to New York for the lake trade of Erie. It could not have been meant as a link in the connection between Buffalo and Cleveland, for there was not then any authority given to this company or any other to build a road westward from Erie to or towards the Ohio line. Its actual location puts it beyond the reach of the lake trade, being one hundred and ten feet above and three-quarters of a mile distant from the harbor. It connects itself there with a road to Ohio built in violation of law, and by a fraud which has already received its condemnation. By this means it has become part of a continuous line from New York to the west, carrying goods and passengers not to the borough of Erie, but quite around and past it. I mention this merely as showing that the general scope of the law, as well as its literal words, has been disregarded. It is suggested, however, as a mere probability. We do not know nor care what the purpose of the State may have been. But one thing we do know—and that is enough—that the board of directors had no right to substitute their will for the plain requirement of the law. If the fair interests of the stockholders—if the accomodation of the neighboring people—if a due regard for the commerce of the whole country—if a magnanimous liberality to the citizens of adjoing States—if these considerations, or any any one of them, required an amendment of the charter, the managers should have asked the proper authority of the charter of the government to make it. Assuredly there is no legislative body on the face of the earth to whom such an appeal, if well grounded, could be made with more certainty of success, than to the general assembly of this State.

11. The right of the supreme legislative power to authorize the building of a railroad on a street or other public highway, is not now to be doubted. It has been settled not only in England, (1 Bam. & Ad., 30) bu in Massachusetts, (23 Pick. 328) New York, (7 Barb. 509.) and in Pennsylvania (6 Wharton. 43.) If such conversion of a public street to purposes for which it was not designed, does operate severely upon a portion of the people, the injury must be born for the sake of the far greater good which results to the public from the cheap, easy and rapid conveyance of persons and property by railway. The commerce of the nation must not be stopped or impeded for the convenience of a neighborhood. But we can say this only in cases where the authority has been given by the sovereign power of the State. That any private individual or incorporated company, not empowered to do so by an act of the Legislature, can take possession of a street and make a railroad upon it without being guilty of a criminal offence, is a proposition which I am sure no lawyer would dream of making. The right of a company therefore, to build a railroad on the street of a city, depends, like the lawfulness of all its other acts, upon the terms of its charter. Of course, when the power is given in express words there can be no dispute about it. It may also be given by implication; for instance, if a company be authorised to make a railroad, by a straigh line, between two designated points, this implies the right to run upon, along, or across, all the streets or roads which lie in the course of such line. So also when an act of incorporation directs a road to be made between certain termini, by such route as the grantees of the privilege shall think best, it may be located on an intervening street or other common highway, if in the judgment of the directors it be necessary or expedient to do so. But when an act of incorporation authorises the making of a railroad which it is not possible to make without using the streets of a town for part of it, still such streets can not be so used if the same act of incorporation forbids it. If the powers given to the corporators cannot be executed without disregarding the restrictions with which they are coupled, they cannot be executed at all. In a private deed, and exception as large as the grant, is void because private deeds are construed most strongly against the grantor. But a grant of privileges by the State, to a body of adventurers, must be construed precisely the other way—in favor of the public and against the grantees. A prohibition, exception or reservation in a charter, must therefore stand in full force, though it destroy or make nugatory all the powers given to the company.

The act of incorporation, now before us, contains the following very emphatic clause: "The said railroad shall be so constructed *as not to obstruct or impede the free use* of any public *road, street, lane or bridge*, now laid out, opened or built, or to interfere with any burial ground, dwelling house or building without the consent of the owner." It would certainly strike most men upon the first look, that a railroad company with such a provision in its charter, is on dangerous ground when it takes possession of a street. It is not at all easy to understand how the people of a city can have the use of a street free from obstruction and impediments, when the street is of ordinary width, and has two railroad tracks upon it, along which locomotive engines, with trains of cars, are running every five minutes of the day. Nor is it by any means impassible, that in this case the Legislature intended to exclude the company altogether from the streets, even at the risk of having no railroad made, for the desire to preserve to the people of Erie and its neighborhood, the free use of their streets and roads, may have been stronger than the wish to establish a railray communication for them with New York.

An obstruction is any thing *set in the way*, whether it totally closes the passage or only hinders or retards progress. A road may be obstructed more or less. The word impediment is almost synonymous with obstruction, except that it is seldom, if ever, used to signify an entire blocking up of the way. It is an obstacle—not an impossible barrier. To understand these words in their ordinary import, and then say that a railroad is not *per se* an obstruction or impediment to the free use of a street by the public, is rather more than I can do. But perhaps it is not quite safe to interpret them according to their popular sense. Certain it is that they have sometimes been otherwise used in acts of Assembly. A law of Massachusetts provides, that "if any railroad shall be so laid out as to cross any turnpike or other way, it shall be so made as not to *obstruct* such turnpike or way."—It was decided (23 Pick., 226.) that this did not prevent all interference with the road, but required only that it should cause the least possible inconvenience or impedment. By a statute of this State, enacted in 1803, the owners of lands adjoining navigable streams were permitted to build dams, provided that such dams should "not *obstruct* or *impede* the navigation of such streams, or prevent the fish from passing up the same." This Court (4 Watts. 440.) declared, that if these words were taken literally, the owners could not avail themselves of the privilege at all; but as this construction would have been contrary to the grant itself, a more liberal one was adopted, and a dam which did not materially hinder the navigation was held not to be within the prohibition. Although the reasoning of these cases does not altogether fit the one before us, they are entitled to much weight. They are decisive, indeed, of one thing, which is important, namely: that the words in question may sometimes have a legal signification different from that which we would otherwise have been disposed to assign them. For the sake of consistency, we must follow in the steps of those who went before us, though it be true that the track is not very clearly marked.

