio. In 1816 a charter was granted by the Legislature of those States, authorizing a bridge to be erected across the Ohio River, at or near Wheeling. This act, besides requiring the Bridge to be erected so high above the usual floods as to admit the safe passage of flat boats, and providing a draw for the passage of other vessels, contained this section:—

"Sec. 19. That if the said bridge shall be so constructed as to injure the navigation of said river, the said bridge shall be treated as a public nuisance, and shall be liable to abatement on the same principles as other public nuisances."

Notwithstanding this section, a bridge was erected, a few years ago, between Zane's Island and the Ohio shore, without a draw, and so as to shut up that channel, entirely preventing the passage of steamboats. But while the eastern channel remained open, no complaint was made by the State of Pennsylvania, nor by the citizens, against this manifest infringement of their common right. At length, in February 1817, an amendment to the original act was passed, authorizing the erection of a wire suspension bridge between Zane's Island and the main Virginia shore. This act also provided "that if said bridge shall be so erected as to obstruct the navigation, in the usual manner by such steam boats and other crafts as are now commonly accustomed to navigate the same, when the river shall be as high as the highest flood therein heretofore known, then, unless upon such obstruction being found to exist, such obstruction shall be immediately removed or removed, the said last mentioned bridge may be treated as a public nuisance, and abated accordingly."

Disregarding the provisions of their charter, the Wheeling and Belmont Bridge company, of which the two banks and city of Wheeling are principal stockholders, having a deep local interest to cut off navigation above that point, so as to stop commerce at their own port, and divert it from the channels opened by the State of Pennsylvania, have erected their bridge across the channel of the river so as to obtain their object.

While the cry was in embryo, and as soon as it become manifest, from the hight at which the bridge was contemplated to be suspended across the channel, that such would be the effect, alarm was taken by persons engaged in navigation, who perceived that it must occasion a serious obstruction and a total elevation. The facts being made known at a public meeting, in Pittsburgh, measures were immediately taken to arrest the work, and require it to be carried—as it might be sufficiently high to present no obstacle. By reason of the deep interest of the State, and in order to bring the question without delay before the highest Judicial Tribunal, proceedings were forthwith commenced in behalf of the State of Pennsylvania, in the Suits in the name of the State of Pennsylvania, in the Supreme Court of the United States. Application was made in August last, for an injunction, and a motion for that purpose is now pending in the Supreme Court. On that application, the learned Judge, before whom it was made, held the following points to be fully established.

1st. "That the Ohio river is a public navigable river, and common highway, from its head to its mouth, and the citizens of Pennsylvania, and of the United States, have a right to navigate the same, and have carried on a valuable trade and commerce on the same, with their steam boats and other vessels.

2. "That the defendants, a private corporation, are constructing a bridge across the same from Wheeling to Zane's Island.

3. "That the corporation is forbidden by the law which creates it, from erecting their bridge so as to obstruct the navigation of the Ohio river in the usual manner by steamboats and other craft as are commonly accustomed to navigate the same when the river shall be as high as the highest flood therein heretofore known, then, unless upon such obstruction being found to exist, such obstruction shall be immediately removed or removed, the said last mentioned bridge may be treated as a public nuisance, and abated accordingly."

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At the time these proceedings were commenced the towers of the bridge were not completed, and no portion of, it suspended across the channel. But notwithstanding the pending of the suit, and notice that Pennsylvania would resist its erection, because of its injury to her rights and interests, the Bridge Company proceeded with the work, and have lately completed the obstruction across the channel of river.

Even before its completion, events manifested that all the apprehended evils must occur, and that this obstruction, if allowed to stand, must prove, beyond calculation, injurious to the rights and of Pennsylvania, and destructive to the rights and revenues of the State. Some of these evils may be briefly stated. The floods of the Ohio, as is well known, have reached forty five feet above low water mark. This rise is sudden, and may happen in any month in the year, and each year they usually rise 35 feet above the low water mark. Of the trade and travel arriving at and departing from the Pennsylvania public works, it is estimated that one third of the freight and at least one half of the passengers are transported in the regular Cincinnati packets. These packets are seven in number, costing from thirty to forty thousand dollars each, carrying from three hundred to three hundred and fifty passengers, arriving and departing at stated hours from the ports of Cincinnati, receiving and discharging their cargoes, and making their trip of five hundred miles and back without regularity within seven days, but with no time to spare. By their speed and regularity, connection is formed with the eastern transporting lines at Pittsburgh, so that travellers and merchandize pass along their course without obstruction. These vessels require for their passage, from seventy five to eighty feet above the surface of the water, the same space is required by other vessels of the largest class trading between the ports of St. Louis and New Orleans. The largest and best packets require eighty feet from the water, or some of these the pilot house stands a sprightly fifty feet above the surface.

