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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 specified time will invariably be charged until ordered on.

CINCINNATI:—C. W. James, No. 6 Harrison street Cincinnati, is our agent for the city. Advertisement, 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.

Emigration and Exports to California.

From the preparations rapidly and quietly making in the Western States, we infer that the overland emigration to California, this year, will be nearly, if not fully equal to that of last season. In this region, and in various parts of eastern Ohio, large companies are preparing for the trip, and some have already started. No discouragements appear to daunt our enterprising young men, who seem determined to brave all hardships for the sake of the excitements of the adventure, and the prospects of the golden harvest still to be reaped. In Illinois and Iowa, vast numbers are preparing for the overland trip. As much experience has now been acquired, and better preparations made, and as the class of emigrants this season are more robust and more inured to hardships than those of last season, we do not apprehend they will meet with much difficulty. Our towns and cities poured out their population last year, for the journey across the Plains, and the preparations were generally hasty, and in many cases very inconsiderate, and great losses and hardships were occasioned thereby. This year the country is supplying its share of the population for the new sovreignty of the Pacific, and they have taken sufficient time to make their preparations, and from their substantial and appropriate character, there is reason to expect a prosperous and pleasant journey.

An immense number of emigrants, also, are weekly leaving our seaports for San Francisco. The Chagres and Panama line of steamers are always crowded to excess, while the sea is whitened with the sails of vessels of all sizes, making their way around Cape Horn. Fifty six vessels, of all classes, cleared from the Atlantic ports for California, from February 19th to March 10th; of which 15 were ships, 15 were barques, 16 were brigs, 9 were schooners, and 2 were steam ships. Of these clearances, 24 were at Boston—8 ships, 5 barques, 7 brigs, and 4 schooners; 15 at New York—2 steam ships, 6 barques, 6 brigs, and 1 schooner; 4 at Baltimore—1 ship, 1 barque, 1 brig, and 1 schooner, and 5 at New Orleans—2 ships, 1 barque, and 2 schooners. The number of passengers in the above 56 vessels is estimated at 1,500. There are now up at Boston, for the gold regions, 9 ships, 12 barques, 9 brigs, and 5 schooners—35 in all.

Although the amount of gold already received from California exceeds *twelve millions of dollars*, yet it falls short of the aggregate of exports from New York alone, to that country, which amount to some *fifteen millions* of dollars! In fact the trade which has so suddenly sprung up with our youngest sister, which sits as a queen on the Pacific, is truly enormous, and shows the great commercial advantages which are afforded by our new Pacific acquisitions. The New York Herald publishes a list of articles exported from that port to California during the year 1849, and the first two months of the present year. It states that the amount of merchandize sent from New York alone will probably realize in that region not less than $15,000,000.

If the list published by the Herald, the parts of houses are numbered by thousands. In building materials there are some large items. Over four millions of feet of lumber are classed in one of these, and over a million shingles in another item. Besides these, two hundred thousand "pieces" and fifty thousand "packages" of the former, and a thousand "bundles" of the latter are noted.—Timber, dressed boards, laths, joists, brick, and all other descriptions of building materials are found in large items. Six hotels, ten complete stores, nine ten-pin alleys, three hundred and seventy two frame houses, fifty nine iron houses, seven portable houses, twenty nine galvanized iron houses, one large galvanized iron shop, and an incredible number of parts of houses, both of wood and of iron, have been sent forward. The exports of brandy and other liquors, and also of bread, have been large. On comparing the list of exports for 1849 with that for the two months past, we find that the increase has been, on the average, very considerable, and that the wants of the Californians are calling out articles which were little thought of in the first excitement of this great commercial agitation. "In fact," says the Herald, "judging from the whole *point de vue* furnished by this list of exports, we have reason to believe that the Californians are determined to sustain all the habits, tastes, feelings, enterprise, and all the concomitants of civilization, in their love for pork, beans, Connecticut brooms, and sarsaparilla."

Boston, too, continues to send large quantities of almost every description of merchandize to the land of gold, while her exports of lumber and building material to the same destination rival those of New York in variety and number. From the 25th ult. to the 10th instant, inclusive, the quantity of lumber sent out, according to the Journal, was 2,423,500 feet; of shingles, 1,591,750; of clapboards, 51,950 feet, and 599 packages; of timber, 165,000 feet; of laths, 100,500, besides 600 bundles; and of brick, 340,100. Besides these, we notice a large quantity of parts of house frames, and of doors, windows, window frames, &c., &c. Two large houses, complete, are also among the items.