Let it then be conceded as a possible thing, that a railroad can be so constructed on a public street that it will not be an obstruction to its free use—that such railroad is not in any sense a nuisance *per se*—that a street may be occupied in common by a railroad and the public without any such inconvenience to the latter as will amount to an impediment, or abridge the freedom of its use for ordinary purposes—still it is not true (as the converse of the argument would make it) that the street is unobstructed as long as travel upon it is not entirely prevented. If it be proved that a man may squeeze himself along beside the track, or dodge across at the peril of his life, it does not follow that the use of the street is free, unobstructed, and unimpeded. We hold, therefore, that under a charter like this, a railroad cannot be built on a street in such a manner as to cause any material obstruction. If we assume, as we do, that the clause under consideration does not entirely forbid the company from going on any street, we must also allow them to create such impediments as cannot be avoided. But those which are not absolutely necessary to the making and using of the railroad, are unlawful; for managers are bound to leave the street as nearly free from obstructions as they can, and for that purpose to spare no reasonable expenditure of money or labor. If, for instance, the railroad be made above the level of the street, they must grade the rest of the street also, if that will make it better for the public accommodation. They cannot say to the city authorities: "We have destroyed your street, and rendered it impassable; but we have not impeded its free use because you can restore it again to a tolerable condition, at your own expense. Neither does it make any difference whether it be a main thoroughfare or an unimportant by-street, for this act of incorporation protects all alike.

We have attentively considered the bill, answer, and evidence in the cause, and they satisfy us of the following facts: (1.) A considerable portion of one street within the present limits of Erie city is occupied almost entirely by the railroad in a manner which makes any considerable use of it for other purposes almost impossible; and this is true although the defendants themselves say that the street might be safely and conveniently used if it were properly graded—a duty which they left unperformed. (2.) Two streets are crossed by the railroad on bridges, which are too low and too narrow for the large wagons passing one another, or for a single wagon with a bulky load. (3.) Two other streets are crossed on an embankment, considerably above grade, with a ditch on each side, and thus all passage along those streets, by any kind of vehicle, is as completely stopped as it could be by a stone wall twenty feet high. All these things are illegal, for the reasons given. That some of these streets are on low, wet ground, and little used, might be a sort of apology for the defendants, if we were sitting here to take excuses for the violation of the law. But that is no part of our duty.

A large part of the evidence refers to the danger encountered by persons obliged to cross the railroad when trains were approaching, and the delay and inconvenience caused by cars, which totally blocked up the crossing places. If the defendants have a right to make the road on a street, they have also the right to use it when made. They may carry all the freight and passengers they can get. If the number of cars and locomotives necessary to do their business be so great as sometimes to choke the thoroughfares over which they pass, it must be remembered that the same thing would happen in a much greater degree, if the twentieth part of the business were done in carriages, coaches and common road wagons. If the cars are suffered to stand for an unnecessary length of time, at places inconvenient to the public, the act is indictable as a nuisance, and for any want of proper care, the defendants are liable in damages to the persons injured by it. But it cannot be said that they have violated their charter in causing obstructions which could have been prevented or diminished by a different construction of the road.

Under other circumstances, the voluminous body of evidence laid before us might require a much more extended discussion. But we are content with the compendious reference we have made to it, because every inch of this railroad which lies upon any street of the city is unlawful, at all events. If the defendants had begun their railroad at the place designated in their act of incorporation, they would not have interfered with any of the streets mentioned in the bill, except Ash Lane, and that would have been crossed at a different place.—When a railroad authorised to be made at one place is made at another, it is a mere nuisance on every highway it touches in its illegal course. The streets in question, not being on any route which the defendants were authorised to take, they are on them in disobedience of their charter, and all they have done there is without the shadow of authority. It is useless, therefore, to enquire how much of the inconvenience complained of might have been avoided by a better construction. It is enough to say that the railroad has no business at all to be where it is.

