

In advance. The kegs were marked F. & G. Marshall, Mich. care of Hutchison, Campbell & Co., Detroit, and a promise bill of lading, signed by the proper officer of the vessel on which they were shipped, given for them at the time of their shipment.

The Deits, and Hunter, Palmer & Co., of Buffalo, and Robert Hunter & Co., of Albany, were partners in the forwarding business, and owners of the Merchants' line.

The mails were received at Buffalo by the agents of the Merchants' line, from one of their canal boats, the "Oliver Newberry," and with them a bill of lading, dated at Albany, Aug. 1, 1838, and signed by an agent of Robert Hunter & Co. In this bill of lading the goods are described as marked F. & G. kegs, and consigned to the care of Hunter, Palmer & Co.

Harter, Palmer & Co., Aug. 9, 1838, shipped the mails on the steam boat "Buffalo," belonging to their line, for Buffalo, in the care of C. Newberry & Co., the Defts, who received them in their warehouse Aug. 11, 1838, and paid their freight and charges to Troy, N. Y. which, with their own charges for storage &c. amounted to about \$100. The Defts. had no knowledge of the bill's contents, nor did they know how the goods came to be transferred from that to the Defts. line.

In the course of the summer and fall, the Defts. called twice at the store of Harter, Palmer & Co., and inquired if any of the bill's goods were there, describing them, and were informed there were none.

On the 12th inst. the commission of this suit, the Plaintiff's lawyer ascertained that these mails were in the possession of the defendants, called and demanded them, and the defendants refused to deliver them until they were paid for the back freight and charges which they had advanced, and also for their own charges, claiming a right of lien on the goods for such freight and charges, which the plaintiffs refused to pay, and received the goods.

Upon these facts the following points were pointed out by the Plaintiff's lawyer: That a common carrier is bound to receive and convey goods, only when ordered by the owner or his authorized agent, and then, upon payment for the carriage in advance, if it is to be made for the carrier's use, or if not, to deliver them on demand, and to deliver them to the owner, such owner may bring an action for the goods, or to recover their value.

21. If the carrier is not the possessor of the goods, he is not bound to deliver them on demand, or to pay for the back freight and charges, claiming a right of lien on the goods for such freight and charges, which the plaintiffs refused to pay, and received the goods.

22. If the carrier is not the possessor of the goods, he is not bound to deliver them on demand, or to pay for the back freight and charges, claiming a right of lien on the goods for such freight and charges, which the plaintiffs refused to pay, and received the goods.

23. To justify a lien upon goods for back freight and charges, it is necessary that the carrier be the owner, or have a right of lien on the goods for such freight and charges, which the plaintiffs refused to pay, and received the goods.

THE PRESIDENT.
JAMES BUCHANAN,
By James Buchanan & Co. Attorneys.

DAILY MORNING POST,
PUBLISHED WEEKLY, BY JAMES BUCHANAN & CO.,
FRIDAY, MARCH 10, 1813.

Reading and Recitations.
We hope the public will not forget Mr. James Buchanan's recitation at Phila. last evening. Mr. J's professional talents are sufficient guaranty that the performance will be worthy of a liberal patronage, and his worth as a private citizen, should gain for him the favor of all who desire to sustain real merit. We hope to see the Hall crowded.

General Transportation.
The gentlemen engaged in this business are making preparations on a scale, which evinces their confidence that the coming season will be a prosperous one. Messrs. Dickey and Co. of the Independent Tilt Water Line, have erected a spacious warehouse on the corner of Wayne and Liberty streets, and are provided with every convenience to facilitate business and to accommodate those who may patronize their Line.

As will be seen by their advertisement, Messrs. H. DIVINE & C. A. McANALLY, of the U. S. Line have entered into partnership, and made extensive arrangements for the forwarding of goods by the section Boats.

These gentlemen were the first who embarked in the business and the new arrangement on our public works and having fully tested the section boat system, they speak in the highest terms of its superiority over every mode of transportation. We refer the public to their advertisement.

The Officers of the Somers.—The New York Express of Saturday says:—The officers of the Somers are likely to be hurried enough to start, their worst persecutors. We learn that separate complaints will be made before the Grand Jury by the respective friends of Spencer, Cromwell and Small, on a charge of Murder. After two Martial Law trials, they will now probably pass into the hands of the Civil Law. The friends of Mr. Spencer have employed strong counsel.

A Col. McKenney is delivering lectures in Mass. on the "wiggles of the Indians." If he would lecture on the wrongs of his own race, it would evince more wisdom.