The suspension bridge at Wheeling is built on an inclined plane from the Virginia shore to the island, at its highest point it is only seventeen feet one inch above low water mark, and it deflects at that point four feet four inches every hundred. As the packets require a space one hundred feet wide for safe passage, the lowest point in their width is to be reckoned for the obstruction. So that eighty eight feet is the highest space above low water level allowed for passage under the bridge. But the water is not usually at that level, above two weeks in the year, and then the packets cannot run. As the height of the water affords facility for their use, so is the space for their passage under the bridge diminished. Ordinary floods rage under the bridge, leave but fifty feet space for the passage of boats requiring eighty. At floods such as have occurred in different months of the year, the pilot house and upper cabin would be swept away. In every month of the business season, upon almost every trip, boats bound to and from Pittsburgh, will be liable to detention at the Wheeling bridge, and thus the natural channel of a public river one thousand feet wide, through which the principal commercial intercourse of the Union has been accustomed to pass in safety, is, by the bridge, reduced to a narrow straight of ever changing dimensions, always difficult, often dangerous, and many times impassable. To say nothing of the, danger to life and property in passing at night, in stormy weather, and on high floods, the regularity of the packet trade would be interrupted, the revenue diminished, and the entire commerce of the Ohio, and the great public works of Pennsylvania, from which it derives its support, would be thrown off from the great lines of travel, and the compact between the States. Your committee would refer to the following authorities:

1. The well established principle of national law, that a state possessing the upper part of a navigable river, is entitled to descend to the sea, without being embarrassed with useless and oppressive duties and regulations."—1 Kent's Com. 35.

2. The resolution of Congress, in 1786, offered by Mr. Grayson, of Virginia, declaring that the navigable waters, leading into the Mississippi, should be free and common highways for the citizens of the United States.

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But notwithstanding these guarantees, the essential rights of the people of Pennsylvania have been invaded, the commerce of her citizens interrupted, their steamboats exposed to danger, and subjected to insulting and oppressive impositions; trade and travel has been stopped in its passage, to and from her public works, vessels have been shut up in her ports, and the freedom of the Ohio river, as a public and common highway, has been denied to her citizens.

These boats, built and owned at Pittsburgh, were regular packets between that port and Cincinnati, unsurpassed for speed, comfort and safety.

Since these events occurred on the fall floods not exceeding twenty six feet and a half of water, even worse results are to be anticipated in the spring season. On the thirteenth of January last, the water at Wheeling was at a thirty two foot and a half stage, this would have stopped all the packets at the bridge, if they had been running at the time. When it was remembered that these boats are the carriers of the commerce and travel passing to and from the Pennsylvania improvements, and that upon their regularity, speed, and safety, the State must greatly depend in her competition with other channels for the revenue to discharge her public debt, and that these occurrences are liable to happen at any time, and must certainly take place in the business seasons of the fall and spring, it is plain that the obstruction presented by the Wheeling bridge, must be most destructive to the interests of Pennsylvania. But it is not to steam boat navigation alone that this bridge presents a fatal obstruction. At many seasons of the year, the floods of the Ohio afford a safe passage for ships up to the Mississippi, and thence to the Southern seabord. Western Pennsylvania abounds in timber, iron, and other materials for naval architecture, and Pittsburgh has been found a convenient port for ship building. Before the introduction of steam boats, several ships were built, equipped, and cleared at Pittsburgh for Atlantic and foreign ports. At a later period steam ships and other sea going vessels have been there constructed for the General Government, and for individuals. Two ships, for Atlantic trade, are now on the stocks, and it is susceptible of demonstration, that sea vessels may be as well constructed at Pittsburgh and other ports on the Ohio at a cost of twenty per cent less than at any Atlantic port. But, while this business may flourish else where on the Ohio river, the Wheeling bridge, by preventing the passage of such vessels will operate to exclude from the ports of Pennsylvania a branch of business generally regarded as among the most honorable to a State, and advantageous to its citizens. These results were foreseen by the Bridge Company long before any alarm was excited in this State, an unsuccessful application was made by them last winter to the Virginia Legislature to authorize the departure from their charter, and to the height of their bridge—and a renewed application is now pending at the present session of that body.