It appears that the city authorities gave their consent to the use of the streets, and to the location of the railroad on the ground which it now occupies. This privilege was given "so far as the Mayor and Councils have legal power in the premises," upon condition that the railroad should cause the least possible obstruction to the ordinary travel and business of the streets, and with a reservation of the right to withdraw the privilege whenever it should appear to the Councils to be injurious to the interest and welfare of the city. The condition was broken, and the privilege was revoked. But if the resolution of the Councils had remained in full force up to this time, it would have been of no avail here. They had no "legal power in the premises." An act of the legislature cannot be repealed or modified by the ordinance of a city corporation. What the defendants did in disregard of the law was no less an offence against the rights of the public, because the city was in some sort *particeps criminis*. If both had persisted in it, the Commonwealth's duty would have required her to see that the rights of her citizens were vindicated against both.

III. It is alleged and proved and not denied, that the railroad has been laid down on and along a public road, called the Buffalo road, in such a way, that for some distance it cannot be used, and is not used by the public at all, but on the contrary, that portion of the people who would otherwise travel thereon are obliged to take another way, which the railroad company has opened for them. Of course, this within the prohibition against obstructions and impediments to the free use of public highways.—The answer to this charge is not based on any interpretation which the charter is thought to be capable of. Other grounds are taken. One defence is, that the railroad could not be made in a straight line without taking a part of the Buffalo road. We can only say, that if a railroad cannot be made straight without violating the law, it must be made crooked, or not made at all. Equally baseless (even if true) is the other argument, that the public has suffered no injury by this act.—Those public interests which lie outside of the defendants' charter are not committed to their keeping. The legislature has thought proper to guard the right of the people to the free use of their own roads, by enjoining the defendants not to impede or obstruct them. This injunction it was wrong to disregard, even for the sake of a supposed public benefit. The people have rejected the boon which the company tendered them, and the State *parens patriæ* now demands for them the rights which are secured and reserved by her own laws.

IV. The charge that the defendants have, by contract, surrendered the control of their road to a foreign corporation, was but faintly pressed in the argument. We do not consider the contract illegal, and if our opinion were different we would withold it until all the parties could be brought before us.

This disposes of the principal allegations in the bill. But aside from these there are one or two matters suggested by the defendant's counsel, which ought not to be passed without a remark.

They have argued that no decree could be based on obstructions created by the *use of the* railroad because the Act of Incorporation provides only against the road being *so constructed* as not to impede, &c. And the bill charges nothing else.—Whatever impediments are caused by the ordinary and proper use of a railroad we attribute to its construction. The legislature said to the corporators, you may make a railroad between certain given points and use it when made, by running cars and steam engines on it; but you must so make it that its existence and use in this way will not impede the travelling on any highway now laid out. The railroad is so made that locomotives cannot be used on it, without impeding travel on a certain highway, previously laid out. Such a railroad is not constructed according to the law. If it were, the use would be proper enough.

The defendants' counsel have made another point which it is right to notice. It is said that though this proceeding is conducted in the name of the State, its real object is to redress a supposed injury, which is private or at most merely local in its character. We are urged to look not at the flag, but at the parties who fight under it. These parties—the public authorities of Erie, and the people of the neighborhood—encouraged the defendants to expend large sums of money in building the railroad, and the attempt which they are now making to break it up, is denounced in the argument, as an act of wanton injustice. The only party before us, is the Commonwealth. We do not even know the names of the persons alluded to. The Commonwealth complains in due form, by her accredited legal representative, the Attorney General, that one of her corporations has violated its charter. We have investigated the case and found the complaint to be true. The delinquent corporation cannot justify itself by showing that in the commission of the wrong it received aid and comfort from other persons. If the Mayor and Councils of Erie or their constituents, connived at this breach of law, they were guilty of a sin, for which their best excuse is that they seem to have repented of it, and are now disposed to assist the State in bringing the other offenders to the same wholesome state of mind. It cannot be that the defendants were *misled* by the people or their officers, for they must have known that a city ordinance could not authorise what an Act of the Legislature forbade. No laches can legally be imputed to the Commonwealth, and in point of fact, she has been guilty of no unfairness. She spoke her will plainly in the Act of Incorporation, and left it to the defendants to be a guide to their feet and a lamp to their path. They disregard it.—The Attorney General proves the fact, and stands up for judgment. We cannot refuse what law and equity demand.

DECREE.

This cause came on to be heard before the Supreme Court, on the bill of complaint, on the answer of the defendants, and to the proofs and evidence taken by both parties, and was argued by counsel; and thereupon it appears to this Court, that the defendants have built, and do now use and maintain a certain railroad known as the Erie and North-East Railroad, of which said railroad a part is within the present limits of the city of Erie, and upon certain streets thereof, and another part is upon the bed of a certain public road known as the Buffalo Road in Harborcreek Township, Erie County; and that the said railroad in those parts thereof, is a public and common nuisance. It is, therefore,

Ordered, adjudged and *decreed*, that the defendants shall, on or before the expiration of four months from this date, break up so much of their said road as lies upon the said streets, and upon the Buffalo road, and remove the materials thereof, so as to leave the said streets and road in as good condition as they were in before the construction of said railroad.