The *Dispatch* devotes nearly a column, yesterday, to a remark of our Washington correspondent in relation to a sentiment in Mr. Seward's speech. The eloquent New York Senator uses the following language, in speaking of our newly acquired territories:

"It is true, indeed, that the national domain is ours; true, that it was acquired by the prowess and wealth of the whole nation; but we hold, nevertheless, no arbitrary power over it. We hold no arbitrary authority over any thing, whether acquired lawfully, or by usurpation. *The constitution regulates our stewardship. The constitution devotes the domain to union, to justice, to defence, to welfare and liberty.* But there is a higher law than the constitution, which regulates our authority over the domain, and devotes it to the *same* noble purposes. The territory is a part—no inconsiderable part—of the common heritage of mankind, bestowed upon them by the Creator of the universe. We are his stewards, and must so discharge our trust as to secure, in the highest attainable degree, their happiness."

Our correspondent reverts to a sentiment supposed to be couched in the above quoted remarks of Mr. Seward, as follows:

"Mr. Seward's speech has made no little sensation. It certainly was most objectionable in this, that the distinguished Senator set up a will or a sentiment, derived from what he called the moral law, or the will of the creator, superior to the constitution, and which would justify a citizen or a statesman in disregarding the constitution. For one I can subscribe to no such doctrine, whether proceeding from Whig or Democrat."

If Mr. Seward meant to convey the sentiment imparted to him by "Junius," then his censure is appropriate, but we think he has inadvertently mistaken the Senator's meaning. We do not understand Mr. Seward to say that this "higher law than the constitution," would "justify a citizen in disregarding the constitution," but that it devoted the public domain to the "same noble purposes," which the constitution did, "to justice, to defence, to welfare, and to liberty." This is all we infer from Mr. Seward's remarks, and we think the inference is a natural and reasonable interpretation of his language.

The *Dispatch*, however, understands Mr. Seward just as "Junius" does, and proceeds to defend a sentiment which neither that Senator, nor any well balanced mind, can for one moment approve.

It is true that there is a law higher than the constitution, on which that and all other human enactments should be founded; but we deny the right of any person to set up his mere opinion of what this higher law ordains, as superior to the constituted laws of his country. He has a right to express his private opinions of the constitution and laws, and to labor for their amendment, but if he undertakes to violate their provisions, he is both morally and civilly guilty. For a man to take an oath to support the constitution, and then to set up his conscience as an excuse for violating his oath, is to be guilty of wickedness as well as folly.

Mr. Seward's speech is a brave and noble defence of human rights, and of moral and civil duties, under the constitution, not in violation of it, and we trust "Junius," who is almost always correct in his statements, has before this discovered his mistake, and corrected it. We know that he is not a whit behind Mr. Seward in his devotion to Free Soil, and that he is willing to go as far as the farthest, within the constitution, to prevent the extension of slavery.

To the *Dispatch* we leave the digestion of its own peculiar, crude, dangerous, and most absurd theory, which is not worth the trouble of further discussion.

OUR BOOK TABLE.

A Modern History, from the time of Luther, to the fall of Napoleon, for the use of Colleges, and School's, by the Rev John Lord, A. M., Lecturer on History.

This is a very ably written work, and admirably adapted to the purpose for which it is intended. The Reverend Author is a writer of acknowledged celebrity, and his lectures in England, as well as in our own country, on History, and other topics, have given him high celebrity. The work before us is calculated to afford both instruction and pleasure to all classes, and although more particularly intended for the young, will afford a vast amount of information and gratification to all ages. It is especially worthy of the attention of our colleges and schools, and we notice with pleasure call their attention to it. Messrs. Thomas Cowperthwaite, & Co., of Philadelphia, are the Publishers. Mr. Mellor, on Wood street, has the work for sale.

(MONONGAHELA HOUSE, PITTSBURGH. March 20th, 1850.

Editors of Pittsburgh Gazette.

GENTLEMEN—As I came up the Ohio, one of your papers of March 18th, fell into my hands, in which I find a communication from my friend and neighbor, Major Thomas H. Shelby, of Fayette Co., Ky., respecting the shipping of cattle, &c.; and as a very great mistake has been made, either by friend Shelby, or the printer, which is calculated to do the drovers great harm in market, and the farmer at home no good, I, being interested in that line, thought it my duty to make a correction. Our enterprising Mayor's article, reads as follows.

"Probably twenty thousand head of cattle will be shipped this year, for eastern markets, from Maysville, Ky."

More than three times the number in all, that will be driven from Kentucky for eastern markets. But twelve hundred head has been shipped up to the present date, and I think we have shipped the last lot that will be this season from our State, as the British 17th inst. Not more than six or seven thousand, in all, will go from Kentucky to eastern markets this season.

While making the above correction, I will drop a hint to some of the enterprising ones in the best line, about Pittsburgh. Five dollars per head, being the present price for shipping, I think it doubtful if five hundred head will ever be shipped again at that price. I have conversed with several who have been shipping this season, and all say they will never pay that price again. At least two thirds of our cattle would be shipped every year, at a fair living price, say about $3, per head, which would pay twice as well as any freight goes up the Ohio; shipped and unshipped twice as quick as any freight they could possibly handle. The Brilliant on her last trip, shipped one hundred and seven for us, as fine cattle as any that will go over the mountains this season, in one hour and fifteen minutes; put them off in less time, making the trip in about fifty hours.