It is admitted by them that large boats cannot pass without a change in their construction—but they contend that the construction of steam boats ought to be accommodated to the elevation of the bridge. Such a claim is on many accounts wholly inadmissible. The Packet line was established and in operation years before the bridge was built. Competent engineers have demonstrated and indeed it is not denied that the bridge might have been built so as to allow the Packets to pass. The obligation was, therefore, upon the bridge company, independent of their charter to expend existing rights, and besides the express injunction of their charter not to violate these rights, the free navigation of the Ohio river was a public and common right of the packet owners involving spaces in the air as well as space in the water, both being essential.

Both elements are equally free to the navigator, whether required for the hull of his vessel or its chimneys. The same power that regulates the depth of water for the vessel in the air, may limit its draught in the water. The same power may regulate depth of hull, that can prescribe the height of chimneys, and the construction of vessels below the water line, may as well be made to govern the water line, may as well be made to govern the upper portion of crossing as their proportions above that line. The claim, therefore, subjects the entire rights of navigators of a public river, for a thousand miles, to the convenience and caprice of those who wish to cross from one bank to the other. Free navigation implies the free and unrestricted use of either element, so far as required for the passage of every water craft. To compel the navigator to change or accommodate his construction to any arbitrary will, or arbitrary purpose, is to destroy the freedom of navigation, and if it be allowed at one place to change or limit the construction of boats above the water surface, it may, with equal propriety, be claimed elsewhere. If the space for headway may be limited to fifty feet, for the convenience of a bridge at Wheeling, why not to thirty feet at Cincinnati? If the height of chimneys may be limited, why not the length of hull, breadth of beam, number of boilers, or power of engine? If a suspension bridge at Wheeling may compel boats to lower their chimnies, a *pier bridge* at Steubenville, or Cincinnati, may find it convenient to limit the width of boats, to take off their side wheels, and substitute propellers. Without pursuing the illustration further, it is apparent that such a claim is wholly inconsistant with the rights of navigation. It is said that high chimneys are unnecessary. To this the reply is, that experience on the Ohio river, in opposition to numberless theories, has led to their use, as the best means of producing draught for purposes of speed and power. And what could be more unwise than for purposes of law and authority to throw out of use a power that has proved safe and useful, to enter into an unlimited field of experiments, involving safety in life and property? It is said that the chimneys of a large number of boats on the Ohio are made to go to be lowered with hinges. But this has arisen from the necessity of passing the Canal Bridge, at Louisville, and two important facts are demonstrated by this circumstance.

1st. The general advantages of high chimneys.

2d. The impolicy of allowing any regulation that may interfere with the improvement of steam navigation.

When the canal at Louisville was constructed, the locks were supposed to be large enough to pass the largest steam boat that would ever navigate the Ohio, and the bridge to be high enough for the tallest chimneys to pass under. But in a few years boats lengthened from one hundred and fifty feet, to three hundred feet, and chimneys eighty feet, to from forty feet, to eighty and ninety feet. Although these are demonstrated to be great improvements, commerce is crippled by the necessity of accommodating its vessels, trading above and below the falls, to the dimensions of the Louisville locks, the bridge, and navigators are subject to the hazard and expense of lowering their chimneys every time they pass through the canal. This necessity must be reluctantly submitted to, in order to get round the partial obstruction of the falls caused by passing through private property; but what can justify such an artificial obstruction on a public river?