And it is further declared and adjudged, that the said defendants are bound to make the borough of Erie with such limits as it had in 1842, the western terminus of their railroad. It is therefore decreed and ordered, that the said defendants shall, within four months from this date, change the route and construction of their railroad accordingly, and make their Western terminus at what was the eastern line of the said borough. And the said defendants shall re-construct their railroad to supply the parts hereby ordered to be broken up, accordingly to plans and specifications, to be by them made, and to be submitted to, and approved by this Court, on full notice to the counsel of the Commonwealth, and not otherwise. And the defendant shall pay all lawful costs, to be taxed by the Prothonotary.

By Lowrie, J.—I concur in nearly every part of the opinion read by my brother, the Chief Justice, and in the decree that is about to be pronounced, and it would have afforded me great pleasure to have had the concurrence of my brethren in pronouncing one more stringent in its requisitions.

The defendants were incorporated in 1842 to make a railroad from Erie to the State Line on the east, and it is very plain that the sole thought that was in the mind of the Legislature, in incorporating it, was to provide a means of commercial connection between the harbor of Erie and the State of New York. It is very plain, also, that this company has turned almost entirely aside from this purpose to one that was not at all intended, and, with the aid of that fraudulent concern, the Franklin Canal Company's road, they have carried out their own main purpose of forming a connection between Ohio and New York, and have converted the intended and proper terminus of their road into little better than a water station.

And in the course of their proceedings, they have shown very little regard to the public authorities of the State. Contrary to law, and in violation of the express orders of the road commissioners, they took possession of a part of the Buffalo or Ridge road, and used it according their own will. And much of the same disregard of the public authorities has been exhibited in their relations with the public officers of the city of Erie; Though a mere private corporation, and operating for the purposes of gain, they seem to have assumed that the regular local authorities must stand aside for them, as if in the presence of their official superiors. I discover very little palliation for their errors, and should have been willing to allow them much less indulgence in the mode of retracing their steps.

I am sorry that my brethren think, that when an incorporated town or city is made the terminus of a railroad, the company has, by implication, a right to carry their road to any point within the town or city, and along any of its streets that they may choose, and this without being at all subject to the direction or restraint of the local authorities. I should have been pleased to have the concurrence of my brethren in a contrary doctrine. It seems to me that this is giving to mere private corporations or associations a superiority thus far over those public functionaries to whom the interests of the public are intrusted, and this, too, by no necessary implication. It seems hard enough to have to make such an implication in relation to a town or city that lies between the termini.

Let it be called illiberal to break the connection between this road and the western one. This is a matter not for us, but for the Legislature to consider, and perhaps they have done so. It is not impossible that we may allow the cry of illiberality to drive us into a quixotic and impracticable cosmopolitism. State pride, State enterprise, patriotism is selfishness; but it is the very form of selfishness that is at the bottom of all national glory. I trust that it is not to be frittered away by the mere American feeling, which is always tending to obliterate the local and more effective feelings out of which our present liberties grow, and upon which they depend.

MEDICATED INHALATION.

A New Method.

A MOST wonderful discovery has recently been made by Dr Curtis, for the cure of Asthma, Consumption, Bronchitis, Coughs, Colds, and all Complaints, by Medicated Inhalation.—Dr CURTIS'S HYGEANA or INHALING HYGEAN VAPOR and CHERRY SYRUP, has accomplished the most astonishing cures of Asthma and Consumption in the City of New York and vicinity for a few months past, ever known to man, is producing an immension sensation. Diseases of the Lungs never before witnessed by the medical profession. See certificates in hands of Agents.

The Inhaler is worn on the breast, under the linen, without the least inconvenience, the heat of the body being sufficient to evaporate the fluid,—supplying the lungs constantly with healing and agreeable vapor, passing into all the air-cells and passages of the lungs that cannot possibly be reached by any other medicine. Here is a case of

ASTHMA CURED.

Brooklyn, N. Y., Dec. 29th, 1853.

For about eight years I have been severely afflicted with the Asthma; for the last two years I have suffered beyond all the powers of description; months at a time I have not been able to sleep in a bed, getting what rest I could sitting in my chair.—My difficulty of breathing, and my sufferings, were so great at times, that for hours together my friends expected each hour would be my last. During the past six years I have had the aid and attendance of some of the most celebrated physicians, but have received no permanent benefit, and but little relief. I at length had the good fortune to procure Dr. Curtis's Hygeana or Inhaling Hygean Vapor and Cherry Syrup. At the time I first obtained it, I was suffering under one of my most violent attacks and was in great distress, almost suffocating for want of breath. In less than ten minutes from the time I applied the Inhaler to my stomach, and took a teaspoonful of the Cherry Syrup, I was relieved in a great measure from the difficulty of breathing, and had a comfortable night. I have since continued it with the greatest possible benefit, and am now comparatively well. God only knows the amount of suffering this medicine has relieved me from. My advice to the suffering is, try it.

MARGARET EASTON.

CONSUMPTION CURED.

New-York, Dec. 27th, 1853.

