DAILY CRESCENT.

PUBLISHED EVERY DAY—SUNDAYS EXCEPTED—
BY HAYES, M'CLURE & CO.

A. H. HAYES..J. E. M'CLURE..J. C LARUE..J. O. PIERSON.

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TERMS OF THE CRESCENT.

DAILY—*Fifteen Cents a Week*, payable to the carriers, weekly.... or, *Eight Dollars* per year—half yearly and quarterly at the same rates—in advance.....Single copies, *Five Cents*..... The office will receipt for all subscriptions exceeding one week.

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WEDNESDAY MORNING, SEPTEMBER 27.

☞ See First and Fourth pages. ☜

Charity Hospital Report.

For the 24 hours preceding yesterday, 6 P. M.

Number of admissions, various diseases.....34
Discharged, Yellow Fever.....8
" Other Diseases.....22—30
Deaths, Yellow Fever.....3
" Other Diseases.....8—11
Remaining, in Main building 441, Lunatic Asylum 114, total.....555

H. VANDERLINDEN, C'ark.

Charity Hospital...Semi-Weekly Report.

[To 6 P. M. each day.]	Satur	Sund	Mond	Tues.	Total.
Admissions, various diseases..	25	23	44	24	116
Discharged, Yellow Fever....	10	12	11	8	42
" Other diseases....	20—30	12—35	33—44	22—30	57—129
Deaths, Yellow Fever.....	4	10	3	9	26
" Other disease.....	6—10	8—18	3—6	2—11	7—37

Remaining, in the Main Building 441, Lunatic Asylum 114; total 555

Board of Health.

List of Interments in the City of New Orleans for the 24 hours ending September 26, at 12 o'clock M.

Apoplexy 1, Consumption 1, Convulsions 1, Cholera Infantum 1, Dropsy 1, Diarrhœa 2, Enteritis 1, Yellow Fever 5, Typhoid do. 1, Hemorrhage of the Intestines 1, Uncertain 1; Total 16. 14 were white, and 2 colored. 6 were under 10 years of age.

Where born—Ireland 6, Germany 1, New York 1, Massachusetts 1, Tennessee 1.

A. LEXTER, Secretary of Board of Health.

☞ The malady which seems to have afflicted the editor of the Delta, is, we fear, contagious, premonitory symptoms being apparent in one of the correspondents of that paper, who complains, or appears to complain, because we published the fact that a police officer had made an affidavit relative to the explosion on board of the Concordia! It seems that no fact can be published in any other paper, before it appears in the Delta, without some degree of culpability on the part of those who give it publicity. The whole press will soon be in the pillory.

☞ Thanks to the officers of the steamer Alton for St. Louis papers.

SISTER OF CHARITY.—We have to record the death of another of the noble, self-sacrificing Sisters of Charity. Sister Julia Shirk, aged about 58 years, died yesterday of yellow fever. She was a native of Baltimore, and had been a member of the society for thirty-two years. What a glorious career in the cause of Humanity—thirty-two years devoted to the alleviation of the sufferings of the sick and dying!

☞ Gen. Persifor F. Smith had an official reception from the authorities of Philadelphia, on the 18th, and afterwards received his fellow-citizens generally in Independence Hall.

☞ We are grieved to learn, from the Baton Rouge Gazette, of the 23d, that Alexander Mather, a member of the Legislature of this State, died on Thursday evening last. Mr. Mather was quite a young man, being only 29 years of age at the time of his death.

☞ We are under obligations to the officers of the steamer Mohawk for late papers.

THE SUGAR CROP.—The Planters' Banner says: Several of the New Orleans papers, in their yearly statement published on the 1st inst., form a very incorrect estimate of the growing crop of sugar, and predict a large crop, while the fact is notorious throughout the State that the crop will be less by one-third than that of last year.

☞ For a list of School Books for sale by J. B. Steel, see his advertisement in another column.

RAPID TRAVELLING.—The journey between Cumberland (Md.) and Boston, a distance of 600 miles, is habitually made in eighteen hours or less, in each direction, without the loss of ample rest for the preservation of health.

☞ Letters have been received at New York from St. Thomas which contradict the accounts heretofore published of the damages to property on that Island by a hurricane.

☞ The Europa passed the steamer Britannia off Cape Race, on the 10th inst. On the 13th, passed steamship Niagara.

☞ The steamer Montauk arrived at St. Lous, from Jefferson Barracks, on the 16th inst., with six companies of United States Infantry on board, under the command of Col. Loomis. They are destined for forts Crawford and Snelling, and after remaining an hour or two, the boat proceeded on her trip.

☞ The Boston Vindicator, the publication of which has been suspended for a few weeks, has again made its appearance.

CINCINNATI, Sept. 18, 9 P. M.—The Barnburners of Hamilton county, Ohio, have nominated Samuel Lewis for Congress, and a full legislative and electoral ticket.