From three to four times the number of cattle would have been shipped this season, had the price been reasonable—I am interested in driving over a thousand head of cattle from Kentucky, this season. We went to Cincinnati, to try and make engagements with the Pittsburgh boats, to ship from seven to eight hundred head, but the price being too high, the result was, we shipped three hundred head, and that is three hundred more than we would do again, as we can drive them as far on the road as Pittsburgh, for three hundred dollars less money, than the shipping cost.

You will please make the above correction, as I do not desire eastern buyers to think our whole west is full of cattle when we really have not so many as last season.

In great haste, very respectfully yours, &c.

J. C. HULL.

For the Pittsburgh Gazette.

Railroads West and North West.

No. 2.

It is after crossing the valleys of the Miami and White Water Rivers, that the rail roads in their western progress strike the great plain, which stretching from central Indiana to the northern lakes and to the Mississippi, now furnishes a track to cost in the construction of the road bed about one third of the average cost in Ohio, and not one tenth of the cost in Pennsylvania and the eastern states. Avoiding the hilly region near the Ohio River, the level peninsula connecting this hilly region with the Lakes is at Indianapolis but little more than one hundred miles wide. Indianapolis will therefore become the conveying centre in the system of all the lines east, coming from the middle Atlantic cities and passing through Pittsburgh or Cincinnati. Looking from Indianapolis towards the setting sun, the north west is by far the most inviting region.

If we draw a line west along the parallel of Indianapolis, through the States of Indiana, Illinois, and Missouri, the country south of that line bears no comparison in productiveness or enterprise with the country north of it, nor is it peopling or improving half so fast. Rail roads, too, to the north west can be graded at one half the expense of those to the south west, immediately beyond Indianapolis, and so on to the Mississippi River.

I will not deny the importance of a commercial connexion between Pittsburgh and the other cities of the Ohio, and St. Louis, nor that the best way to reach St. Louis with a rail road is through the centre of population, and by the capital of Indiana. So, on the other hand, the best way for Pittsburgh to reach Chicago and the Upper Mississippi is by the same common line to Indianapolis. Proceeding thence north west, she may carry her manufactures past the valley of the upper Wabash and the Illinois, and past the shores of Lake Michigan to the Upper Mississippi and to Iowa. Her steam boats can ascend the Wabash to Lafayete, the Illinois River to Peru, the Mississippi and Missouri to their heads, and penetrate the populous parts of Iowa through her many navigable rivers. What she needs is to maintain between herself and those populous and growing regions, already counting their cities of over 20,000 inhabitants, a rapid intercourse. The mercantile travel from that "northern hive" going east has many inducements to touch both Cincinnati and Pittsburgh, in preference to taking the Lakes route. I venture to assert that if the line of rail road now so nearly finished along the Lakes from New York to Chicago was completed, and the other passing through the capital of Indiana, and by the city of Pittsburgh to Philadelphia, was also complete, the latter would number the greatest annual amount of travel, and from coming less in competition with the waters, and not following their course, would do the greatest amount of transportation. Chicago has a strong desire to connect herself more directly with the Ohio River. Destined to attain a large population and to become the mart of a great commerce, she will—unlike St. Louis—always be the ally, never the rival of Pittsburgh. Chicago is an hundred miles or more from the eastern borders of the great "Illinois coal field," and can never become a manufacturing city. Through your Beaver Canal and the Lakes—if not by the Illinois River and Canal—you may send her your manufactures. But Chicago, Milwaukie, Galena, and the cities of the north west, are strangers to Pittsburgh, and will remain so while Cleveland and Buffalo form their only line of travel to the sea board.

Having thus glanced at the importance of your great north western connexions, I will, in another number, advert to some of the roads west of Ohio, calculated to establish that connexion. W.

FROM WASHINGTON.

Correspondence of the Pittsburgh Gazette.

WASHINGTON, March 16.

More Personal Conflicts—My Reflections Thereon—A House Divided, &c.—The Census.

I believe I gave you "some account," as the biographers of humble characters say, of the passage at arms between Senators Foote and Borland, wherein the latter sustained somewhat serious personal damage. It is now my melancholy duty to apprise your readers that another "rencontre" has taken place, in which an honorable representative of the sunny South has borne a conspicuous part, and in which one of the combatants was induced, by a most forcible argument, to measure his length upon the bosom of his maternal earth. This last affair is kept remarkably shady, and the only fact of moment which has transpired is, that some time last night the Hon. F. W. Bowdon, of Alabama, a fine, sociable, eloquent specimen of the careless, open hearted, and open handed southern politician, became engaged with another southern man, in an excited altercation, upon matters and things in general, which they were unable to bring to a satisfactory conclusion without a resort to the *ultima rationes* of doubled fists and hard knocks. They had indulged in this exciting exercise but a few moments when one of the gentlemen was picked up, if not "bleeding at every pore," yet reasonably well pummelled, and altogether indisposed to renew the argument.