I came to New York in the ship Telegraph; my usual place is St. John, New Brunswick; when I reached this city, my health was very poor; had a very bad cough, raised a good deal of matter, which was frequently mixed with blood: bad pain in my left side, and was very much reduced in strength. My friends and physician pronounced my case Consumption, and beyond the reach of medicine. I accidently heard of Dr. Curtis's Hygean Vapor and Cherry Syrup, and obtained a package, which I verily believe was the means of saving my life. Soon after wearing the Inhaler, I found it relieved the pressure on my lungs, and after a while the disease made its appearance upon the surface under the Inhaler. I took the Cherry Syrup as directed, and continued to do so, my cough gradually growing better, until it entirely left me, and I now consider myself cured. I still wear the Inhaler, as the use of it is rather pleasant, and believing it strengthening and fortifying to the lungs, I feel unwilling at present to dispense with it. JOHN WOOD.

Sold by BOYD & PAUL, No 48 Cortlandt street; C. H. RING, corner of John street Broadway, N. Y. Price $2 a package.

For sale by Burton & Sinclair, agents for Erie 1y41

THE OLD DRUG STORE.

To All Whom it may Concern.

WE wish to advise our friends and the public generally, that we are making large additions to our Drug and Medicine stock, which will render it one of the most complete and extensive establishments. Our business is divided into several departments, and includes, among others, the following, viz:

Medicines, Wines, Groceries, Window Glass, Glassware, Dye Stuffs, Paints, Oils, Brushes, Perfumery, Fancy and Miscellaneous Articles.

Our stock of Medicines is very extensive, embracing nearly every article, Chemical, Mineral and Pharmaceutical, in use by the Old School, Eclectics, Botanics, and Thompsonians, together with a general assortment of Shaker Herbs and extracts. In the

Patent Medicine Department

Our list is too extensive to enumerate, embracing those preparations that are now receiving Public patronage, the reputation of which has become established by years of experience, and their adaptation to the various diseases for which they are recommended has become a fixed fact.

Wines and Spirits

Are of the best, *selected, purchased and kept for medical purposes* only, and warranted to be as represented. In the

Grocery Department

We are not extensive, but what we have will always be found of the choicest and best. Persons particularly nice in their tastes cannot fail being suited with our selections. In the line of

Paints, Oils, Varnishes, &c.,

Our stock is very extensive, embracing not only a full and complete stock of material used in House painting, but also every variety of article required in Chair and Couch painting; also, for Portraits, Landscapes, Mezzotintos and the various kinds of fancy Painting.

In WINDOW GLASS our stock is necessarily large, and as we are extensively engaged in the manufacture of SASH DOORS and BLINDS, consequently we are obliged to keep on hand at all times from *one to five hundred* boxes, and an assortment of not less than fifty sizes, of various qualities and brands, French, English and American, among which are large and double thick, suitable for Shop Windows, Cases, Pictures, Coaches, Cars, Boats, Lanterns, &c., &c.

As to BRUSHES, such as Paint, White Wash, Tanner's Scrubbing, Stove, Shoe, Cloth &c., we have everything that can be desired in the various departments in which they are required.

And as to PERFUMERY, Soaps, Combs, Hair, Nail and Tooth Brushes, Fancy, Toilet, and miscellaneous articles, we have sufficient to meet the reasonable wants of this entire community.

As to our ability to make such selections as will suit the tastes and views of our customers, both in quality and price, we leave for others to decide. Yet we think an experience of some Twenty years in this business, with a reasonable amount of cash, enables us to make our purchases in such a manner as to assure our friends that we will not be undersold by another House in this city. CARTER & BROTHER

Erie, Sep. 1st, 1853. 17

Broad Gauge Goods.—Narrow Gauge Prices.

THE subscribers are now receiving Philadelphia, a large and well selected stock of Dry Goods, Domestics, Cloths Cassimeres, Dress Goods, Silks, Boots and Shoes, Hardware, Crockery, Groceries, &c., &c., all of which will be sold as cheap as the cheapest for Cash or Produce.

Our customers and the public are respectfully invited to call and examine goods and prices. SERJEANT & CO.

Erie, May 27, 1854. 2

BATH TUBS can always be had at March 17, 1854. TANNER & MAGILL'S.

SUGAR BOILERS will be made to suit customers by March 17, 1854. TANNER & MAGILL.

CISTERN PUMPS—The largest variety in town. Pipe furnished, Pumps located and warranted for one year at unusually low prices, by TANNER & MAGILL.

FROM AUCTION.—1000 yards of Madder colored printed Lawns, at 8 cents per yard, colors perfectly fast, at May 25—1. TIBBALS & HAYES.

Fourthers! Fourthers!!

1000 POUNDS Green Fourthers for sale at Erie, Aug. 15, 1854—12. TIBBALS & HAYS.

CAMPHENE, distilled weekly and warrented 95 per cent. more than New York Camphene, for sale by barrel or gallon, by April 18, 1854—49. BUSTON & SINCLAIR.

FRANKLIN FIRE INSURANCE COMPANY, OF PHILADELPHIA

Capital $2,000,000.

