THE OBSERVER.

B. F. SLOAN, Editor.

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SATURDAY MORNG, MAY 21, 1859.

State Democratic Ticket.

FOR SURVEYOR GENERAL,

RICHARDSON L. WRIGHT.

FOR SURVEYOR GENERAL,

JOHN BOWE.

The Massachusetts Restriction.

Two weeks ago we called the attention of our readers to the proposed amendment to the Constitution of Massachusetts, which the people of that state have since adopted by a decided majority of the votes cast at the election, whereby the naturalized citizen is deprived of his right to vote two years after naturalization. This movement of the Republicans of Massachusetts ought to open the eyes of our adopted citizens, who have political predilections in that direction to the proscriptive tendency of that party. In 1856, as every politician knows, there was a very large body of Germans, and other foreign born voters, who, carried away by the cry of "free men and free labor," voted for the Republican candidate for President. They forgot that the Republican party two years previous was the Know Nothing party—that the same men governed it in 1856 as in 1854, and although policy in that year dictated to them the propriety of concealing their well known sentiments upon the question of naturalization, they were in reality as much at heart *Know Nothings* when they went to vote for Fremont, as they were two years before when they met in council in secret places to drill their forces for the coming political battle. This is demonstrated by the course of the Republicans in Massachusetts upon the question we refer to. That state, as is well described by the Boston *Courier*, ever since the sudden and startling apparation of the Native party in the autumn of the year mentioned, has been governed by a coalition between that party and the Republicans.—The men who were then, and are now, the leaders of the Republican party, immediately rushed into the Know-Nothing lodges, and humbly begged permission to eat whatever dirt was requisite to invest them with the privileges and immunities of the order of the Dark Lantern, which request, after due deliberation, "Sam" graciously vouchsafed to grant on certain conditions. In such a coalition there was a total abandonment of principle on both sides. It was a marriage of convenience—a compact of spoils. This point we cannot stop to argue; and to any man of uncorrupted moral instincts it needs not to be argued. One of the conditions of the bargain between the two factions was that both should work together to carry thro' the legislature that amendment to the Constitution on which the people last week voted upon and adopted. The bargain has been fairly kept. But in the meantime the Native American party, which came up like the gourd of the prophet Jonah, has withered like that, and is rapidly nearing the dunghill which is to be its grave.—But Republicanism has enlarged its sphere and expanded its hopes. It embraces the whole nation within the grasp of its growing ambition. Visions of cabinet offices, of foreign embassies, of collectorships, of post offices, begin to play before the dazzled eyes of hungry politicians. The lean kine which have been nibbling the scanty herbage of State and county patronage, look with longing eyes upon those fat national pastures where Democracy crops its flowery food, knee deep in treasury grass.—But the moment you get outside of Massachusetts, Know-Nothingism becomes an offence and a stumbling-block in the eyes of the Republican party, or at least a large portion of them. In the national race it would be a dead weight on the back of the Republican horse; and hence went up to Massachusetts from all over the land a swelling and reverberating voice of protest and remonstrance. The Republican State Committee of New York sent a pathetic letter of remonstrance to their Massachusetts brethren. The West was stirred through all her prairies. The blue-eyed and yellow-bearded tribes that eat sour krout and drink lager beer by the side of the Missouri and the Wisconsin, as they erst did on the banks of the Rhine and the Elbe, sent their wise man from the West, Mr. Carl Shurz, to preach the gospel of brotherhood and humanity to the heathen in the East. Vainly does a Massachusetts paper plaintively suggest that its "Western friends have no more right to take offence at the restrictions which we choose to lay upon fraudulent voting than we have to complain at the oppressive laws against free negroes in so many of the Republican States."

"It's very strange them kind of men
Wont let a body be."

but they wont. The New York *Tribune*, which is the fugleman of the Republican press, set the Germans an edifying example of political hostesty by frankly admitting that it was right in principle to interpose an interval between naturalization and the exercise of the privilege of voting, but prayed the Republicans of Massachusetts to vote down the amendment, because "its adoption now would work enormous mischief, especially throughout the West, and might even defeat the election of a Republican President in 1860." But all would not do—the bargain which the Republicans of Massachusetts made with the followers of "Sam" was carried out to the letter—the amendment which compells the German, the Celt, the Scotchman or the Englishman to wait two years after becoming naturalized—making his probation seven years instead of five—while the greasy ignorant negro who escapes from Slavery in the South is at once admitted to citizenship,—was passed through two successive Republican legislatures, and last week adopted by the Republican voters at the ballot box. And now what do those Germans who deserted their friends in 1856, and cast their lot with such a party, think of it. Will they kiss the hand that smites them, and assist that hand in wresting the government from the Democratic party in 1860? We shall see!

☞ A new steamer, called the *Detroit*, built for the Detroit and Milwaukee Railroad Company, was launched in Buffalo on Thursday.

Summary of European News.