A "Hugger," who has been heavily fined in a court for beating his wife, tried the "hugging system" the next time she needed correction. He said the law allowed him to hug as much and as hard as he pleased, and the poor woman had three of her ribs broken as a consequence. A law should be passed forthwith against hugging.

Prince de Joinville contemplates visiting various ports of the United States, in the frigate Marsais, accompanied by the steam frigate Gomer, to make arrangements for the reception of the French steam mail packets.

Vessels of war Lost.—It appears that in September last three vessels of war were lost, as they were in the Gulf at the time, and have not since been heard from. They were the English brig of war Victor, the French brig of war Dunois, and the Texan schooner of war San Antonio. Nearly or quite three hundred men perished with these vessels. The Dunois was from Havana for France, the Victor from Vera Cruz for the West Indies, and the San Antonio from Galveston to New Orleans.

The New York papers have a rumor that the ship of the line Pennsylvania, and the ships of war Vincennes and Vanadis, are to go out to China. Of course, if that be the case, the Pennsylvania will visit England for the purpose of taking Mr. Everett to China.

Theatrical Starring.—The opera in Philadelphia, says the Spirit of the Times, was played 52 nights and produced \$10,161. Mr. and Mrs. Sequin and Mr. Shriver receive out of this \$3,205, and Mrs. Bailey \$627 1/2, having a little over \$8,000 to pay over 100 performers, to represent advertising. &c. Thus, the paper states, Mr. and Mrs. Maywood have advanced money and worked for nothing, to pay the opera corps. The star system is bad.

The extent of western inland navigation, including the Mississippi, Ohio and Mississippi rivers, with their tributaries, is estimated at 12,000 miles.

Mrs. Ann Seaton is manageress of the American Theatre, N. O. Da Sills says in regard to the manageress, "if disorderly and noisy in the theatre, women are, or ought to be, first-rate at meeting breeches."

A new Scandaling Trick.—The wit of man are now put to their utmost tension to invent means of swindling those who are incapable of detecting the cheat. The latest case is that of a Jew cap dealer in New York who gets his caps made up by giving one "Tom Tidd" to girls who are induced to come to him for work, by a report kept up that he is in want of hands, and however well they may perform their work, always has an excuse for giving them no more, and not to pay for what they have done.

The New York Councils have disbanded seven of the fire companies of that city for disorderly and riotous conduct.

It is said that the people of Great Britain are more liable to insanity than those of any other country of Europe, with the exception of Norway.

Wakefield, the farm in Westmoreland county, Va., on which General Washington's barn, is offered for sale.

Two men, while trying to snort ducks on the Canandaigua lake, broke through the ice; so they got ducks enough without showing them, before they got out.

Solid Sympathy.—The editor of the Charleston Courier, in calling attention to a concert, says "any one can obtain admission by dropping a tear of sympathy in the shape of a quarter dollar at the door."

The prospect of the friends of Suffrage according in the next gubernatorial election might as well be the Power, Express says: "of the Algebras who have nominated a ticket of ap-pa-tate Democrats, are somewhat alarmed at the prospect of the coming election, and their misgivings in different parts of the State find heavy reflection in Democratic neighborhoods."

Horat Cattle.—The number of horned cattle in Great Britain is estimated at 7,000,000, a 4 cent of sheep 32,000,000. Taking the former to be worth \$10 each, the latter 25c, the total value will be \$110,000,000.

In Philadelphia, on Tuesday a man named Charles Booker, while taking a colored man named Samuel Jones, to the wash-house in Comptroler street, was attacked by him with a pick knife in the abdomen, and also in the arm. Jones fled, and was fully committed.

A rare occurrence.—A man was recently frozen to death in Demopolis, Ala.

Mr. Ritchie of the Richmond Enquirer declines being a candidate for the Vice Presidency.

The Lowell Advertiser of the 1st inst., says:—"Our paper on this occasion bears date February 29th, which is one day more than was allowed that month this year. It was the devil's fault, who says, in a jest, that he thought this was leap year, and the year's lock and set so bold and familiar in their 'kiss me if you dare' bonnet!"

Enjoying it while it lasts.—A good lady in this village, says the Essex Transcript, a recent convert to the Miller theory, has cut up a rich and costly silk dress for kitchen window blinds. She says, "it's no use to keep things to be burnt up; we might as well enjoy this world while it lasts."