In regard to the battle affair between Foote and Borland, it appears that Mr. Foote sustained some considerable damage, and that he is expected to be confined to his room, from this cause, and a partial relapse into the disorder under which he had been previously suffering. Mr. Borland, the day after the affair, sent his friend, Col. Walton, formerly Governor of Florida, to convey to Mr Foote the assurances of his profound regret for what had occurred, referring the facts to Mr. Foote's cool judgment, and hoping to find therein an excuse for the *contre temps* which had unhappily intervened to mar the harmony of their intercourse. Gen. Foote declared that he was satisfied, and expressed a desire that Borland would come and see him.

It is not necessary for me to assure your readers that I take no pleasure in dwelling upon these incidents; but they present one of the unamiable phases of life in Washington, which it is necessary, sometimes, to present to their attention. I am somewhat of an old stager, and have never known a season when this spirit of belligerency did not more or less prevail. The use of nature's weapons, the time honored fist, has always been the safety valve, by which we let off the surplus of Congressional steam, which would otherwise produce explosions, and other disastrous results. But I am pained to observe that nearly all these scrimmages take place between the "children of the sun," that is to say, the people now South of the Potomac. There seems a natural fitness of things in northern and southern men having an occasional set to, by way of keeping up a spicy feeling of antagonism between them, but when brethren of the same household fall out, there is really something wrong about it. Besides, if these southern salamanders—for they seem to live in fire—kill each other off at such a rate, where shall we find foes worthy of our steel, when that great day of trial comes, spoken of by the valorous Clingman, and that fire eater, Jeff. Davis, when not a quorum shall be left on the floor to do business? The reflection is a serious one.

The Senate consumed a long session, yesterday, in debating the Census Bill. The subject was finally adjourned until Tuesday next. I have no doubt the result of the Senate's action will be entirely in favor of the proceedings of your able fellow citizen, the Secretary of the Census Board, Mr. Kennedy. I have before noticed that under the authority of the Board, which consists of the Secretary of State, and two other members of the Cabinet, Mr. Kennedy has prepared all the blanks required for the enumeration of inhabitants, and the collection of the great variety of information contemplated by the act creating the Board, and a large proportion of these blanks have been printed. The Census Committee of the Senate have appeared anxious to substitute forms of their own for those of the Board, but there is no probability of their succeeding. There is no doubt now that the bill will be passed in time for the enumeration to be taken this year, which has heretofore been a point of some solicitude. JUNIUS.

WASHINGTON, March 19, 1850.

The Captain General of Cuba has refused to recognize Rev. Mr. Sewall, as Consul at Santiago, in that island. Mr. Sewall is an esteemed pastor of the Methodist Episcopal Church, and was appointed to the Consulate of St. Jago about a year since. How it happened that the refusal of the Governor of Cuba to issue to Mr. Sewall, the customary exequator, or recognition of his consular functions, has just become known to this government that does not appear. It is conjectured by some that the course of the Governor General in this matter, has been taken with reference to the fact that Mr. Sewall is a clergyman of the Methodist sect, and objectionable to the Government of Spain, and the people of Cuba, as opposed in individual opinion to the prevailing form of religious faith on the island, and in the mother country. But this explanation is extremely improbable. I presume it will turn out that the authorities of Cuba merely declined to send Mr. Sewall his exequator, for several months after his arrival, from the usual dilatoriness which characterize their official proceedings. But that a distinct refusal to grant it, has been communicated to the Consul, since the 4th of January, 1850, when the dismissal of Don Carlos de Espana, from the consulship at New Orleans took place, by order of President Taylor. The dismissal of, or rather the formal refusal to receive Mr. Sewall, is an act of retaliation for that proceeding.

If this opinion be correct, it may be assumed in addition that there has been some correspondence on the subject between Mr. Clayton and the Count De La Barca, the Spanish Minister near this Government. Mr. Clayton of course could not deny the strict conventional right of Her Most Christian Majesty to decline to receive any diplomatic agent of any grade, sent from this Government to her's, but he could point out with great effect, and no doubt has done so, that, under present circumstances, the act complained of would have a tendency to excite unfriendly feeling among the people of the United States toward the Government of Spain. And he might hint that this Government by the rigid maintenance of its neutrality, had averted from Cuba, a storm which have been too powerful to be withstood by the present country. The progress of this affair will be watched with interest.

I believe I mentioned in my last letter that the quarrel between Borland and Foote had been settled by the interposition of friends. There will be no further hostilities, though both are fighting men.—Foote has fought some half dozen times without ever hitting an antagonist, and has been winged, himself, every time. His amusing duel with the eloquent and eccentric S. S. Prentiss, is a standing jest throughout the South West. By a biting sarcasm on the field, Foote was so disconcerted that he shot wide of his mark, while he was shot through both legs. Senator Borland emigrated to Arkansas from Tennessee, with a reputation for excessive prudenpp in personal affairs. Finding a change of front necessary, he carried the first quarrel in which he became involved, to the last resort of personal contention, inflicted a very serious wound upon his adversary, and cured him, or averted a fatal result by performing the duties of surgeon. So neither will feel required to shoot, or be shot at for the mere purpose of showing he is not afraid.