The news brought by the Vigo shows that the Austrians do not move to the contest with as much alacrity as it was at first supposed they would. They seem anxious for a fair fight, for they give the French and Sardinians abundant time to concentrate. Thus far they have gained nothing by their sudden movements. On the 3d inst., the Emperor of the French addressed to the Corps Legislatif a statement of the result of the negotiations, and an announcement that the Austrian invasion of Sardinia could only be regarded as a declaration of war, and as such the French Government regarded it. The Emperor was to leave for Sardinia on the 6th. The Austrian army in the meantime had advanced to the Sesia, and had occupied Vercelli, a city of Sardinia, about 30 miles from the Ticino and half way on the high-road between Milan and Turin. From the positions of the opposing armies, it was thought a collision could hardly be postponed beyond the 5th inst. The effect of the war upon the stock market had already reacted. The rate of interest, however, was raised in France and at the centres of German trade, and the Bank of England was expected to advance on the 5th inst. The English Parliamentary elections were nearly concluded—the Ministry failing to secure a sufficient gain to give them the new House of Commons. From India we have important news by the Vigo. The rebels had been defeated badly by a combined movement of the English troops, 500 of them having been killed in one fight, including several officers. The main body of the rebels were still at Nepaul on the 8th of April. Rajah Maunsigh surrendered his force on the 2d, and Tantia Topee was captured on the 8th.

News one day later than the above, per steamer Canada, alters the state of the war very little. The Austrians are shivering before the plunge, and advance very slowly. They have been repulsed in an attempt to cross the Po at a place called Trassino in the despatch, but which is probably Trino, a point ten or fifteen miles south-west of Vercelli, which they had previously occupied. Their van-guard was at Tronzano, a town on the direct route from Vercelli to Turin, and which is much nearer Turin than Alessandria. If we are to suppose that the main body of the Austrians are to pursue this route, it is evident that they intend to avoid Alessandria, leaving it to the southward, and marching directly upon Turin. Their forces are scattered over a large district of country, and, apparently, in a position where they are liable to be cut off in detail, without any general battle. In the meantime, they are bothered by inundations, to which the flat country of Piedmont is liable, and which it is in the power of the Sardinians to produce at any time. Both Emperors, Napoleon and Francis Joseph, are to take command in person.

☞ When we state the proposition that the right of property is Constitutional, any intelligent man will understand that we refer to the Constitution of the United States—that written instrument which received the sanction of Washington, and Jefferson, and other patriots of the Revolution—and not to the "natural" or physical constitution of men as the Editor of the [illegible] he assumes, as he does in his last paper, that we "argue that the negro is *naturally* a slave," he shows a very long pair of Editorial ears, and exhibits himself in no very enviable light before the few intelligent readers who look over his editorials. We say the Constitution of the United States recognizes the right of property in slaves—the debates in the Convention that framed that instrument show its members intended to have it recognize that right—the legislation of the country since has invariably recognized it—and more than all, the Supreme Court, which was created by that instrument for the purpose of deciding all questions of Constitutional law, has so decided; and that is sufficient for us. The difficulty with the *Express* is that it forgets the distinction between a State and a territory. The one is a sovereignty, with a written constitution and law, framed and adopted by the people thereof, while the other is a colony—a dependency—of thirty-one sovereign States, with no Constitution or written law but the Constitution which binds the thirty-one sovereign States together. And hence the theory of the Dred Scott decision that the owner of a slave in a State recognizing slavery does not loose his right of property in that slave when he removes to a territory. But what is the use of arguing this, or any other question with a person so dumb as to mistake a plain statement in regard to rights guaranteed by the constitution of one's country, and rights which are inherent in themselves, or "natural" rights!

☞ The New York *Tribune*, a journal which furnishes the standard political gospel to the Republican party, says, in a late article on the revolution in Hayti:

"A considerable part of the white population of Hayti (at the time of the abolition of slavery in that country) were *petit blancs*, so-called little whites, the same as the POOR WHITE TRASH of our Southern States, without education or property, but exceedingly tenacious, like OUR WHITE TRASH NORTH and South, of a distinction which enabled them to take rank with the most accomplished and wealthy MEN OF COLOR!"

The Cincinnati *Enquirer* rather guesses the Republicans will not say any thing more about Senator Hammond's famous "mudsills" of society. We rather guess so, too!

☞ The Editor of the *Express* has twice, during his brief editorial sojourn here, insinuated by innendo that the Editor of this paper has, at some period of his connection with it, "counseled disorganization" in the ranks of the Democratic party, and lent himself to "schemes to defeat its nominations." If the ambiguous innendoes of the Editor of the *Express* means this in plain English, we want him to distinctly understand that he is giving currency to a falsehood. The charge by whoever made is false in inference and false in fact, and the promulgator of it is a *liar!*

☞ Mr. Thomas H. Holt has been nominated for Congress by the Democracy of the 7th district of Kentucky. In accepting the nomination, he maintained the right of the South to take her property to the territories under the Dred Scott decision, but declared that he was against the interference of Congress either to establish, prohibit or protect slavery. This is the true position.