Destructive Shot.—Experiments were tried at Albany on Wednesday, in presence of General Wool and Major Baker, of the army, which satisfied them of the final success of the hollow shot or shells, invented by Scott and Burdick, of that city. The shells are loaded with a composition designed to explode them at the instant of striking any object at which they might be aimed. This Journal says the effect of a single shot upon a large ship would be to sink her almost instantaneously, and exploding in or near a body of troops it would prove awfully destructive.

Tread Mill Education.—An English jailer has devised an improvement in the treadmill. The prisoners, at every step they take, call up to view a letter or word, and thus taught the alphabet and reading whilst they are at work. By degrees, says a contemporary, they became able to read a chapter in the Bible.

Strike.—The workmen in the Louisville Kentonville, have had a strike, and the editor is forced to issue slips instead of his ordinary sheet, until he can get hands to fill vacancies occasioned by the revolt.

Mrs. Parrenutt, an actress well known in the United States, died on the 11th inst. at Clarksville, Texas. Her performance in this city, a year since, in "La Tour de Nesle," gained her a lasting fame, and the visits of the Theatre.

Five thousand two hundred dollars were collected in Philadelphia, on last Sunday, in aid of the Missionary Fund.

Patented and Delivered.—Great excitement was recently excited in Rochester, by the appearance of a sack on a cake of ice, floating down the river, which they immediately assumed to be a child which some fish which mother had in this manner, and intended to destroy. The citizens soon caught the cake ashore and seized the sack, which they opened, for the purpose of saving the little victim; but the humane spectators detected by successive salutes of "sea" shells!" and out hepped a big Tom cat.

Astoria Case.—A London paper states that the two Ashantee prisoners detained in that country, under the suspicion of Sir F. Buxton, have returned home, where their debt has been rather unpromising. One of them having reduced the wife of an English merchant to a state of insolvency, she, the wretched woman was put to flight in the presence of the prince, under circumstances of barbarity too shocking for description.

Messrs. Editors:—Two communications on the subject of "Tolls and Trucks" made their appearance in the Gazette of last Tuesday, both of which—though professing to elucidate, are well calculated to mystify the whole matter.

Now do the authors of the Gazette's communications believe that the school will not be greater than the Trucking company? Praying that we might see an article in the Gazette on Trucks—of which we are not certain. Let us know.

The carriers are allowed to pass 20 tons over the Road in 8 four wheeled carts. The toll on 8 carts 118 cents. Rail Road, \$4.72.

Active power toll on Portage R. R. 30 miles, \$7.20. Active power toll on C. & E. main R. R. 40 miles, \$9.81 \$21.73. For going and returning, \$3.13 each way making 60 cents.

This \$12.22 is all the wharf charged for carrying 60 tons of goods over the Portage R. R. in 8 carts, or 10 carts in 80 tons conveyed on the Portage R. R. Trucks, the charge is 625 cents per 1000 lbs, for 118 cents R. R. toll of \$75.00, this making a difference in favor of the cars and against the Trucks and Portable Boats, of \$11.44. Is this the discrimination of which these distinguished correspondents complain of? But perhaps 60 tons is more than a fair average; then suppose only 20 tons down and 15 back, in that case 6 carts only would be necessary, making the expense of 6 carts down and back only 35 cents, or \$32.64.

The charge of 35 tons would be \$148.75. Difference in favor of the common cart, \$11.11.

Estimate it either way, the difference is against the Portable Boats. As to the charge of motive power on goods, we can only judge from the Portable Boats, which are exempt from it—(that charge has been only amounting to 83 cents, per 100 lbs of 118 cents, and admitting that they are exempt from it, we cannot conceive how these gentlemen can estimate the discrimination of 13 cents per 100 lbs.

For the Public.
I have just received, 20 days since in New York, a copy of the book entitled "The Method of Preparing the Vegetables of the British Empire." It is a very interesting and useful work, and contains many valuable facts and observations on the subject. It is published by Messrs. G. B. Putnam & Co., 110 Broadway, New York.

Now, permit us to inform the editor of the Sun and his co-workers in this regard to inform Mr. Morrison, that the charge is *unlawfully false*, and we challenge them to produce the least scientific proof.

ALLEGHENY CITY.

BRANDRETH'S PILLS,
SECURED BY LETTERS PATENT OF
THE UNITED STATES.
THE METHOD OF PREPARING THE
BRANDRETH'S VEGETABLE EX-

Capital entered 24th June, 1842. Patent granted to Brandreth in an English Bill, Jan. 1843. The Pills are now being sold in every part of the United States, and are highly recommended by the most distinguished Physicians. They are prepared by the most skillful Chemists, and are entirely free from any deleterious or poisonous ingredients. They are sold by all respectable Druggists and Grocers.