NEW YORK CITY INSURANCE CO., 166 BROADWAY, NEW YORK

Capital $500,000.

THE undersigned having received the appointment or agency of the above reliable Companies, having also fully complied with the Insurance laws of this State, is now prepared to take Fire and Marine risks at the lowest rates. Losses in either Company adjusted and promptly paid at this agency.

J. J. LIPPS, Agent.

Erie, April 9 1853 40 Office in J. S. Gunnison's Bookstore.

THE ÆTNA INSURANCE COMPANY, OF HARTFORD, CONNECTICUT.

Capital $300,000—All paid in.

THE subscriber is now prepared to effect Insurance in the above well known responsible company. The Ætna has been in operation over 23 years and its capital is sound and unimpaired. *Having promptly adjusted and paid their losses incurred at the late fire in this City, they hope for a continuation of favor from the business community. They will ever find them prompt and honorable in the adjustment of losses.* Office in Wright's Block with J. D. Dunlap, Esq.

I received this day the amount I had insured in Ætna Insurance Company, which was lost at the late fire on French street. GEORGE KELLOGG.

O. H. IRISH, General Insurance Agent.

Erie, March 25 1853. 46

AN extensive assortment of flavoring extracts has been marked, warranted for the handkerchief of every kind, Colognes, hair oils, pomades, a standing a certain cure for chapped hands, lip salve, shaving soaps and creams of first quality, bay rum, hair dye, hair restorative, depilatory powder, in short we constantly keep on hand a complete assortment of every kind of fashionable fancy articles and Yankee notions of almost every description.

Persons wishing to buy are respectfully invited to call as they may depend upon getting what they want at the lowest prices at the city drug store named. Erie Dec. 4-30 F. HALL.

WAKED UP AT LAST.

THE old firm of Vincent, Himrod & Co., having been dissolved on the first of March last, a new Partnership has been entered into between the subscribers under the same name, to take effect from that date, they therefore notify the public and "all the rest of mankind," that henceforth our motto shall be Cash prices and prompt payment. At our store may be found a large and well selected stock of Dry Goods, Groceries, Hardware, Crockery, and Tin ware, and at our Foundry almost every variety of Machine castings from a Steam Engine to a sleigh shoe. Our Mill gearing being proverbially superior. As for Stoves we can't be beat in quality or price, neither up street nor down, our Keystone and Lion are favorably known and our new Parlour Favorite for the kitchen and Lady Franklin and Revere for the parlor throw all others in the shade. Remember Cash prices and prompt payment

B. B. VINCENT,
WILLIAM HIMROD,
DAVID HIMROD,
JOHN S. VINCENT,
DAVID SHIRK.

Erie Oct. 23 1853—24

N. B.—Persons indebted to the old Firm are notified to call and pay up and that soon.

The Insurance for Town and Country!

THE Erie County Mutual Insurance Company continues to make Insurance on every description of property in Town and Country, at as low rates as are consistent with security. Risks are divided into two classes, viz: the Farmers, in which nothing but farm property and dwellings, 40 feet or over from improvements, are insured, and the Commercial, in which all kinds of property are insured. The funds in either department are not liable for losses in the other.

☞ Cash insurance made in either Department at the usual stock rates.

DIRECTORS

Smith Jackson, James C. Marshall, Jos M. Sterrett,
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J. H. Fullerton, S. P. Kepler, M. W. Caughey,
Alfred King.

OFFICERS

S. Jackson, Pres't. C. M. Tibbals, Treas. Jonas Gunnison, Sec
Office over Sherrat and Gray, stamp side.

Erie, June 11, 1853 4

Nails and Iron.

AT THE MANUFACTURER'S PRICES

THE Sharon Iron Co. have taken a store in town, where they intend keeping a full supply of Nails of all the different kinds and sizes of iron they make, and also a complete assortment of Nails.

Persons who have used the Nails made by this Company do not need to be told that none better are made at the rate to be where

2m. Sept. 6.—17

The Greatest Medical Discovery of the Age.

MR KENNEDY, of Roxbury, has discovered none of our common Pasture Weeds, a remedy that cures every kind of humor, *from the worst Scrofula down to a common Pimple*; he has tried it in over eleven hundred cases, and never failed except in two cases, (both thunder humor.) He has now in his possession over two hundred certificates of its value, all within twenty miles of Boston.

Two bottles is warranted to cure a nursing sore mouth

One to three bottles will cure the worst kind of pimples on the face

Two to three bottles will clear the system of biles.

Two bottles is warranted to cure the worst canker in the mouth and stomach.

Three to five bottles is warranted to cure the worst case of erysipelas.

One to two bottles is warranted to cure all humor in the eyes.

Two bottles is warranted to cure running of the ears and blotches among the hair

Four to six bottles is warranted to cure scrofula and running ulcers.

One bottle will cure scaly eruption of the skin.

Two to three bottles is warranted to cure the worst case of ringworm.

Two to three bottles is warranted to cure the most desperate case of rheumatism.

Three to four bottles is warranted to cure salt rheum.