☞ The Editor of the *Express* says he has "for twenty-eight years supported and voted the entire straight out democratic ticket of Pennsylvania, with nary a scratch on it." Now there is either true or false in this. If it is true, he is guilty of a shocking culpable assumption while living, in Warren county, for we find the name of "*S. J. Goodrich*" announced in this Warren *Mail*, of August 7, 1858, "as a candidate for the Legislature, subject to nomination." The *Mail* is a Republican paper, and the Editor informs us that this announcement was made at the request of *Goodrich* himself.—We find, also, in the proceedings of the Republican county Convention, held on the 17th of the same month, that this same "*S. J. Goodrich*" received sixteen votes on the first ballot for a candidate for the Legislature. Now, what we want to know is this—is the "*S. J. Goodrich*" who edits the *Express* the same individual who authorized the Editor of the *Mail* to announce his name in the first place, and who received those sixteen votes in the Republican convention in the second? If he is the same man, and has "voted the entire straight-out Democratic ticket of Pennsylvania, with nary a scratch on it, for twenty-eight years," then indeed is he one of the most successful dealers in two faced politics that it has ever been our fortune to unearth and expose. Just think of it—a man who has voted a straight ticket of one party for twenty-eight years, and now boasts of it, professing to act with another party for three years during that twenty-eight, participating in its counsels, using its organ to announce himself as a candidate, and receiving the votes of its delegates in its conventions, and all the time not acting with it! Why, Arnold's treason was not so bald as this. The spy who, when caught in the enemies camp, is by the rules of war liable to be shot, acts no more despicable part than the Editor of the *Express* now boasts he acted with the Republicans of Warren! We repeat the question—is he the same individual!

TO THE PUBLIC.

The transactions in Court, at its last Session in reference to the custody and care of the Court House, have attracted a good deal of public attention, which has been kept alive by the notices taken thereof in several of the newspapers of the country.

We think proper merely to state that our action in the matter was in pursuance of what we deemed to be our duty under the law, which we carefully examined ourselves, and submitted to our legal counsel, whose opinion concurred with ours.

At our request, he has furnished us a written opinion on the subject, which, with his consent, we submitted to ELIJAH BABBITT, Esq., whose assent to it is indicated by his signature thereto.

We publish this opinion to show that we have been actuated by no caprice in the matter, but what we regarded, and still regard, as an imperative duty.

As to the employment of a keeper of the Court House and grounds, at a salary of $300 a year, we would merely say, that has been done ever since the first occupancy of the new Court House, and was regarded by our predecessors as necessary, and true economy. In addition to devoting all his time during the whole year to the care of the Court House and grounds, preserving the fuel and tending the furnaces, the keeper has always acted as tipstave in the different Courts, without pay, which, in the case of others acting in the same capacity, amounts to upwards of $130 per annum. Without a special keeper, we are satisfied, that any public building, so conspicuous and so much frequented as a Court House, would be so neglected and abused, as to require, for cleaning and repairs, annually, more than the [illegible]

W. W. BARTON,
AMOS GOULD,
WM. PUTNAM.

Commissioners' Office, Erie' May 17, 1859.

To the Commissioners of Erie County:

The Court of Quarter Sessions, on Tuesday last, made an order that the Court room should be opened that evening for the purpose of holding a public meeting on the subject of the proposed Penn Industrial Reform School, for which an Act of Incorporation was passed by the Legislature at its recent session.

You ask my written opinion on the power of the Court to order the room to be opened for any other purpose than that of holding Court.

The following is all the legislation on the subject of public county buildings, their ownership and care, which exists on our Statute Book. It is found in Purdon's Digest, pages 211-212, and is in the Act of Assembly of 15th of April, 1834, entitled "An Act relating to Counties and Townships," &c.

SECTION 3. To sue and be sued, &c.

2d. To take and hold real estate within their respective limits, and also personal property; Provided, that such real and personal estate shall be taken and held only for the benefit of the inhabitants of the respective county and township, and for *such objects and purposes, and none other*, as county and township rates and levies are now, or hereafter may be authorized by law to be laid and collected, and for such other objects and purposes as may hereafter be *expressly* authorized by law.

SEC. 4. The corporate powers of the several counties and townships shall be exercised by the Commissioners or Supervisors thereof, respectively.

SEC. 10. It shall be lawful for the Commissioners of any county, having first obtained the approbation of two successive Grand Juries, and the Court of Quarter Sessions of such county, to cause to be erected at the Seat of Justice thereof, when occasion shall require, such building or buildings as may be necessary for the accommodation of the Courts, and the several officers of the county, and for the reception and safe-keeping of the records and other papers in charge of such officers, and also such other buildings as may be necessary and proper for the purposes of a County Jail and Workhouse, and if need be, to purchase ground for the erection of such buildings.

SEC. 11. It shall be the *duty of the Commissioners* of every county, to *keep* and *maintain* the public buildings aforesaid, of the county, in *suitable and convenient order and repair*, and it shall be lawful for *them* when necessary, having first obtained the approbation of the Grand Jury and of the Court of Quarter Sessions of the county, to alter, add to, or enlarge such public buildings.