RIVERS.—At Pittsburg on the 16th there were 20 inches water in the Ohio. At Cincinnati, same date, the river was stationary—weather cool. The White Water Canal is now navigable.

THE RICE HARVEST.—The Georgetown (S. C.) Observer, of the 13th, says the rice harvest continues to progress, and the weather has been favorable with the exception of a few showers of rain. The entire crop, it is supposed, will be an average one.

THE POTATO ROT IN CANADA.—The Montreal Courier states that the potato rot is making extensive ravages in most of the counties of that region, and predicts that that necessary esculent will be scarce there the coming winter.

☞ Mackerel seem to be quite abundant down East, and the fisheries very productive.

NOT AT ALL NEW.—Charles Francis Adams says that his affection for Martin Van Buren is not so recent as might be supposed. He was struck with admiration for him in 1844—at his course on the Texas question.

☞ The whigs of Washington have made arrangements to celebrate the battle of Monterey by a grand mass meeting.

[From the Cheraw (S. C.) Gazette.]

LETTER FROM GEN. TAYLOR.—We have received from the Secretary of the meeting held at Bennettsville on the 7th ult., the accompanying correspondence between himself as the organ of the meeting, and Gen. Taylor, containing the General's response to the proceedings at that time, in which his nomination was concurred in by the meeting; and which we are requested to publish, as being the most convenient and suitable means of conveying to his friends of that meeting the profound sense of the obligations thus imposed upon him:—

BENNETTSVILLE, (S. C.) Aug. 22, 1848.

Sir:—Enclosed I have the honor to send you a faithful report of the proceedings of a mass meeting of the citizens of Marlboro' District, (S. C.) held at this place on the 7th inst.; in which you will find that I, as Secretary, was directed to forward you a copy.

Very respectfully, your obedient servent.

B. D. TOWNSEND.

To Gen. Z. Taylor, Baton Rouge, Louisiana.

EAST-PASCAGOULA, (Miss.) Sept. 5th, 1848.

Sir:—Your communication post-marked the 22d ult., and the accompanying newspaper, containing the proceedings of a mass meeting of the citizens of Marlboro' District, he'd at Bennettsville on the 7th of the same month, have been duly received.

I beg that you will take a suitable occasion to convey to my friends composing the meeting, my profound sense of the obligations under which they have placed me by thus unconditionally concurring with my fellow-citizens in other parts of the Union in my nomination for the Presidency.

Should their wishes, in this respect, be realized at the approaching election, it shall be my earnest endeavor in the discharge of my duties to give satisfaction to my countrymen.

I am, sir, very respectfully, your obedient servent,

Z. TAYLOR.

B. D. Townsend, Bennettsville, Marlboro' District, S. C.

The Delta and Sierra Madre.

We have lived too long in the world to be surprised at any thing, and were, therefore, in nowise astonished at the article in the Delta of yesterday morning. We confess, that under ordinary circumstances, the tone of the article and the assertions which it contained might have awakened some unpleasant feelings; but when we saw, by the next column of the same paper, that the editor had read "regularly and consecutively" the ninety-odd published columns of Col. Benton's never-ending speech on Gen. Kearny, we felt disposed to make every allowance which a jury would in the case of an accused in whose behalf the same fact had been pleaded and proved. No conviction could be obtained, and no punishment would be inflicted, in a case like that. The party would be turned over as a subject better calculated to elicit the skill of the physician than to tax the ease of the sheriff. It could only have been owing to a partial hallucination, of which this extensive reading was the cause, or to a general derangement of the mental faculties, of which it was only the symptom, that the editor of the Delta, in the face of the proofs before him, could have asserted, in relation to the Sierra Madre business, that the Crescent "expressed opinions which, to his simple mind, looked not only like an approval of the whole affair, but a strong expression of confidence in its success"—or that men went down to Corpus Christi, "no doubt under the influence, in part, of the Crescent's endorsement of Col. Kinney's ability to carry through this enterprise"—or that "this mad and reckless enterprise was instigated in part" by this paper. These assertions, applied to a paper which has always ridiculed and opposed the Sierra Madre project, on account of one short paragraph of news, containing no expression of opinion at all, by a paper which in season and out of season has been harping on the Sierra Madre string, are rather inexplicable on any supposition of mental sanity; and we greatly fear that the disastrous effects which it is suggested were wrought in the mind of Col. Benton by the explosion of the "peace-maker" have attached to our contemporary, by reason of his too ardent study of that characteristic effort of the great Colonel—the Kearny speech. We assure our neighbor, if it will, in the slightest degree, tend to restore the equilibrium of his mind, that in the publication relative to Col. Kinney, which he takes so much at heart, we had no intention of interfering with his possessions, borrowing his thunder, or inhabiting any of his castles in the air. The Sierra Madre Republic shall be, for aught that we care, exclusively his own. No one shall march, or fight, or run, or hang, except at his orders—and we will wait, before we publish any news from that land of dreams, until it shall have been authenticated by his endorsement. No other person is so well fitted to describe events, whether past or future, in the Sierra Madre Republic as he who carries that country about in his own proper cerebral organization—and in that particular part of it which phrenologists have mapped out and devoted to the use of the imaginative faculties. Know, then, all nations, that the Sierra Madre Republic belongs exclusively to the editor of the Delta—it is his creation, property, dominion. From him you must receive all intelligence of events from and concerning that gorgeous land—with him you must open all diplomatic intercourse, and regulate all the commercial relations you may have with it. It is his alone.