Five to eight bottles will cure the worst case of scrofula.

A benefit is always experienced from the first bottle, and a perfect cure is warranted when the above quantity is taken

Nothing looks as improbable to those who have in vain tried all the wonderful medicines of the day, as that a common weed, growing on the pastures and along *old stone walls*, should cure every humor in the system, yet it is now a fixed fact. If you have a humor, it has to start. There are no ifs and ands, humors don't do about it nothing none cases but not yours. I peddled over a thousand bottles of it in the vicinity of Boston. I know the effects of it in every case. It has already done some of the greatest cures ever done in Massachusetts. I gave it to children a year old; to old people of sixty. I have seen poor, puny, worthless looking children, whose flesh was soft and flabby, restored to a perfect state of health by one bottle

To those who are subject to the sick headache, one bottle will always cure it. It gives great relief in catarrh and dizziness. Some who have taken it have been costive for years before and have been regulated by it. Where the body is sound it works quite easy, but where there is any derangement of the functions of nature, it will cause very slight regular purging, but need not be alarmed; they always disappear in from four days to a week.—There is never a bad result from it; on the contrary, when that feeling is gone, you will feel yourself like a new man. I have heard some of the most extravagant encomiums of it that ever man listened to.

Nothing in the annals of Patent Medicines has ever been received by the public with so much favor as this simple preparation. It is now composed of nine different herbs. In May, 1852, when I commenced making a business of it, I sold about two bottles per day. In June, 1853, I sold 4288. In October, 1853, I sold 6192 bottles. I hope you will call that doing well, I do.

In my own practice I confine it strictly to humors; but there are some who are so enthusiastic in its favor they think what cured them will cure anything and any body; they accordingly recommend it for every variety of disease, and I have seen many virtues of it have been found that I never would suspect.

Cases of Dyspepsia, of many years standing, that withstood every known remedy, have been permanently cured

In diseases of the Liver it is a specific. I know several with yellow skin and yellow eyes, the body emaciated and the mind melancholy, get fat and cheerful by a few bottles.

I know several cases of Dropsy, and one particularly bad. A lady, aged 78, was unable to leave her house for the last twelve years, was so much relieved (she was reduced in circumference thirty four inches,) as to visit her friends in several neighboring towns.

Another had the Dropsy in her left leg, and was unable to walk for ten years, sometimes swelling to an enormous size, at last bursted, making a bad wound, which could not be healed;—by taking three bottles and using two boxes of ointment she is now quite well. Why it should make some fat and others lean I cannot tell; but so it is.

I know of several cases of Kidney complaints cured by it. In the community of a newspaper was a proper medium, I could tell of cases of this most distressing of all diseases that would make your heart bleed, that were permanently cured by it.

It has lately been found to be a sure cure for the Panama fever. In one case the first opened just off the first two hours. One bottle cured him. Another came home to die, and was in doubt to try it. Three bottles cured him.

It likewise gives great relief in the Asthma. A lady in Lawrence was unable to lie in bed for a number of years; she can now lie without the least inconvenience.

A lady in Weymouth lost the use of her left side by the Erysipelas. On the second bottle, she broke out in one mass of boil from head to foot. In a few days she was well.

It has lately been found to be equally good for humor outside as inside, (taking it inwardly is the meantime,) for Erysipelas, Salt Rheum, pimples on the face, &c. or any eruption of the skin whatever, only where the flesh is very sore you must dilute it with water.

When made weak enough it is the best eye wash for weak and watery eyes that I ever saw.

Others use it to cleanse the dandruff out of the hair and strengthen its roots, which it certainly does; and to crown all, it made the hair grow on bald heads, which, if I had not seen with my own eyes, I would not believe from you or anybody else.

As regards dieting, I never cause across the first person that ever got any benefit from it. On the contrary, numbers came to death's door by it, as it gives the humors the upper hand. My business and reputation depend on my medicine, I have never recommended any thing I would not take myself, and I do not hesitate to say that I have taken more than any other person living, and I know of no ill effects from it.

Dose—Adult, one table spoonful per day; children over eight years, dessert spoonful; children from five to eight years, tea spoonful. As no direction can be applicable to all constitutions, take enough to operate on the bowels twice a day.

Manufactured and for sale by DONALD KENNEDY, 120 Warren street, Roxbury. Price $1.00 per bottle.

For sale in Hartford at the sign of the "Good Samaritan," and by John Pitkin, Henry A. Goodwin, Talcott & Fuller, Geo. M. Welch, John Seddock, and S. G. Moses.

McNARY & BUCK, No. 16 State street, Sign of the "Good Samaritan," General Agents for the State of Connecticut.

Jones & Scofield, druggists and dealers in Oils, Paints &c. North East, are agents for the above medicine, for Erie County to whom all orders should be addressed.

May 27, 1854. 1y9

Will be Published on the 1st of August.

THE CABIN BOY'S STORY.

A Semi-Nautical Romance of intense interest, by the Author of the "Pirate Doctor," the "Lawyer's Story," the "Old Doctor," &c., &c.