By the 2d division as Section 3 as above, the county (and by section 4 the Commissioners represent the county,) holds the Court House and grounds appurtenant for well defined and specific purposes, viz: such as "*County rates and levies are laid and collected for*," and by the use of the words, "*none other*" in that connection, all others are expressly and intentionally prohibited.

The Court room is fitted up, and designed, at the expense of the county, for the holding of Courts, and for no other purpose, and cannot, in the strict interpretation of the law, be legally appropriated by any power, yourselves, or any other, for a different purpose, especially one not such, as "County rates and levies are laid and collected" for.

You, as Commissioners of the county, are bound to furnish accommodations for the holding of the Courts, and while the Court is in session as such, it has all the power of the room in which it sits, and the promises, necessary to enable it to discharge its duties, and no more. This Court may be one of our usual Courts, or a Special Court held by a Judge of the Supreme Court, or it may be, as was recently the case, the latter sitting here in banc, instead of Pittsburg. In the latter case, it would scarcely be claimed, that the Court could order the house to be opened for any other purpose than holding Court.

When the Court adjourns, its power as a Court ceases, to be resumed on its reassembling. What would be contempt of Court before its formal adjournment by proclamation, would not be so afterwards. A verdict was recently set aside as illegal, in the Court of Common Pleas of this County, because taken by the Judges a few minutes after a temporary adjournment, the Judges and Officers not having left the Court room. A similar verdict was held to be illegal by the Supreme Court in the case of the Shamokin Coal and Iron Co. vs. Mitman, 3d Barr, page 379.

When the Court adjourns it is your *duty* to see that its room is kept in such a manner, as on its re-assembling, will be in suitable and convenient order for the transaction of business. If you find it [illegible] the Court room, or [illegible] the Court room, or [illegible] that the purpose [illegible] are laid [illegible] be reached [illegible] convenient order," and the [illegible] the Court delayed or interrupted [illegible] or the County exposed to expense [illegible] it. I have no doubt but that you would be personally responsible [illegible] and if you [illegible] were palpably [illegible] as in other.

There is no act of Assembly giving the Court authority in the ordinary management of the public property of the County. The responsibility is undividedly thrown upon the Commissioners, as not merely the financial Agents of the County, but as its trustees, *carrying* its corporate power of holding, for and care for specific purposes, and none other. The power is, very properly, undivided with them.

If the public buildings need alteration, adding to, or enlargement, it is in the discretion of the Commissioners to determine, to do so, or not. If they determine to do so, the approval of the Grand Jury and the Court of Quarter Sessions is requisite before they can make such alteration, addition or enlargement. This provision does not give the Court or the Grand Jury, authority to order the work to be done, but is designed only as a prudent restraint of what would otherwise be an unlimited discretion in the Commissioners.

This alteration, adding to, or enlargement, which requires the approval of the Court and Grand Jury, means a material change of the buildings, not a mere repair necessary to put and keep them in "suitable and convenient order and repair," which may be done by the Commissioners without such previous approval.

In the foregoing legislative provisions, in reference to the real estate owned by the County, the power of the Court of Quarter Sessions is limited to the approval of the proposed action of the Commissioners, in altering, adding to, or enlargement of the public buildings, and is associated with that of the Grand Jury, the latter being equally prominent with that of the Court. If any power of ordering the Court room to be opened for a purpose other than holding Court, is hereby conferred upon the Court, it is equally so upon the Grand Jury, which I think, will not be alleged.

With these views of the law, I am of opinion that the Court has no power to order the Court room to be opened for any other purpose than for holding Court.

It is, as far as I know, the universal custom throughout the State for the Commissioners to allow the use of the Court House occasionally for meetings of the people of the County, on matters of general public interest. I think, in the exercise of a sound discretion, this might be done here, notwithstanding the prohibition contained in the words "none other," as used in defining the objects for which the Commissioners hold the public buildings; it would be, however, against the *strict* letter of the law, and subject you to personal responsibility for any injury done, or expense incurred, and, as before stated, in case of a wilful allowance of its use for a clearly improper purpose, indictment for misdemeanor in office.

These consequences appear to me to be conclusive of the position, that you as Commissioners have the sole power over the Court House and Court Room, except while the Court is actually in session.

CHAS. W. KELSO.

I concur in the foregoing opinion.

E. BABBITT.

☞ The N. Y. papers mention that in a short time there will be concentrated on the borders of Arizona, and near the northern provinces of Mexico at least 2000 armed men, under experienced leaders. It is understood they will be invited by the Juares Government to aid him, should it become necessary to establish his Government permanently. It appears by this report that there has been a secret understanding between the Government of Juares and the leaders of the Arizona colonization scheme. It is expected that Gen. Walker will meet them from the Pacific side with a large party in some of the northern States of Mexico, probably Sonora or Chihuahua.