There is very little improvement in the general state of things here. The political sky is completely overcast. Foote's scheme for a sort of omnibus committee to take charge of every thing relating to the contest of slavery, will hardly be adopted, nor if so, will it lead to any thing.—Even the Southern men, heretofore most ardently in favor of it, seem to have ceased to expect any thing beneficial or decisive from its deliberations.

The speech of Senator Seward, of a tenor precisely the opposite of Mr. Webster's, has produced a good deal of excitement among the Southern men, and the worst disposed among them, are said to be distributing it in large numbers at the South, *as proof* of the unfriendly feelings of the North. JUNIUS.

JENNY LIND'S VISIT.—It is determined that the Swedish Nightingale shall really visit this country, and some curiosity is evinced respecting the details of her engagement, and how she intends to come before the American audience. A statement published in the Herald, which comes doubtless from Barnum himself, says:

"She will employ the time allotted to the 150 concerts, in about 50 cities of the Union, which give to New York 12, Boston 8, Philadelphia 6, Baltimore 4, Washington 2, and so on to Charleston; and, as one of Madlle Lind's great inducements to visit America is to see the Falls of Niagara, the Mammoth Cave of Kentucky, and other interesting features of our country, concerts will very probably be given at Albany, Rochester, Syracuse, Buffalo, North, and Cincinnati and Louisville, West, and so on to New Orleans."

The price of tickets the writer of the article is not able to state, reserving that probably for consideration, but we are told in the statement that

"In London the price of tickets ranged from five to fifty dollars; in the provinces of England, from three to fifteen; on the continent the same; but have very often been sold at auction for enormous sums; and we have now before us an account of two concerts given by her in the town of Norwich, in England, a place of about eleven thousand inhabitants, where 4,143 tickets were sold, which realized £1,959 11s., or about $9,300, in a mere village, which concerts were to enable her to establish a fund for the purchase of fuel for the poor of that place in winter."

The public may guess from this how much Jenny's songs are to cost. We see by the Boston Transcript that a movement has been made towards the erection of a great musical hall in that city, and one of the reasons assigned for the movement is that, besides the general demand for large musical halls, Jenny Lind's entertainments would require such an edifice to contain all who wish to hear her.

HOW RAIL ROADS INCREASE THE VALUE OF LAND.—During the late discussions in our city, and through our city papers, the tremendous influence of rail roads on the value of land was alluded to, and happily and forcibly proved by reference to reports of rail roads and engineers wherever they had been constructed. For the benefit of those who still feel somewhat skeptical upon this important matter, we mention that a letter from a highly intelligent gentleman of Louisville addressed to the Rail Road Committee of Bowling Green, states that lands twenty miles east of Louisville on the Louisville and Frankfort Rail Road, that would not command five dollars per acre before the road was commenced, are now selling for twenty dollars per acre and upwards. This fact presents strong inducements to our farmers to enlist in the enterprise of constructing a road from our city to Lexington.—*Maysville Eagle.*

The Charleston Mercury and Courier both upland in warm terms the late speech of Senator Webster. The Mercury says:

"We cordially respond to that testimony of approval; and take occasion to say, that, whether or not we merit the characters of ultraism so liberally allowed to us, we have never had any of that ultraism which could prompt us to view such a discussion of a great public question as Mr. Webster had here presented to the country with any other feeling than admiration and delight.

"Not that we wholly agree with him, not that there are not many points of disagreement, but nowhere has he urged his opinions offensively; and when he reaches the true grounds of the present controversy, he marks his way so clearly, and treads so loyally on the plain track of the Constitution and pledges of the Government, that the difficulty is not to agree but to disagree with him. With such a spirit as Mr. Webster has shown, it no longer seems impossible to bring this sectional contest to a close; and we feel now, for the first time since Congress met, a hope that it may be so adjusted."

General James Hamilton, of North Carolina, has addressed a letter to the Charleston Courier, and declines, in consequence of his private affairs preventing, to attend the Nashville Convention, as a delegate from that State. We append the concluding portion of his letter, in which it will be seen he pays a very high compliment to Mr. Webster's speech.

"I hope I may be permitted to add, from the indications of public sentiment at this place, we have every reason to hope that a pacification will soon be established between the two great section of this Confederacy, on terms of safety and honor to the South, and which the North will not be called upon to surrender a single right or interest which she can fairly claim, or even a principle to which the most fastidious sense of pride could attach the smallest value.

Any other adjustment than this would be but a hollow and treacherous truce—the fruitful source of renewed agitation, hostility, and distrust.