There, we hope that is sufficient, and that unmistakeable symptoms of improvement will soon be perceptible in the columns of our worthy contemporary.

MASSACHUSETTS I. O. OF O. F.—The proceedings of the several encampments in this State, for the year ending 1st July, are summed up as follows: Number of Initiations, 238; contributing members, 1777; revenue, $8,058. The total amount of Relief for the year, was $2507, viz: Paid for the relief of Patriarchs $2269; relief of widowed families, $28; for burying the the dead, $210. The Grand Encampment is represented to be free from debt, and has a fund to meet future exigencies.

DEATH OF AN EDITOR.—William H. Sigler, editor of the Morgan Journal, (Ill.,) and a young man of fine promise, died at the residence of his father, in Jacksonville, on the 8th inst.

☞ Gov. Lane left Fort Leavenworth on the 10th inst., for Oregon via Santa Fé and California, with an escort of 25 men under Lieut. Hawkins... Gen. Price was expected in Santa Fé on the 2d of August....The Missouri River is falling.

ILLINOIS JUDICIAL ELECTION.—Lyman Trumbull, John D. Caton and S. H. Treat, have been elected Judges of the Supreme Court of Illinois, under the New Constitution. Lorenzo Leland, for the northern division, and W. B. Warren for the middle division, are elected Supreme Clerks, and probably E. S. Ridgway in the southern division.

VERMONT.—The whig majority in the Senate is 10, and 4 in the House—14 on joint ballot.

☞ Samuel N. Janney, of Loudoun county, Va., a minister of the Society of Friends, declines being a Free Soil Elector in Virginia, though if he goes to the polls at all he will vote that ticket.

REFUGEES GOING HOME.—The Boston Traveller notices that a schooner which cleared at that port for Port au Prince, had on board six of the Haytien refugees who lately arrived in Boston. They were to be landed at Turks Island, where they would remain until order is restored in Hayti.

A HARD CASE.—A verdict for $500 damages has been rendered at Louisville, Ky., against Capt. Cassius M. Clay, for forcibly entering and damaging a house of questionable character, kept by a woman named Boler, in order to arrest some of his men who had taken up quarters in it. It occurred two years ago, and Capt. Clay merely obeyed the orders of Col. Marshall.

☞ FLYNN, the actor, the report of whose death has been extensively chronicled, has not yet "stepped out," but is rapidly recovering his health at the New York Charity Hospital.

BALLOON ASCENSON.—The Rochester Advertiser say that the balloon ascension by Mr. Thurston, at Geneva, on the 16th inst., was very successful. He ascended to the height of some 10,000 or 12,000 feet from the earth, and while at this altitude could distinctly see ten beautiful lakes, besides almost numberless villages. When about four miles from Cayuga Lake, he opened the valve of his balloon, and let off a portion of the gas, when he descended very fast until he came to a current of air which blew from almost every point of the compass. Descending rapidly, the anchor of his balloon caught in the top of a baswood tree, and after remaining perched there some fifteen minutes, he was relieved by a number of men who came to his assistance.—He performed a journey of twelve miles in the space of forty-seven minutes.

NAVAL.—The U. S. ship Ohio was at La Paz on the 11th of July....The U. S. ship Independence was to sail from La Paz on the 14th of July, for the Sandwich Islands....The U. S. frigate Brandywine sailed from Pernambuco on the 4th ult., for Bahia.

BRIDGE OVER THE MISSISSIPPI AT ST. LOUIS.—It is stated in an Eastern paper, that, since Mr. Ellet has successfully accomplished the construction of the wire suspension bridge across the Niagara river, he is about to revive the proposition, made by him some years ago, to construct a wire bridge over the Mississippi at St. Louis. The Republican says that about eight years ago, Mr. Ellet made a thorough examination and measurement of the river, and reported that he could construct such a bridge, at a comparatively small cost, and so high above the water as to interpose no obstacle to the passage of steamboats. He also made soundings across the river, and ascertained that permanent foundations could be obtained.

☞ Castor oil candles, warranted not to run, are made in Illinois, and sold at 25 cents per pound. The castor oil bean is easily cultivated.