A TRAGEDY of rather an unusual character occurred recently in Milam county, Texas. A young man named Jordan seduced the daughter of a widow lady living in his neighborhood about six months ago, and despite the entreaties of her mother and the neighbors, refused to make her his wife. He, however, lived with her in the relation of a husband. A prosecution was commenced against him, but he remained obdurate, and in defiance of law, honor and public opinion, declared that he would live and act as he pleased. On the 17th of last month he was assassinated within half a mile of his dwelling. Nine distinct shots were heard, and he was soon afterwards found lying in the road, covered with blood and perfectly riddled with rifle balls and buckshot. It was nothing more nor less than a case of lynching, performed in rather a more sudden and summary manner than usual, and shows the impulsive manner of the Texan people, and how ready they are to wreak deadly vengeance for their own and others' wrongs. An inquest was held over the corpse, but no clue to the perpetrators of the murder was either obtained or desired.

AN ABORTIONIST CONVICTED.—Martha Hudson, who was charged with having caused the death of a young woman named Hannah Jane Toppin, on the 7th of March last, in Philadelphia, by an attempt to produce an abortion upon her, was, on Monday, tried and convicted of murder in the second degree. The evidence was the same as that elicited before the Coroner's jury, and established the fact that the death of Miss Toppin was produced by instruments, in the hands of a person ignorant of their use. Judge Thompson sentenced the accused to seven years' imprisonment in the Eastern Penitentiary. This heavy sentence was imposed, the Judge stated, with a view to deter others from following the nefarious business in which she had been engaged.

THE PIKE'S PEAK HUMBUG.—A letter is now before us from Nebraska City, April 28, which states that persons are returning from the reported "mines," in flocks with the news that "there is no gold"—that many are suffering and some perishing on the plains—that Fort Kearney is full of returned emigrants who are begging their way back—that a crowd of these disappointed men caught two "Pike's Peak letter-writers" at the Fort, and hanged them, for having so grossly humbugged them.

Other recent accounts from "the land of gold," are equally discouraging and there is no longer any doubt of the rascally humbug character of the Pike's Peak and Cherry Creek gold reports.—*Chicago Journal.*

A GOOD SERVANT.—A lady in this city was recently praising the good qualities of a Chinese servant who had just left her, and whose departure she was somewhat regretting. "Oh," she said, "he was one of the best servants that I ever had. He was so clean and neat and did his work so nicely. He kept everything in the kitchen as tidy as one could wish. Do you think as I do about him?" she inquired of a female acquaintance, in whose house John once lived. "Well," she replied, "I only know of one bad quality that John possessed—he would spit in the griddle to see if it was hot." "Gracious goodness," ejaculated John's recent admirer, "and I had him all this time without ever dreaming of it. Hot cakes every morning for breakfast, too!" And the lady shuddered visibly.—She had no more to say about John.—*Marysville (Cal.) Democrat.*

☞ A man living near Nashville, Tenn., who had been absent in California some three years, coming home recently, found a baby only three months old lying in the cradle. Construed that he had been absent so much out of the latter part of the time, it proved a "wounded house." The matron of the little stranger called in the family, when the reasons of domestic purity limited that the child belonged to a neighbor who was visiting his wife. Not being a member of Congress, he was threatened with lynching and found it prudent to decamp.

Local and Literary.

☞ The Gazette will find a very interesting article on our outside upon the European War.

☞ Rev. Mr. [illegible] came to hand this week; but on account of a press of other matter we must defer it till next.

☞ The barn of ROBERT HALL, in Girard township, was burned last week, with all its contents. Loss about $1,000.

☞ The Sons of Malta paraded the streets of Buffalo on Tuesday evening in full regalia, of course drawing an immense crowd, and creating no little amusement.

☞ We see by the papers that Mr. BROOKES, Assistant Engineer of the U. S. Steamer *Michigan*, has been detached from that vessel, and ordered to the *San Juiste*.

☞ The Connaut *Reporter* says there has been a number of light frosts in that vicinity during the past two weeks. We have escaped entirely down this way, we believe.

☞ Strawberries have made their appearance in Buffalo—we presume they are from the South, and are one of her "peculiar institutions" which even Abolitionists do not object to.

☞ A little girl was bitten by a mad dog on Saturday last in Buffalo. The portion bitten was promptly cut out, and the wound cauterized. As yet no outward symptoms have made their appearance.

☞ The editor of the Connaut *Reporter* wants his advertising patrons to bear with him a week or two longer, "when he will give them a greater length of rope." Is the Editor going to hang himself?

☞ Godey for June has come to hand. The table of contents is more varied than usual, and next to a nice young man, it is the best Lady's companion we can think of. Its plates of Fashions and instruction in needle-work are worth more than the subscription.

☞ Mr. EMANUEL WAIDLER, of Millcreek township, was thrown from a wagon near his Saw Mill in that township on Friday of last week, and so severely injured that he died the following Tuesday.

☞ The foundation of Messrs. Clemens & Caughey's and Gray & Farrar's new building is progressing finely. It will be the largest building in the city—being 82½ feet on the Public Square, and extending back 165 feet to Fifth street.