THE MEDICINE OF THE PEOPLE.
BRANDRETH'S PILLS OF THE PEOPLE. This is the most valuable medicine ever known. It is a vegetable compound, and is entirely free from any deleterious or poisonous ingredients. It is sold by all respectable Druggists and Grocers.

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RECEIVED for sale at Bauman's Auction Rooms, No. 110 Wood St.
A large lot of Fine and Superior Ingrain Carpets, Velvet, Oil Floor Cloths, &c. &c. which will be sold at private sale 20 per cent cheaper than ever before offered in this market.
March 7.
R. A. BAUMAN, Aucr.

THE sale of Fresh Spring Goods will be continued at Bauman's Auction Rooms, No. 110 Wood St. every day this week, at 10 A. M. and 2 P. M. A rare chance for bargains is now offered, as the goods offered are entirely new, the assortment complete, and the qualities of every best.
R. A. BAUMAN, Aucr.
March 7.

100 BREAD COFFEE,
20 Choice Tea,
100 Choice Coffee,
100 Choice Sugar,
100 Choice Raisins,
100 Choice Apples,
100 Choice Peaches,
100 Choice Prunes,
100 Choice Figs,
100 Choice Dates,
100 Choice Olives,
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R. A. BAUMAN, Aucr.

TO the honorable, the Judges of the Court of General Sessions of the Peace, in and for the County of Allegheny.

The petition of Robert Binsley, of the 5th ward Pittsburgh, in the county of Allegheny, humbly sheweth, that the above petitioner is of good repute for honesty and temperance, and is well provided with house room and conveniences for the accommodation of travelers, and is desirous to keep an Inn or house of Public Entertainment, and prays that your Honors will be pleased to grant him a License to keep a public house of entertainment. And your petitioner, as in duty bound will pray.

ROBERT BINSLEY,
J. B. GUHRLE, Aucr.

THE subscribers, citizens of the 5th ward, do hereby certify that the above petitioner is of good repute for honesty and temperance, and is well provided with house room and conveniences for the accommodation of travelers, and is desirous to keep an Inn or house of Public Entertainment, and prays that your Honors will be pleased to grant him a License to keep a public house of entertainment. And your petitioner, as in duty bound will pray.

TO LET.
ONE brick dwelling house, containing a large parlor, two parlors, 4 rooms up stairs, with a good garden, dining room and kitchen, with carriage house, &c. This house is pleasantly located with front and rear on the canal street, leading to the city, and is a good opportunity for Mr. McHenry to suit the times. Enquire of Dr. Whitaker, Allegheny City, 12th March 1843.

NOTICE to Steam Boat Owners.—The subscribers, in consequence of the difficulty of the times, has reduced the price of the Steam Boat, as a present of the use of steam boats, to \$150 per boat. It is hoped that all boat owners will avail themselves of these reasonable terms, not only in view of the perfect safety they afford, but also in point of economy. Rules with the application attached will be sent as soon as they are not provided with them.

CHARLES W. KERR,
J. G. & A. ROBERTSON,
J. W. KERR, Aucr.

TO the honorable, the Judges of the Court of General Sessions of the Peace, in and for the County of Allegheny.

The petition of James H. Hughes, of Pittsburg, in the county of Allegheny, humbly sheweth, that the above petitioner is of good repute for honesty and temperance, and is well provided with house room and conveniences for the accommodation of travelers, and is desirous to keep an Inn or house of Public Entertainment, and prays that your Honors will be pleased to grant him a License to keep a public house of entertainment. And your petitioner, as in duty bound will pray.

JAMES HUGHES,
J. W. KERR, Aucr.

TO the honorable, the Judges of the Court of General Sessions of the Peace, in and for the County of Allegheny.

The petition of John L. Johnson, of Pittsburg, in the county of Allegheny, humbly sheweth, that the above petitioner is of good repute for honesty and temperance, and is well provided with house room and conveniences for the accommodation of travelers, and is desirous to keep an Inn or house of Public Entertainment, and prays that your Honors will be pleased to grant him a License to keep a public house of entertainment. And your petitioner, as in duty bound will pray.

JOHN L. JOHNSON,
J. W. KERR, Aucr.

TO the honorable, the Judges of the Court of General Sessions of the Peace, in and for the County of Allegheny.

The petition of James H. Hughes, of Pittsburg, in the county of Allegheny, humbly sheweth, that the above petitioner is of