THE SOUTHERN TELEGRAPH LINES.—It appears that Mr. O'Reilly's operations on his Southern lines will not be suspended by the late decision against him. Mr. O'Reilly's address states that, so far from stopping operations on the New Orleans Line, the work will go forward more rapidly than ever. He will lay aside the Columbian Telegraph (in Kentucky) for the present, and will use the new Kentucky Telegraph, made on purpose, to meet the emergency. Mr. O'Reilly and his associates are chartered by the Kentucky Legislature for making this line to New Orleans—nearly 700 miles of which is now working, and the whole 1000 miles will be in successful operation in a few weeks. He says he can arrange twenty different sorts of telegraphs, and every one of them will be worked before any part of the New Orleans Line shall be delayed for a single day. The Southerly portion of the O'Reilly Line is is now working from New Orleans to Baton Rouge, and the Northerly section is working from Louisville to Nashville, Tuscumbia, Memphis and Holly Springs. The wiring will soon be finished between Tuscumbia and Baton Rouge, and then the lightning will flash freely between New Orleans and the Western and Northern cities.

POLITICAL DIFFERENCES.—On the Philadelphia whig city ticket for the Assembly we observe the name of Craig Biddle, and on the democratic ticket that of his brother, Major Charles J. Biddle, a brave and popular officer, lately returned from Mexico.

☞ Colonel Davidson, late State Treasurer of Kentucky, is not a defaulter, as has been alleged.

MR. MCDUFFIE.—The Milledgeville Union of the 19th says, "Mr. George McDuffie arrived in this city last week in feeble health. The object of his visit is, to try the virtues of the 'Cold Water Institute.' His numerous friends will be gratified to learn that his health is considerably improved."

☞ The whigs of St. Louis had a grand torchlight procession on the night of the 16th.

☞ The rapidity of the rise of real estate in Cincinnati is well illustrated by a statement made in the Times by Mr. William V. Barr, son of the late William Barr, owner of the "Barr Farm." Mr. B. has been investigating the matter, and states that his father gave $33 50 per acre for his property, in 1811—"thus," says Mr. Barr, "paying $355 50 for what at this day, on an average of $30 per foot, which is low, is worth $9,304,000, without reference to the buildings thereon."

MONTEREY.—News has been received, but not to a very late date, from Monterey. Capt. Seifridge, U. S. N., who received a wound in the foot at Guaymas, has been under the necessity of suffering amputation of the leg.

LATER FROM BRAZIL AND LA PLATA.—The N. Y. Herald is in receipt of files of *El Correio Mercantil* to the 3d ult. Senor Sergio Teixeira de Macedo was appointed Envoy Extraordinary and Minister Plenipotentiary to the United States from the Brazils, on the 31st of July. It is not stated how soon he would leave for this country....From Montevideo, accounts had been received at Rio to the 22d July. The island of Apice, belonging to the Argentine Republic, and lately possessed by the Corrientes troops, had been taken by forces from Paraguay, and the captors forced all the inhabitants to leave within three days. The Corrientes Government had informed Rosas of this fact, and were awaiting his answer to know how to act....Mr. Hood had returned from Buenos Ayres, as the Argentine Government had refused to receive him as English Consul General, which was the character in which he went.....From Buenos Ayres the accounts are to the 8th of July, and contain nothing positive. Doubloons were selling at 344 paper dollars each. The French brig-of-war Pandour left Montevideo for Rio on the 20th July.

UNSUCCESSFUL FORGERY.—The Boston Advertiser says, that on the 15th inst., a boy called at the store of Messrs. A. & A. Lawrence & Co., and presented a letter directed to Mr. Amos Lawrence, and containing a check for $450 on the Hamilton Bank, purporting to have been signed by Henry H. Dexter, with the request that Mr. L. would cash it. On the same sheet, written in a hand evidently intended to resemble that of Mr. L., and wholly different from the letter, was an order on Mr. Wolcott, (a member of the firm) to "give the bearer a check for the enclosed," and signed, A. Lawrence. Mr. Lawrence happening to be at his store when the boy called, the whole matter was at once discovered to be a rank forgery, and consequently the "double trick" of the rogue was nipped in the bud. No clue has yet been had of the guilty person.

RENCONTRE.—On the 16th inst. an affray occurred at the Planters' House, St. Louis, between Judge Townsend, Mr. Alexander Powell, and Dr. Chase. Several blows passed between the two latter, though, from what we have been able to learn, no serious injury was sustained by either. The origin of the difficulty we did not learn—says the Reveille.

FATAL ACCIDENT.—A man named Parke was killed at a democratic meeting in Penningtonville, Chester county, Pa., by the wadding of a cannon, fired on the occasion, striking him in the abdomen.

DEPRAVITY.—Six young females delivered their testimony in the police court, Boston, a few days ago, which was so very contradictory that the Judge said it was the most melancholy exhibition of perjury that he had ever witnessed. They gave evidence against a man who had slightly chastised one of their female associates.

NOT DECAPITATED.—Mr. Cooper, whose head was reported to have been cut off by a railroad accident between Baltimore and Washington, has been comparatively but little injured.