The enterprise manifested in the creation of this bridge, and the expense of its construction, are urged as an argument in its favor, the force of which may be understood by a relative estimate of the respective cost and utility of the packets and bridge. The estimated cost of the bridge is $210,000, including the Western Bridge and Wheeling Island. Being a permanent structure, a small annual sum will keep up repairs, and a trifling expense two toll gatherers will collect the revenues. The seven packets cost $225,000, and are worth an average of $35,000. They have to be replaced every five years. They give employment to more than five hundred persons, and their weekly aggregate expenditure exceeds seven thousand dollars. What is the enterprise of this bridge compared with that exhibited by the individual owners of these packets? As to utility, the bridge affords a convenient crossing over the space of 1000 feet, that in general might be passed with equal speed, and more easy by a ferry boat.

The packets transport passengers and freights the distance of five hundred miles, with more speed, cheapness, comfort, and safety, than by any other means the art of man has devised. The expense of the bridge, moreover, was incurred in open disregard of the Charter.

The importance of the bridge in view of the Baltimore and Ohio Railroad, connecting at that point with some western railroad, is pressed with more earnestness. But the Bridge Engineer in his report, admits that, as now constructed, it is insufficient for the purpose of such roads, and will require further adaptation for their use. What further obstruction may be thus incurred is not stated.

The great business of transportation is transacted by carriers on land, and carriers by water. The former, in their capacities, is of infinite use to society—While land carriage, by railroad, is of necessity a monopoly, carriage by water, on a public river, is free to all. This necessary competition, thence cheapness. The car excels in speed, the boat has the advantage in cheapness. While competition is open, far, they check each other, give facilities and rival advantage, and the public must suffer. To commerce as it trades eastward from the south and west, Pittsburgh offers herself at the head of the Ohio river, as a carrier by water; Baltimore bids lower down, as a carrier by land—any difference in speed is compensated by a difference in price. But block up the passage to Pittsburgh, or impose upon commerce seeking the Pennsylvania channel, the barriers and delay at the Wheeling Bridge, or the hazard and expense of transshipment, and an advantage is given to her rival, with which Pennsylvania cannot compete.

It is manifest that the question now presented is one of the most grave in character, and of numerous consequence to Pennsylvania, that can well arise. It necessitates additional importance from the consideration that, stimulated by the example of Wheeling, other corporations having in view private speculation or local advantages, are organized, or in contemplation elsewhere, for bridging the Ohio. Northward the state of Ohio, has already taken, and similar projects are announced at other towns along the river. As the power exercised by Wheeling will be claimed by other bridge companies, must not be permitted to run a race with her, hitherto regarded as of more value to commerce than any other in the world, and to results which, Pennsylvania has expended no many millions of dollars. With her ports at the head of that vast system of natural channels afforded by the western rivers, extend from the Gulf and Rocky Mountains, to the feet of the Allegheny, with an established trade, and large steam shipping, penetrating into the vast region of the south and west, and depending upon the trade and commerce that may be there brought to her public works, for the payment of the debt incurred in their construction, Pennsylvania cannot too vigilantly guard against any obstruction to these channels of commerce. While they remain free, she need not fear competition.

It has been argued that Pennsylvania, having authorized bridges across the Allegheny and Monongahela rivers, cannot with propriety object to the example being followed by others. In 1818, when the Allegheny and Monongahela bridges were chartered, no steam boat had been launched on the Western waters. There was no established trade to be incommoded by them; no navigation was interfered with. The evils of such policy could not then be foreseen. And moreover, the Monongahela has been improved and made navigable by the expenditure of her money. None but her own citizens are injured by erections across the Allegheny; and the several advantages which her public works afford to commerce, are more than equivalent for any inconvenience they may occasion. There is, then, no reason why Pennsylvania may not insist upon that freedom of commerce and navigation guaranteed by the Constitution, and the security of which was one of the main objects of the Federal Union.

To vindicate these rights, and remove the obstructions by which they have been violated, proceedings in the name of the State are now pending in the Supreme Court of the United States. Upon free and unrestrained commerce, much of the wealth and dignity of a State depends; and it has always been regarded as one of the most sacred duties of a State, to protect her citizens in the lawful prosecution of their trade and business. Whatever regulates the vessel, regulates the commerce of which it is the vehicle. The violation of vessels engaged in commerce, impediments in their course, and labor or expense to their navigators, have always been regarded as claiming the cognizance of a sovereign State, and demanding redress by its intervention.