☞ Up at the baloon ascension the other day some of the curious wanted to know when we proposed to "go up." Upon mature deliberation we have concluded not to "go up" until the party goes, and then we intend to remain four years. Some think that will be in 1860, but we don't believe the "opposition" gas works will be able to manufacture enough gas to raise us by that time.

☞ The Philadelphia *Argus* has resumed its old position as an evening paper, and been considerably enlarged. The *Argus* is one of the best of our exchanges, and aside from its political character as a reliable Democratic journal, is unsurpassed as a newspaper.

☞ The authorities of the *borough* of Meadville are preparing to pave one of their principle streets—Water—with stone. The *Journal* says the stone for this purpose are arriving on the ground, and it expects workmen to do the work will be soon on the ground. This shows enterprise and public spirit; but are our *city* authorities doing anything of the kind? Has the project of paving State street been abandoned? Are we to flounder through the mud for another twelve months, with no prospect ahead of ever getting out? Shame to let the little *borough* of Meadville, without a railroad, take the lead of the *city* of Erie with her railroad system approaching completion.

☞ As a part of the history of our county, we publish to-day a card from the Commissioners, and the legal opinion of their attorneys, Messrs. KELSO and BABBITT, upon the question of right which has arisen between them and Judge GALBRAITH. The question at issue, we apprehend, is purely a legal one, and the proper steps have been taken to test it as such—hence no newspaper opinion of which is right or which is wrong is called for. As to the policy of opening the Court House for other than Court purposes, the position of this paper was stated long ago, and was against it. In that opinion we still remain. We are aware there are many who think its use should be granted upon all proper occasions to the two political parties to hold conventions and public meetings in—but it seems to us that if this is done, there is no point to stop; and hence we are really glad the question has now assumed a shape that will bring all parties to a final decision, and that we shall know in due time by a decree of the Court just what course will be adopted in future!

☞ The baloon ascension on Wednesday was a perfect success, and was witnessed by thousands of delighted spectators. The day was a grand one, warm and spring like, with a gentle breeze blowing southward. At precisely three o'clock, Mr. LYNN, the aeronaut, announced that all was ready, when Mr. B. A. BALDWIN, of this city, who had made arrangements to accompany him, stepped into the basket, and at a quarter past three the cords were cut, and the ponderous globe with its living freight darted up, up, and sailed off over the city to the south. When about mid-way to the clouds, another current of air struck them, and their course was changed north-east, back over the city, and out over the lake. After they got over the lake their progress was very slow, when the aeronaut concluding that he would not be able to reach the Canada shore till long after dark, and and not relishing the idea of a night upon the water, he pulled the valverope, and she gracefully settled down upon the water, and slowly drifted up out of sight behind the Kenjagoe. In the meantime the Steam Tug, *R. C. Brooks*, was fired up and got under way, and in due time landed the air and water voyagers, baloon and all, at the foot of State street. In conclusion, allow us to say that everybody was delighted—and if our friend HANNAH, who managed the affair, makes a little something out of it, we presume he will be delighted, too, and so will we.

☞ We notice some people have a very reprehensible custom in the spring of removing all the accumulation of rubbish and filth during the winter in their back yards to the street in front of their houses. One would naturally think that rubbish, not fit to remain during the summer in a back yard, was certainly not fit to deposit before one's door—and yet, in a ramble about town the other day, we saw several "piles" of this character in front of dwellings that had the external appearance of gentlemen. Have we a High Constable among us to enforce the ordinance, in such case made and provided, against people who will parade their nastiness before the eyes and noses of their neighbors?

LETTER FROM PITTSBURG.

Correspondence of the Observer.

MONONGAHELA HOUSE,
PITTSBURG, May 17, 1859.

FRIEND SLOAN:—My journey through North Western Ohio has fully satisfied me that there is very little probability of the citizens of that portion of the Buckeye State starving during the coming year, unless some unusual disaster should destroy their crops. The wheat crop is most luxuriant, and there is a promise of a larger yield than for several years. Other kinds of grain also promise an abundant harvest.

The prospects for a great crop of fruit never were better. Peaches, apples, plums, pears and cherries will certainly abound in great plenty this year. In the neighborhood of Pittsburg the plum and cherry trees completely bending beneath the load [illegible]

The corn is already [illegible] looks remarkably well. [illegible] legheny and adjacent counties have very [illegible] Hardly half a crop will be planted. Where fields look very well, but most of the land even is nearly bare. The failure of the crop is generally attributed to the drouth of last fall after sowing time, but in most cases, so far as my observation extends, may be clearly chargeable to careless farming. They have a better soil here than you have in Erie county, but you have the best farmers.