☞ Patrick Shaw and two companions are to be tried at Fall River as barnburners.

☞ Deaths in Philadelphia week before last 132; adults 54, minors 78. By consumption 18, cholera infantum 10, diarrhœa 6, small-pox 1.

☞ The State Treasurer of New York is lying very ill.

A FAMILY OF MURDERERS.—On Skunk River, Jasper county, Iowa, old Hamlin and his two sons murdered Nicely, a boarder in their family, and burnt his body to ashes in the night. Their object was $100 which Nicely possessed. The ruffians are arrested, and one of the sons has turned State's evidence.

FORGERY AND PERJURY.—A man named John Lynch was on the 14th committed to jail in St. Louis, upon a charge of attempting to sell counterfeit soldier's discharges. It is alleged against Lynch that in the transaction he committed both forgery and perjury, the investigation of which is given to the Grand Jury now in session.

[*Correspondence of the St. Louis Reveille.*]

Late from Santa Fe.

SANTA FE Aug. 1, 1848.

Gentleman of the Reveille:—Our volunteer troops have had another severe fight with the Apaches and Eutaws, on the 15th of last month. A party of them had been committing depredations in the neighborhood of Taos, were pursued beyond the Ratone mountains by Capt. Boake, of the Missouri Mounted Regiment, with sixty men. On coming up with them, a small skirmish ensued, but the Indians instantly retreated, leaving behind some 32 head of horses and mules.

Major Reynolds followed with one hundred and fifty men, joined the advance, and, with Williams, Fisher, Mitchell, and Kirker, mountaineers, as guides, they continued the pursuit, and soon came up with a detachment of the Indians, numbering four hundred strong; a fight ensued, which lasted nearly three hours, and was ended by the Indians retreating, leaving twenty-five of their number dead on the field. Two of our men were killed, and six wounded. Among the wounded, are Capt. Salmon, and "Old Bill Williams," the mountaineer, whose arm was badly shattered. The latter, notwithstanding his wound, fought through the whole engagement. It is hoped that this fight will have a good effect on these Indians, and deter them from their marauding excursions. We have good reason to believe that many of their party were borne off severely wounded.

General Price was to evacuate Chihuahua on the 20th ult.; a part of his troops are already on the march to this place.—He will, no doubt, go into garrison here, and prepare to depart for the States as soon as the regular troops arrive.

A public meeting has been called here for the purpose of disputing the Texas claim to this territory. It would amuse and instruct you to see the regular growth of politics in this new State, and how certain men are endeavoring to lead off in the race for popularity. Lieut. Allen, of your place, arrived here safe with his recruit, a few days since.

Yours, ever, A——,

From the Baltimore Sun.

The Great Telegraph Suit.

MORSE, ET AL., *vs.* O'REILLY, ET AL.

Abstract of the Opinion of Judge Monroe, of the U. S. District Court of Kentucky.

Morse and others, vs. O'Reilly and others: On motion for an Injunction to enjoin the Defendants from an infringement of Morse's Patent for the "American Electro-Magnetic Telegraph."

The motion was made upon the bill of Morse, &c., exhibited, accompanied by copies of his patents, original and reissued, and sundry affidavits, as well to show the period of the invention as the infringement of his patent right by the defendants. Notice being given of the motion, the defendant, O'Reilly, appeared, by his counsel, Henry Pirtle, Wm. Y. Gholson, of Cincinnati, and M. C. Johnson, Attorney-General of Kentucky, and produced his answer to the bill of complainants, accompanied by an additional affidavit, incorporating sundry documents, extracts from scientific periodicals, newspapers, and affidavits, all which were read and considered without objection as to their competency. The motion was made on the 24th August, and a decision thereon given on the 9th of September. The complainants were represented by P. S. Loughborough, District-Attorney, A. K. Woolley, and Ben. Monroe. The reading of the pleadings, and exhibits, and affidavits, &c., occupied seven days, and the discussion eight days.

The utmost range of objection was taken by the defendants' counsel. It was contended that Morse was not the inventor of the telegraph; that Professor Steinheil, of Munich, in Germany, had, prior to Morse's application for a patent, invented and put in operation an electric telegraph; that the combined circuits which appear in Morse's first patent were not invented by him; that Edward Davy, of London, had obtained a patent in England for an electric telegraph, operating by combined circuits, and that Morse had obtained the idea from Davy, and on his return from Europe in 1839 had interpolated the principle of the combined circuit, in his specifications made under his application filed in the Patent office in 1838, before he went to Europe, and upon which altered specification his first patent issued in June, 1840.

Various objections were taken to the validity of Morse's first patent and to the reissues thereof in 1846 and 1848, as well as to his patent for an improvement upon his original invention, issued in April, 1846, and the reissue thereof in June, 1848.

Among the objections urged to the main patent were—

1st. The alleged alteration of the specifications.