The success hitherto enjoyed by the author of the above popular works is a sufficient guarantee of the favor with which any productions coming from his pen will be received by the public. "The Cabin Boy's Story" is a romantic narrative, illustrating the horrors of the Slave trade, as carried on in the coast of Africa. The author has served in the navy—and the descriptions and characters are painted from personal acquaintance with them.—The story is full of exciting interest and adventure as the celebrated work of Defoe, "Robinson Crusoe," and has the advantage over that glorious fiction, inasmuch as it is founded on facts of every day occurrence. The history of the heroine of the story, Estelha, the Circassian Slave, purchased at Constantinople, educated and married by the rustic, yet chivalric, Seymour—the commander of the Albatross, is simply the narration of a fact painted from the life, and all the numerous characters portrayed throughout the story are vividly and graphically drawn.

The publishers have already received orders for the whole of the edition it was originally their intention to publish; consequently, they have been obliged largely to increase it, and they respectfully request that all orders may be sent in immediately.

They confidently expect that the work will create as much interest as any work of fiction that has of late years emanated from the press, or, notwithstanding, since the publication of "Uncle Tom's Cabin," works relating to slavery in America, pro and con, have been numerous, none have appeared having relation to the system of purchasing slaves on the African coast, written by one who has witnessed it in all its hideous deformity. The work is written in chaste and pure language, and will be a welcome and instructive addition to the family library.

The work will form a beautiful octavo volume of 400 pages, handsomely illustrated with fine engravings, and elegantly bound in cloth. Price, in cloth, one dollar; in paper, 75 cents, at which rate copies will be sent by the publishers to any part of the country, free of postage.

For sale wholesale and retail by the publishers,

ELLSWORTH & STREET,

No. 22 Bothanan street New York.

And by all the booksellers throughout the United States and British Provinces.

July 20, 1854—3m11.

NEW DRY AND FANCY GOODS.

Groceries, Hardware, &c.

LIDDELL, KEPLER & Co., have just received direct from New York and Philadelphia, a large and splendid assortment of Goods, and are now exhibiting it as reasonable rates as any other house in this city, and in making this announcement to the public, the subscribers desire to assure them that they will keep up their stock full and complete, and to meet the demands of all who will favor them with a call. And to the patrons of Arbuckle & Kepler we would say, we are very thankful for their very liberal patronage heretofore bestowed on the house, and desirous of a continuation of the same to the new firm—shall offer great inducements in the way of good bargains and cheap goods, to all who are desirous of swelling their possessions, and those of moderate purses who wish to get the largest amount of goods for the least sum, we invite to call and examine our stock before purchasing elsewhere as we shall make it to your interest as well as ours. We shall also pay the highest market price in goods and cash for produce. Our stock consists in part of the following articles. Delaines, Challays, Lawns, Ginghams, Berage Delaines, Merinoes, Alapacas, and all kinds of fancy dress goods of the latest style, also a splendid assortment of Silks, plain and black brocade, fancy plaid, striped and brocaded, white goods, striped and barred muslins, jackonets, plain and figured swiss mulls, book muslin and draperies, lace and worked, linen and worked handkerchiefs, and a large lot of embroideries which we will sell cheap. Parasols, fans, black and white lace, silk and cotton gloves of all kinds and a good assortment of hosiery. Straw goods, men's and boy's hats, Bonnets and Children's hats and a general assortment of ribbons, summer cloths, delaines, cashmere, berage, merinoe, thibet and a large lot of white crape from seven to twenty dollars, sheetings, tickings, striped and checked shirtings, canton flannels, red and white wool flannels, and prints from the first class down. Broad cloths, black, blue and green, black doe skin, cassimeres, summer cassimeres, satinetts, tweeds, Kentucky jeans, summer stuffs, blue drillings &c., 8 yards wide sheeting, pillowing and linen sheeting, table cloths, diapers seamless bags, travelling bags, shoes, century, german silver spoons, hardware, crockery, &c. &c., and a full assortment of Groceries always on hand at No 3, Perry Block

Erie, May 27, 1854. 2

SAWS.—The largest assortment in this section of the country, consisting of Hoe & Rowland's Cast Steel Rash and Mulay, Pit Cut, Circular, Tenson, Billet, Webb, Keyhole, Compass, Pruning, Benches, Hand, Panel, Buck and Wood Saws, and will be sold at great bargains, by J. C. SELDEN

Erie, June 3, 1854. 3

TO THOSE BUILDING.—If you wish to buy your locks, latches, butts, screws, window springs, clothes hooks, foot scrapers, &c., cheap, be sure and call at the Cheap Hardware Store, No 3, Reed House June 1 R. REED

TAP Borers and box scrapers at June 4, 1853—3 KEEP'S

BLACK Tea of very superior quality, Old and Young Hyson can be found at April 15—48. CARTER & BRO'S

HALL STANDS.—Just received some new patterns—they are nice. June 3. R. REED

LARGE GLASS.

*For Show Cases Store and