The United States Circuit Court for the Western District of this State has been in session here for the past week. A large number of cases are down for trial, but the business proceeds very slowly. The most important cases are the Railroad Bond suits, in which Beaver, Butler, Lawrence and Crawford counties, and the cities of Pittsburg and Allegheny are interested. The Butler county case was tried last week, and resulted in a verdict against the county for interest on her bonds. The jury found against the county for the interest of 64 per cent. of the face of the bonds—that being the market price of the bonds at the time of their sale. The verdict, however, contained certain conditions, and the court reserved some points, which will be referred to the Supreme Court of the United States. The act of the Legislature authorizing Butler county to subscribe to the North Western Railroad was pretty severely criticised by the counsel for the defence, and by the court. Speaking of the bungling manner in which it was drawn Judge GRIER remarked that if he had ten sons he would make lawyers of nine of them, and a legislator of the tenth to furnish business for the other nine. He gave legislators a general raking for their ignorance, carelessness, or intentional trickery in the framing of laws.

The Pittsburg Railroad Bond case is now before the Court, and has occupied three days already. Judge SHALER and E. M. STANTON, Esq., are counsel for the bondholders, and THOMAS WILLIAMS, Esq., conducts the defence. It has been a hotly contested case from the beginning, and it is amusing to witness the manner in which the defendant's counsel and the court discuss questions of law. Judge GRIER expounds the most perfect independence of the decisions of State Courts in similar cases, and assumes to treat the County Bonds as commercial paper subject to the laws and usages of trade, without regarding the conditions upon which they were issued, unless clearly expressed on the face of the Bonds. WILLIAMS protests against this view of the court and made a very ingenious and able argument in defence of his position, contending that the court has no right to disregard established precedents and common usages in such cases. He had a long contest with the court yesterday in regard to certain points (which I have not room to enumerate) but was overruled. The court was determined, and WILLIAMS was eloquent and defiant, but the Judge had his own way, as usual. The trial is still progressing but will probably close to-day.

The Crawford county case comes next in order on the list. STANTON, FARRELLY and SHALER are counsel for the Bondholders, and S. NEWTON PETTIS, Esq., for the county. The Bondholders are confident of winning, and the other side does not manifest any fears of loosing. It is quite likely that this, with all the other Bond cases, will be carried up to the Supreme Court of the United State.

The various Bond suits involve in the aggregate considerably over a million of dollars, and the final decision is looked to with the deepest interest by thousands of tax payers. Crawford county has been more fortunate than any of the others, having issued only about $30,000 of bonds. The present suit against the latter county is brought by GEORGE W. HOWARD for the interest on some $12,000 of the bonds which he holds.

Business is quite brisk here, and the wharf to-day presents an animated scene. Several steamboats are discharging their cargoes and others loading, and Water street presents the appearance of a vast out-door warehouse, alive with workmen and carts of every description. Boxes of glass and packages of dry goods, barrels of salt and hogsheads of sugar, bales of cotton, kegs of nails, pig metal, stoves, iron, and hundreds of other articles, are heaped up in great profusion all along the wharf.

The hulls of the steamers which were destroyed by fire some days since have not been removed. Ten fine steamboats valued at near $80,000 were burned in less than half an hour. The charred and blackened wrecks occupy a large space at the landing, and their removal will be attended with heavy expense and labor. This fire was the most destructive to the shipping that has ever occurred here.

The number of visitors to the city is unusually large for this season of the year. The hotels are pretty well crowded. The Monongahela House has several hundred guests. This splendid hotel is certainly not excelled by any in the Union for its arrangements to provide for the comfort of visitors. In all its departments it is admirably conducted, and fully deserves the liberal patronage extended to it by an appreciative public.

☞ A man who has been arrested in Canada for murder, has confessed to robberies to the amount of $15,000—and among others that of the purser's office of the steamer Empire State, when lying at the wharf in Buffalo; the sum stolen on this occasion being $2,810. The robbery was effected by his dressing himself as a female and passing himself off as the wife of the cook of the boat. The clothes were furnished him by a prostitute in a house of ill-fame in that city, to whom he gave $200 for the use of them.

A COUPLE OF OLD "BRUISERS."—The newspapers tell that Gen. Leslie Combs had a rough and tumble fight on the 3d of May, with Mr. Henry T. Duncan, in the manager's room of the Northern Bank in Lexington, Ky. General Combs punished his antagonist severely. The General is 72 years old, and Mr. Duncan is over 60. Men of the age of 60 and 70 should know better than to bruise one another like a couple of irritable school boys.

☞ A trader down in Chautauque county advertises to pay "cash and the highest price for any quantity of *Deacon skins*." We suppose this is the reason why that line which used to grace the final column of the Dunkirk *Aryus*, "Arranged by the Deacon," has been taken down. The Editor took down the sign for fear the "Deacon" would loose his skin.

BOOK NOTICES.

THE PILLAR OF FIRE; by Rev. J. H. INGRAHAM, New York, Pudney & Russell; Philadelphia, G. G. Evans.