2d. The effect of Morse's having obtained a patent in France for the same invention in August, 1838.

3d. That his specifications claimed a monopoly of the use of the galvanic current for recording at a distance by machinery, other than that specified in his patent.

4th. That Morse claimed as a part of his patented rights a system of signs for an alphabet, not properly the subject matter of a patent.

In regard to the patents for the improvements, it was, among other things, objected—1st. That they covered a part of the subjects included in the first patents, being in that view an attempt to extend the period of the monopoly. 2d. That the new patents did not sufficiently distinguish what was the improvement from what was embraced in the main patent. 3. That no patent could issue to a patentee for an improvement upon his own invention. 4th. That some part of the improvement had been in public use, prior to the application for a patent, with the consent of the patentee. Many other objections were urged by defendant's counsel.

In reference to the infringement it was contended by the defendants that the Columbian telegraph used by them, said to have been the invention of Barnes and Zook, was a distinct independent invention, and its use no violation of Morse's patented rights. On the part of the complainants, it was insisted that the evidence showed that Morse invented the telegraph as early as 1832, and perfected and exhibited it in January, 1836; that he invented and put in operation early in 1837 the combined circuit; that Steinhiel's telegraph invention was not published until September, 1838; and, that there was no evidence that it was invented prior to that of Morse, and whenever invented, it is not the telegraph which was patented to Morse; that, as to the combined circuit, embraced in the patent of Davy, under which his specifications were enrolled on the 4th of January, 1839, they were embraced in Morse's patent from the French Government, granted in August, 1838, from which Davy might have obtained the idea.

As to the validity of the patents, it was insisted that none of the objections taken by the defendants were available. And as to the infringement, it was contended by complainants that the machine used by the defendants was a violation both of the principle and process embraced in Morse's patent.

The apparatus of Morse, and that claimed as the invention of Barnes & Zook, called the "Columbian Telegraph," were exhibited before the Judge and fully examined, and the affidavits of scientific men read. Explanations were also made by Mr. Barnes and Professor Morse.

The Judge occupied several hours in delivering his opinion, in which he stated the different points made by counsel as well on behalf of the claim to an injunction as the objections of the defendant's counsel.

As to the invention, he decided that the evidence was satisfactory to his mind that Morse was the true and original inventor of the telegraph—that the only evidence in regard to Steinhiel's invention, (without considering whether it was the same as Morse's or not,) was a publication upon his authority, in September, 1838, in which he stated that he had built his line of telegraph from Munich to Bourgenhausen, a distance of six miles, which had been in operation without repairs for more than one year.

In regard to the principle of the combined circuit, he was also satisfied that it was invented by him early in 1837—Davy's specifications of his invention not being enrolled earlier than January, 1839, after the issue of Morse's French patent, in which the principle was disclosed. As to the alleged alteration in the specification in Morse's first patent, though alleged by defendant in his answer, the evidence failed to establish it; and any question as to the effect of such alteration did not therefore arise, and, if proved, he was not prepared to say that it would vitiate the patent.

As to the supposed effect of the patent issued in France upon the patents subsequently issued in this country, none could be perceived, unless the position contended for by the defendant's counsel, that the application for the patent in this country, was altered, and that it should take the date of the alleged alterations, or, of the request of Morse, to issue the patent on his return from Europe, could be sustained. But if these positions could be sustained, the question would then arise, what would be the effect upon the patent issued for 14 years, and whether its effect would not be only to limit the operation of the patent to the period of 14 years from the date of the French patent.

As to the general claim in the main patent of Morse, he did not consider the objections of the defendants well grounded; and, even if it were too broad, it did not seem to him that the effect upon the validity of the patent would be such as the counsel for defendant contended.

Other objections taken by defandants counsel to the validity of the patents were noticed and each overruled.

Upon the question of infringement, the Judge expressed himself as fully satisfied that the instruments exhibited by the defendants, in its structure and mode of operation, violated the principle of Morse's patent, and the process and means described by Morse in his specifications; and, if the general claim of Morse was invalid, still he was of opinion that infringement was made out.

As to the alleged prior use of some things in Morse's second series of patents, he did not find in the evidence anything to warrant the conclusion that it had been of such character as to affect the validity of the patents.

As to the propriety of granting the injunction, it seemed to him upon the whole case that the complainants had shown such ground as required; that it should be awarded, first, because they had shown a possession acquiesced in for a long time by the public at large and for some time recognized and acquiesced in by the defendant, O'Reilly himself, and that it would be as unjust to refuse an injunction on a case clearly showing a right, as it would be to grant a case where no right was shown.

The judge said that in some cases he had given to the defendants leave to continue the use of the machine, which was alleged to be used in violation of a patented right of a complainant, upon giving bond and security to account for the profit of the use; *but that in this case he did not deem it proper to do so, and that an absolute injunction would be awarded* upon complainants' giving bond and security in the penalty of $5,000, with condition to indemnify defendants against any injury that might accrue to them in case complainant should fail to have the injunction perpetuated. *Injunction absolute awarded.*

☞ The Ohio penitentiary is now lit with gas, manufactured in the building, from greese saved from the kitchen.