Nor is there less reason to hope that the great blow Mr. Webster has had the moral courage to strike, in but the second attempt, will produce a public opinion at the North, decisive in its character and in its results. In such a consummation should Bless the exertions of this distinguished statesman, the Union will be indeed saved in the kindly way in which it can be saved—by a spirit of peace, harmony, and mutual justice.

I remain, with the highest respect, your obedient servant. J. HAMILTON.

From the Pennsylvania Inquirer.

IMPORTANT LEGAL DECISION.

Case of Parker's Patent Reaction Water Wheel.

In the Circuit Court of the United States, for the Eastern District of Pennsylvania, in Equity, between Oliver H. P. Parker, assignee of Zebulon Parker, complainant, and Joseph Brant, and divers other persons, defendants: March 13th 1850, by leave of Court, the original bill in each of the above cases is amended by the insertion of the matter following:

Your orator avers that the said improvements, either separately or in combination, had not been patented or described in any printed publication, or in anywise known or used at the date of the discovery thereof mentioned, or of the letters patent aforesaid; and avers that the said Zebulon and Austin Parker, in the year 1827, by observing, in a horizontal reaction wheel with a fixed dome, the operation of a fallen board, which formed a simple stationary guide, had discovered—and, by removing and replacing such guide, had tested—the utility of applying, as a motive power, the pressure, or centrifugal force, of water made to revolve within such a wheel, and pass into, and act upon, its circumferential buckets, with a circular motion coinciding with that of their revolution; and that in the following year, before taking out their patent, they had experimentally exemplified this improved application of hydraulic power, in both horizontal and vertical reaction wheels, by various adaptations of fixed guides so formed and adjusted as to produce, maintain and regulate the proper vertical or circular currents, and give to them the required direction within the buckets; and that in the vertical wheels, the appendages and fixtures were so arranged and adapted, that in several particulars, a single piece of machinery served for two wheels; all which is the said specification appears. That the mechanical principle of their said discovery was defined and applied, and the interpretation of the specification of the said patent determined, in a late case of Parker vs. Hulme, on the law side of the Circuit Court of the United States for the Eastern District of Pennsylvania.

The opinion of the court with the docket entries, in the said case, of which opinion and entries a copy is herewith exhibited as part of your orator's bill of complaint, show, and your orator avers, that in the investigation which took place therein, and opinion and verdict of the jury, and judgment of the court thereon, the title at law of the said patentees, their representatives and assigns, and of your orator as such assign, has been and is established to the exclusive privilege secured by the said letters patent.

And your orator avers that the said suit so instituted, maintained and prosecuted in good faith and without collusion or connivance or secret understanding of any sort; and was in all respects an adversary and contested proceeding, in which the best legal, and scientific, and practical skill and knowledge were opposed to his assertion and vindication aforesaid of the said legal title.

In the absence of the averments contained in the foregoing amendments the following minute had been made in each of the above cases, on the 11th inst. viz—It appears to the Court that the bill of complaint does not set forth that he has had such possession of the invention discovered and claimed by him as to support his application for the interlocutory injunction.

The motion for an injunction is refused.

In announcing the above order, the following remarks were made by his Honor, Mr. Justice Grier:—

"I take this occasion to say, that the Court has *no doubt* of the validity of the complainant's patent. That question has been fully settled here, by a trial at law, of extraordinary duration, and closeness of research. The report of the case of Parker vs. Hulme, by my brother Kane, who presided at the trial, and information derived from the affidavits and printed works, which have been read on both sides, during the present hearing, as well as the acquaintance with the subject which I derived while engaged in the trial of another case growing out of this patent, leaves no doubt on my mind, that the Complainant's patent is not only valid, but of the greatest importance to the country.

I may add, on the part of both of us, that we approached the question without any previous leaning in favor of the rights asserted by Mr. Parker as an inventor, and that it was only upon a more than usually close scrutiny of the facts, that we came to the conclusion which we now express.

Indeed, it is a subject of regret that the public has been so tardy in acknowledging the merits of the Messrs. Parker as inventors. Their improvement, as described in the patent before us, is not less ingenious and profound than useful. In France, M. Fourneyron received the highest honors, and most liberal rewards, for introducing into use this very improvement, after it had been invented in this country by the Messrs. Parker. And it was not until the circulation of Fourneyron's paper, on Turbines in this country, that the public attention was fairly called to the valuable improvement of the Messrs. Parker.