We are indebted to the house of G. G. Evans, 439 Chestnut street, Philadelphia, whose advertisement the reader will find in another part of this paper, of this interesting Book. There are few authors who could succeed upon Mr Ingraham's plan. In the Pillar of Fire the author imagines a Prince of Tyre to visit Egypt and become a familiar friend of that Hebrew who refused to be called the son of Pharaoh's daughter. This Prince writes letters descriptive of Egypt, the people, their enterprises, their monarch, and their tyranny over the enslaved Hebrews. The author has made his way through all the perplexities of Egyptian history with remarkable clearness and consistency. The letters pertaining to the journey made to Moses that he was not an Egyptian, but an Hebrew, and his refusing the throne, are intensely interesting. Another Prince is made to describe the after history of Moses, and the exodus of the Israelites. It is an excellent book, carrying the reader back to Egypt's palmy days, and making him feel as if he were living there among the sages of antiquity.

THE PRINCE OF THE HOUSE OF DAVID; Same author and same publisher.

This beautiful volume, a companion to the one noticed above, has come to our hand by the intervention of a friend and the kindness of the publisher. It purports to be the record of observations made and impressions received by a resident of Jerusalem during the time of our Lord's ministry. The author supposes Adina, a Jewess of Alexandria, to write letters to her father concerning the important events of that brightest and best of all history. It is delicate ground, and the method is peculiarly deserving of care, but the letters transport us back to these events, and our eyes seem to look on these wonderful scenes. The gospel record is faithfully interwoven, and imagination has been reverential, lest she venture rashly on holy ground with feet that would trample truth in the dust, while her hands were painting pictures unworthy of a sacred inscription. We would not subscribe our humble approval of all that is described by a reverential fancy, but the vivid portray of truthful scenes must commend the volume. Both these volumes are selling rapidly.

BOOK OF ANECDOTES AND BUDGET OF FUN; G. G. Evans, No. 439 Chestnut street, Philadelphia.

This is a collection of over one thousand of the most laughable sayings and jokes of celebrated wits and humorists. In its compilation the publisher has evinced remarkable good taste. We have looked through it pretty thoroughly, and while we find many things we have seen before, together with much that is new to us, we think the compiler has succeeded in his design of making a book that while its contents will raise many a good hearty laugh, there is nothing in it offensive to good taste, good manners, or good morals. We think there is a good deal of philosophy in the theory that a good hearty laugh is better than a dose of physic, and hence everything that is calculated to promote this end, either in Books or Newspapers, is to be commended—especially if it is done in a refined and gentlemanly way. Coarseness is mirth, as in everything else, should be avoided. A good joke is none the less a joke because it is clothed in respectful language, while genuine wit need not be less felt because it does not smell of the pot house. For a long ride on a railroad, or a warm day at home with little to do, and less to think about, the *Budget of Fun* will be a capital companion. If anybody wants to invest a dollar, and get more than the worth of their money back in fun, besides a handsome gift, we refer them to EVANS' advertisement in another column.

☞ The Buffalo *Republic* tells of a gentleman who had just arrived in the cars on his way to New York, from St. Louis, where he had purchased, some five or ten days since, ten thousand barrels of flour, to be shipped through to New York, via Albany. He had contracted the freight through from St. Louis to New York, by railroad and river navigation, for five shillings a barrel. As flour has suddenly taken an upward tendency, and is still inclined the same way, it can readily be surmised that this operator has made a nice little fortune.

MARKETS.

NEW YORK, May 19

FLOUR—The Four market is dull and unsettled; prices are 15@25c per barrel lower.—Sales of 7,200 lbs; at $5 90@6 90 for superfine State; $7 00@7 40 for extra State; $5 90@6 80 for common to good superfine Western. $7 00@7 60 for common to good extra Western; and $7 50@7 75 for common to good extra round hooped Ohio. Canadian Flour still nominally quoted at $7 50@8 75 for common to choice extra. Rye Flower—$4 76@5 50.

GRAIN—The market for Wheat is heavy and 5@6c lower. Small sales at 170@175c for winter and Western; and 155@158c for unsound do. Rye, 3,400 bush at 100@102c. Corn market lower. Sales of 22,000 bush at 92@93c for mixed Western; 97c for round yellow; and 98c for yellow Jersey. Oats dull and lower.

PROVISIONS—The Pork market is heavy and lower—except for prime mess. Sales of 6,300 bbls at $17 62@18 25 for mess; $19 00 for prime mess; and $15 50@15 75 for prime.—Beef is firm. Sales of 1,200 bbls at $7 00@7 50 for country prime; $9 00@9 75 for country mess; $12 00@15 00 for repacked Chicago mess; and $15 00@17 00 for extra mess. Bacon quiet. Sales 100 hhds shear clear smoked sides for California at 13½c. But meats are heavy. Sales of 350 packages at 7½@7¾c for dry salted shoulders; and 8½@9½c for hams. Lard null and heavy. Sales of 300 bbls at 12@12½c; and 1,000 kegs at 12@½c. Butter is steady. Sales at 18@20c for State and Western. Cheese dull at 5@9½c, according to quality.

BUFFALO, May 20, 1859.

The market for Flour dull and heavy, and prices 25@37½c lower. Sales 1,500 bbls, at $7 12½@7 25 for extra State from red winter wheat; $7 37½@7 50 for extra Oh