☞ A fish came through the hydrant of a hotel in Cincinnati, alive and in good case, and delivered himself up to the authorities in the kitchen.

☞ Deaths in Boston, week before last, 89.

Arrival of the Steamship Acadia.

First Dispatch.

The Picayune of yesterday contains a telegraphic dispatch, announcing the arrival of the Acadia at Boston. She is the packet of the 9th... The Grain market has declined. Corn is selling at 33 to 34s. Flour is quoted at 32s. 6d. to 34s. Old Wheat has declined from 3 to 5s., and New from 5 to 7s. Sales during the week have ranged from 23 to 31s. Corn has declined from 2 to 3s.... The news from the manufacturing districts is encouraging. The supply of Cotton is small. Fair Upland is quoted at 4¾. Sales of the week 27,000 bales....England and Ireland are quiet. Paris, too, is quiet, but the factions are increasing. The papers openly abuse the Republic. The disturbances in the provinces of France continue. The Bonapartists are trying to make Louis Napoleon President.. The dispute between Denmark and Germany has been temporarily settled, but Schleswig and Holland have refused to acknowledge the armistice... Austria has accepted the mediation of France and England....Italy is in a tumultuous and excited state

Second Dispatch.

NEW YORK, *September* 24.—The steamer has arrived in Boston....The Cotton market is steady. The sales of the week are 27,000 bales. Fair Orleans is quoted at 4¾d....In Flour there is no change, but it is dull....Indian Corn has declined 3s. per quarter....Consols have advanced since last accounts.

[Telegraphed for the Baltimore Sun.]

NEW YORK, Sept. 18, 6 P. M.—An inmate of the Tombs, named Sprightly, yesterday committed suicide by starving himself in his cell. He was arrested for murdering his wife under painfully brutal circumstances, and had frequently since his confinement declared his intention of not living to stand trial. His keeper had accordingly moved all means of self-destruction within his power, but without avail.

PHILADELPHIA, Sept. 18—*Fatal Railroad Accident.*—A collision took place this morning between the Baltimore and Philadelphia trains, on the railroad, between Wilmington and Brandywine Bridge. Mr. Chickering, a machinist, of Wilmington, was killed, as also Michael McDermott, a brakeman, in the employ of the company. Another brakeman had his leg broken, and Dowling, the conductor, his foot severely crushed.

LOUISVILLE, (KY.) Sept. 18, 5 P. M.—*Mr. Clay and the Presidency—Another Declination, &c.*—A paragraph appears in the Louisville Journal to-day, from a letter written by Mr. Clay, the publication of which is authorized by him, in which he says that while he feels deeply and gratefully affected by the desire to which many of his friends cling of electing him to the Presidency, he cannot accept the nomination tendered by them for that office. *Feeling bound by the decision of the Philadelphia Convention*, he does not wish and cannot consent that any further use of his name in connection with the Presidency be made.

[Telegraphed for the Baltimore Sun.]

Northern Markets.

NEW YORK, Sept. 18, 6 P. M.—There has been considerable activity in Flour, both before and during 'change. The demand was large, good for city trade, but principally foreign. Sales of over 7000 bbls. have been reported, of which 5000 and upwards were taken on foreign account, or for exportation. The rates were those last quoted, $5 87½@$5 93¾ for Western, and $6@$6 25 for Genesee, according to quality....The activity I note in Breadstuffs has been principally confined to Flour....Wheat and Corn are still held at rates that buyers are unwilling to meet....Oats continue scarce and in demand—5000 bushels were sold to-day at 35@36c., being somewhat higher than on Saturday....In Pork there is less movement, present prices being thought rather high....Whisky drags at 28c....Cotton is without much animation, though what sales have been made, went at fair, and were full prices.

PHILADELPHIA, Sept. 18.—Our Flour market to-day has passed without sales of consequence, prices being steadily maintained—$5 87½@$5 93¾ and $6 has been given for State brands, the higher figure for a good marketable article....Wheat and Corn were rather inactive, the latter bringing 66@68c. for White, and 68@69c. for Yellow....Oats, with some movement, at 31, 35 and 36c....Rye is dull at 70c. Provisions are firm—Mess Pork $12, and Prime $9 50, with no sales of moment.

[Telegraphed to Charleston Mercury.]

NEW YORK, September 20—6 P. M.—The Cotton market is heavier than yesterday, and the business done has been at a small concession. Sales 800 bales....The sales of Rice have been small, but prices continue steady....Flour is firm, with a good Eastern and home demand, and some shipping inquiry. 800 bbls. Genesee sold at $5 81¼....Sales of prime white Wheat at $1 34 ℔ bushel; prime yellow Corn, 65c.