Of the infringement by the defendants, the Court entertains no doubt. The wheels which they use are direct and positive violations of the complainant's right, as appear by the affidavits on behalf of the defendants, and the models which they themselves have submitted to the Court. The point of fact, that the complainant has established his right to the injunction which he prays. But I do not wish to established the precedent in this Court, that a party who relies upon the verdict of a Jury and the judgment of a Court of Law, for the establishment of his title, as the foundation of his claim to be quieted in the possession and enjoyment of it, and for protecting him against infringements by others, shall omit, as the complainant has here omitted to aver in his bill, that such proceedings at law have taken place. Without such averment, the ground of the Court's action may be misunderstood, and the defendant may not be properly apprised, beforehand, of the case which he has to meet. In such cases, we are the more ready to lay hold of the omission, as we feel a reluctance to stop two hundred mills from grinding a bushel of grain or sawing a board, without giving the defendants a reasonable time of making a settlement or compromise. On the other hand, it is by no means our intention to compel this complainant, to relitigate his patent already established at law, against a combination of two hundred wealthy mill owners, in this district, who are, as these defendants allege, using machines, of which the model above described, is the representation.—By an amendment of this bill, the complainant may overcome his present technical difficulty.

No ground has been shown for the imputation, that an attempt has been made by this complainant, "to levy black mail," as it is called. *Indeed*, his course towards these defendants, as well as other persons, appears to have been one of great liberality and forbearance; and I advise these defendants to settle with him. If they do not, damages may be found against them, to the extent of their profits from the use of this patented improvement; at all events, amounting to the whole profits of their mills, since the time of filing these bills. This might be no more than equitable.

On default of settlement by defendants, the Court will order the injunctions to issue, on the first Monday of April next; the complainant, in the meantime, so amending his bill, as to allege the establishments here at law, of his title to an exclusive right in this improvement, and filing the affidavit of the surviving patentee, which has been read to us in the course of the hearing.

In all this, I am authorised to say, that my brother Kane fully concurs with me.

Thirty thousand Landlords own England, 9,000 own Scotland, 6,000 own all Ireland, leaving more than 25,000,000 inhabitants of those countries without a foot of God's creation.

M. Thiers, has published at Paris the 19th volume of the history of the consulate and Empire—three more are yet to come.

Stephen Gorgey, the brother of the traitor, Arthur Gorgey, has been forced to enter the Austrian army as a private soldier.

☞ DR. MCLANE'S GREAT REMEDY FOR THE LIVER COMPLAINT.—The proprietors of this celebrated medicine, are in daily receipt of the most gratifying testimonials as to the excellence of this remedy. Dr. McLane's Pill, in cases which had been given up as incurable by the most skilful physicians, have been cured immediately, so soon as these Pills have been administered. These certificates have been published, and have been so numerous, that it is now an established fact, that McLane's Liver Pills are the best medicine ever offered for the cure of Hepatic derangement—Lose no time, therefore, ye that suffer under that worst of scourges, the Liver Complaint, but hasten to purchase and use these pills.

For sale by J. KIDD & CO, No. 60, corner of Fourth and Wood st., Pittsburgh. mr16-d&wtw3

Another Witness on the Stand.

CHRONIC RHEUMATISM.

MR. S. M. KIER:—Allow me to express to you my heartfelt thanks for the great benefit I have received from an article called PETROLEUM, or Rock Oil, of which you are the sole proprietor. I had occasion to use it about the 1st of January, in a violent attack of Rheumatism, which was very painful, flying about from place to place, accompanied with much swelling, so as to keep me in constant torture. I tried the Petroleum externally, a few applications of which removed all pain, and every symptom of the disease. I am now entirely well, and would take this occasion to recommend the Petroleum to all who may be suffering under the agonizing pains of Rheumatism or kindred diseases. [Signed] GIDEON WILKES,

near Perry House, Pittsburgh.

☞ See general advertisement in another column. feb15

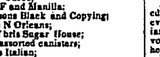
PERSIAN LEMON SUGAR.—Prepared by J. W. Kelly William street, N. Y., and for sale by A. Jaynes, No. 70 Fourth street. This will be found a delightful article of beverage in families, and particularly for sick rooms.

BAKER'S BROMA.—An improved Chocolate preparation, being a combination of Cocoa nut; innocent, invigorating and palatable, highly recommended particularly for invalids. Prepared by W. Baker, Dorchester, Mass., and for sale by A. JAYNES, at the Pekin Tea Store. No. 70 Fourth st. mch14

Improvements in Dentistry.

DR. G. O. STEARNS, late of Boston, is prepared to manufacture and set BLOCK TEETH in whole and parts of sets, upon Gutta Percha or Atmospheric Suction Plates.—TOOTHACHE CURED IN FIVE MINUTES, where the nerve is exposed. Office and residence next door to the Mayor's office, Fourth street, Pittsburgh.

REFER TO—J. H. M'Fadden, F. H. Eaton. ia19



DR. D. HUNT, Dentist. Corner of Fourth and Decatur, between Market st. oct1-dtwly

LOGAN, WILSON & CO.,

139 WOOD STREET, ABOVE FIFTH,

IMPORTERS OF HARDWARE, CUTLERY, &c.

Ask the attention of purchasers to their

FRESH SPRING STOCK,

Which they think will compare favorably, both in extent and cheapness, with that of any other house, either here or in the Eastern Cities.

feb20-d&wtyT

☞ Rev. T. C. Teasdale will deliver his farewell benediction to the Grant Street Baptist Church, on Sunday next, at 7 o'clock P. M.