When, added to this, the inestimable injury to the revenue of her public works is taken into consideration, it is evident that the wrong now in question is one for which it behooves the State to ask prompt redress. It is believed that the Constitution of the United States affords a peaceful and adequate remedy, by appeal to the Supreme Court; and that this tribunal will not fail to take cognizance of a case for the relief of which its jurisdiction was established. It is consistent with the feelings and character of this Commonwealth, and the sibling confidence in the provisions of the Constitution for every exigency, to await the judgment of that Court. And at this crisis it is not essential to do more than manifest due vigilance over her rights, and firm and peaceful resolution to maintain them. Without entering, therefore, into any legal discussion. Your Committee consider that the proceeding now instituted and pending, will prove adequate for the abatement of the nuisance created by the Wheeling Bridge, and to vindicate the rights violated by its erection.

In conclusion, the Committee would recommend the adoption of the following joint resolutions:

Whereas, The navigation of the Ohio river has been and is now obstructed by bridges erected across its channel between Zane's Island and the main Virginia and Ohio shores, so that steam boats and other water craft, hitherto accustomed to navigate said river, are hindered in their passage to and from the port of Pittsburgh and other ports in the State of Pennsylvania, and the trade, commerce, and business, of citizens of this Commonwealth interrupted, the revenue of her public works diminished and impaired, and steam boats owned and navigated by citizens of this State bound to and from her ports, are subjected to labor, expense, and delay, with hazard to life and property, by reason whereof the said bridges are a common and public nuisance, injurious to the State of Pennsylvania and her citizens.

Therefore, be it resolved, &c.

1. That the free and uninterrupted navigation of the Ohio river, as a common highway, as a right belonging to the citizens of Pennsylvania, which is essential to the prosperity of the State is a duty of the Commonwealth to arrest and defend.

2. That the proceedings in behalf of said State, instituted by her Attorney General, in the Supreme Court of the United States, and now pending therein, against the Wheeling and Belmont Bridge Company, to abate the nuisance occasioned by their bridge, lately erected across said river, be prosecuted to final judgment, decree and abatement of said nuisance.

3. That if such proceedings shall fail to abate said nuisance, the Governor of this state is authorized and directed to cause him, or other further proceedings to be taken as may be necessary and proper to procure the abatement thereof by due course of law.

4. That the sum of two thousand dollars be and the same is hereby appropriated toward carrying on said proceedings, the said sum, or so much thereof as may be necessary, to be expended under the direction of the Governor, and the account thereof to be settled in the usual manner.

The Central Railroad.

Our readers will perceive from an advertisement in another column, that the Pennsylvania Railroad Company have decided that the road shall be located on the Southern route, passing through this place; consequently, the conditional subscriptions on this route have now become *absolute*; and notice is given by the *Treasurer*, for the immediate payment of the first instalment ($5) on each share subscribed. Or should any person find it convenient to pay the whole amount of their subscription in the first instance, it will bear an interest of six per cent, per annum, until the road is finished: after which time, the dividends on stock cannot be less, but may, possibly be double that amount. The investment is, therefore, beyond all doubt, safe and profitable one. The early completion of the road will be a matter of the utmost importance, not only to the Company and Stockholders, but also to the State at large, and especially so, to all those who reside within 15 or 20 miles north or south of the road, and in short to every farmer, who wish his team and produce can reach the nearest depot, and *and return home in the same day*, with the proceeds in his pocket. It is also a matter of great importance to all who feel an interest in the road, that it should be finished at as early a day as possible for other reasons.

The Baltimore and Ohio Railroad Company, on the South, and the New York and Erie Railroad Company on the North, are employing their utmost means to reach the navigable waters of the Western early day; and each of said companies have strenuously urged for the letting of the unfinished portions of their roads.

We say, then, that it is a matter of the first importance to secure the precedence in the carrying trade of the great valley of the Mississippi. The Pennsylvania Railroad, as yet, possesses the vantage ground; and, if its friends are true to it and their own interests, it must and will take precedence of its northern and southern rivals. Let those, then, who are to be benefitted by this great thoroughfare, and who have the means, come nobly up to work, and at