CINCINNATI, Sept. 16—8 P. M.—The flour market is stagnant—sales of Western at $4@$4 12½—there are sellers but no buyers. Sales prime red wheat at 75c. Sales prime yellow corn at 27@34c. Sales whisky at 17½@17¾c., the market declining. No change in groceries—the market firm. Sales mess pork, No. 1, at $9 87½@$10. Lard in bbls. is held at 8½c—no sales. Sales 20,000 pieces bacon sides from the country at 4c. Sales of common hams at 6@6½c.; shoulders 3½@3¾c. Sales timothy seed at $2 50@$2 62½; flaxseed 86@87c....The money market is tight—Eastern exchanges ¾ ℔ cent.

CINCINNATI, Sept. 18, 9 P. M.—Prime Red Wheat $1 00. Flour $4 00, offered freely for sale....Grain market is without change....Sales of Whiskey at 17@18c., an advance of ½@¾c....Bacon Sides 4¾c. ℔ lb....Lard, in bbls., 7½c. ℔ lb....No change in the other articles usually mentioned, and market very quiet generally.

ST. LOUIS, Sept. 16.—Tobacco—Planters' logs $1 00@$1 50; common leaf $2 00@$2 00; fine shipping $3 00@$4 00; common to good manufacturing $3 50@$5 00; fair to choice $5 50@$7 00 ℔ 100 bbls....Lead—$3 85@$3 90. ....Flour—Good country brands $4 00@$4 12½; city mills $4 25@$4 50 ℔ bbl....Grain—Wheat, inferior, 50@55c.; fair 58@60c.; good 65½@70c.; choice 72@78c. ℔ bushel; Corn 33@35c.; Oats 20@22c.; Rye 40@45c.; Barley 38@45c. ....Bacon—Clear sides 2¾@4c.; hams 3½@4c.; good shoulders 2½@3c. ℔ lb....Whisky—19@19½c. ℔ gallon.... Hemp $95@$100 ℔ ton.....Freights—To New Orleans: Flour 40c. ℔ bbl; weight freights 20@25c. ℔ 100 lb: hemp $6 ℔ ton; tobacco $4 ℔ hhd: wheat 13c.; corn 12c ℔ bushel; cattle $5 ℔ head.

Died:

In West Baton Rouge, on the 21st instant, JOSEPH ANTOINE DOUSSAN, son of Jos. V. Duralde, aged about 3 years.

[From the Western World.]

BOWEL COMPLAINTS.

During the present Summer, Bowel Complaints are unusually prevalent; and in some localities of a very alarming type. In Greene, Chenango county, N. Y., a very peculiar form of disease prevails, which baffles the skill of the physicians. It is there called the "Bloody Flux," and in some instances proves fatal in a few hours. It is said that in no case has a child recovered from an attack. In many places the Dysentery is carrying off great numbers.

It will be remembered that the Asiatic Cholera was preceded in its visit to this country by an extraordinary tendency to Bowel Complaints. It was frequently noticed that fruits, vegetables, and the like, which in other seasons were eaten with impunity, produced serious results; and that derangement of the stomach and bowels followed the slightest irregularity. Indeed the "premonitory symptoms" were then widely known and felt.

From a very early period of the world's history, the class of complaints under notice has committed great ravages upon human life. In all tropical countries it carries off more persons than any other form of disease whatever; and in temperate regions the same may be said, with almost equal truth. Children, especially, are its victims.

With regard to the treatment of Dysentery, great diversity of opinion prevails. In running our eye over the views of the most distinguished medical men who have written on this disease for the last two centuries, this diversity is painfully obvious.

In a malady which frequently runs its course with fearful rapidity, the principles upon which to treat the disease, and the medicines to be administered cannot be too definitely understood at the outset. There is no time for reading or experiment. Death follows delay.

We have been convenant with these diseases in various parts of the Tropics, especially in Batavia: and can safely say that he who shall furnish the world with a reliable medicine for them will be a public benefactor.

We are happy to bear our decided testimony to the extraordinary value of the *Graefenberg Dysentery Syrup*. We have been informed of the ingredients of which it is composed; and do not hesitate to say that it must prove the best remedy ever discovered. The principle upon which it effects the salutary changes in this class of complaints is entirely new, and in beautiful accordance with medical philosophy. Indeed we cannot conceive that it *can fail to cure*; and it deserves to be ranked among the best discoveries of the age. We sincerely trust that it may pass into general use, not only in this country but in the Tropics, as we are confident it would save thousands of lives; and if used as a preventive at times when there is a tendency to Bowel Complaints, would put a stop to those desolating maladies which appear and reappear on the earth under the name of Cholera, Bloody Flux, and the like. We learn that one of the principal European Governments is in negotiation with the Graefenberg Company to supply the article in large quantities for the Cholera. x18 tf

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☞ We will now sell our entire stock of SUMMER CLOTHING *AT COST*, comprising—

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