On Monday following he will take his departure for Springfield, Ill., where he has been called by the unanimous consent of the Church. May he ever be useful is the prayer of many.

DIED,

On Tuesday night last, ANNA B, youngest daughter of George and Elizabeth Weyman, aged ten years and six months.

The friends of the family are requested to attend her funeral, from the residence of her father, No. 77 Smithfield street, this afternoon, at 2 o'clock.

GEORGE E. ARNOLD & CO.,

DEALERS IN

EXCHANGE, COIN, BANK NOTES, &c.,

No. 74 Fourth street, next door to the Bank of Pittsburgh. mr21-3m

A CARD

GEORGE E. ARNOLD & CO. have opened an EXCHANGE OFFICE, No. 74 Fourth street, next door to the Bank of Pittsburgh, and are prepared to transact, on reasonable terms, any business in their line that may be entrusted to them.

Exchange, Coin, Bank Notes, &c., bought and sold. Collections made in all the principal cities and towns in the United States.

Deposites received in par funds and currency.

They respectfully solicit a share of the custom of the business community. mr21-1m

AMERICAN GOLD.

The new Coins, Double Eagles and Gold Dollars,

FOR SALE AT THE

EXCHANGE AND BANKING HOUSE

OF

A. WILKINS & CO.,

S. E CORNER OF MARKET & THIRD STREETS,

Pittsburgh. mr21

FRESH SILKS.

ALEXANDER & DAY, corner of the Diamond and Market street, are prepared to offer, at the lowest market prices, a choice assortment of Silks, of the best qualities and newest styles. Best black glossy Gro de Rhine, of a celebrated manufacturer, warranted not to cut in wearing. Black Brocade Silks, of very rich. Rich fig'd Silks and Satin De Chenes, in choice colors; Chameleon, Gro de Rhines; Satin de Chenes, and TURC Satins.

ALEXANDER & DAY, 83 Market st.

mr21 Northwest corner of the Diamond

FANCY DRESS GOODS.

A LARGE supply of new style De Laines, Barages, Lawns, Linen Lustres, &c.

BONNET RIBBONS—A large supply of Bonnets & Bonnet Ribbons, just received.

ALEXANDER & DAY, 83 Market st.

mr21 Northwest corner of the Diamond

THE Dwelling House, corner of Pride and Bluff sts, Eighth Ward, now occupied by myself. Possession given at any time.

This is one of the most pleasant residences about the city; it is surrounded by a fine yard and garden; is free from the smoky atmosphere of the city below it, and is only fifteen minutes walk from the centre of business.

JAMES W. BUCHANAN,

mr21 t corner Wood and Fourth sts

To Let,

A STORE on Wood street, one door from Second, at present occupied by George S. Arnheim. Enquire on the premises. mr21-6t

SUGAR—18 hhds just rec'd per steamer Farmer, for sale by [mr21] J B CANFIELD

ROLL BUTTER—6 bbls fresh, just rec'd and for sale by [mr21] J B CANFIELD

SODA ASH—72 casks Mustphy's best quality and high test, just landing from steamer Jefferson, and for sale by W & M MITCHELTREE,

mr21 160 Liberty street

COPPERAS—13 bbls in good order, for sale by mr21 J SCHOONMAKER & CO

GERMAN CLAY—30 tons for sale by mr21 J SCHOONMAKER & CO

LINSEED OIL—10 bbls for sale by mr21 J SCHOONMAKER & CO

JOHN DURAND & CO'S BRANDY, in half pipes and quarter casks, a choice assortment and a pure article, of various vintages, part very old, received from Bordeaux via New Orleans, for sale by mr21 A CULBERTSON, 145 Liberty st.

CLARET WINE—100 boxes, choice brands; and also an assortment of Champagne and White Wines, just rec'd per steamer Diadem, and for sale by mr21 A CULBERTSON, 145 Liberty st.

TIN PLATE—60 boxes Tin Plate, receiving from steamer De Witt Clinton, and for sale by mr21 JAMES DALZELL.

Allegheny County, ss:

THE Commonwealth of Pennsylvania, to all persons interested in the Estate of Christian I. and Ann Almira Wendt, minors under the age of fourteen years, greeting:

Whereas, At an Orphans' Court, held at Pittsburgh, on the 3rd day of March, 1850, in and for said county, the petition of Robert Duncan, guardian, &c., was presented to the Court, praying for an order to make sale of a certain described lot of ground, situate in the city of Pittsburgh, &c., and the facts in the petition of said minors. Now, therefore, we command you, and each of you, that in your proper persons you be and appear before our Orphans' Court, at Pittsburgh, on the 30th day of March, 1850, then and there to show cause, if any you or either of you have, why the prayer of the petitioner should not be granted, and hereof fail not.

Witness the Hon. W. B. Mc