From the Washington Union, July 17.

Gen. Cass's Letter.

DETROIT, July 10, 1849.

DEAR SIR:—I am much obliged to you for the extracts you have sent me, and for calling my attention to the remarks of some of the whig papers upon a letter from the editor of the New York Courier and Enquirer, published in that journal a short time since, and in which an effort is made by those papers to convict me of insincerity. I am sure you will bear me witness that I have been heretofore pretty patient under similar attacks, some of them as remarkable for their virulence as for their falsehood—remarkable even in this country, where political investigations are so prone to degenerate into personal abuse; and I had supposed, as the motive had passed away with the occasion, that I should be allowed a reasonable measure of justice by our opponents, even if my opinions or course should be deemed worthy of examination. But the result shows that I have been deceived; and as no considerations of propriety connected with my position now forbid me from defending my consistency, I choose to do so in the present instance, not only because the charge is speciously preferred, but because it is calculated to place me in a false position before the public.

I have delayed writing you for some days, awaiting the return of Col. Webb, who has gone on an excursion to the Upper Lakes, as I did not wish to refer to him thus publicly, without a previous conversation with him; but he has not yet returned, nor do I know when he will; and as I am unwilling to be subject to such imputations, without applying the proper corrective, I have determined to delay this answer no longer. I have known Col. Webb from his boyhood, and have never ceased to esteem him. Our personal relations have always been kind. Divided in politics, we have not ceased to be friends; and he will be as much surprised as I was at the disingenuous efforts to convert his letter into the proof of my inconsistency—an idea, I am sure, that never occurred to him. Nothing I state in this letter will be called in question by Col. Webb; and I may add, that Mr. Greeley's remarks are written in no unjust spirit; and though I cannot commend his care to ascertain the truth, I do not condemn the spirit of his article. Whatever his brethren of the whig press may do, I believe he is disposed to do me justice.

I am accused of inconsistency, amounting to dishonesty, in my opinions concerning a protective tariff, internal improvements, and the extension of slavery. The first I shall dismiss very briefly, but very explicitly. The Baltimore resolutions contain my sentiments on the subject of a tariff. And neither to Col. Webb nor to any other man have I uttered a word inconsistent with them. I voted for the tariff of 1846; and though there were some things I should have been glad to see otherwise, (and where are there not, in such complicated questions?) yet I gave it my hearty support. I never exchanged a word with Col. Webb on the subject of a protective tariff in my life. Nor does he say I did. Why he supposed I favored it, I know not. It is enough to say he is in error, as are all who form a similar conclusion.

In the course of conversation between Col. Webb and myself, I referred to the last presidential contest, and to the palpable injustice which had been done me by the whig press and politicians in holding up my letter to the Chicago Convention as an evidence of my hostility to all improvements, however general and necessary, by Congress, and to my letter to Mr. Nicholson as evidence of my desire that slavery should be established in the territories ceded by Mexico to the United States. I called these efforts the *humbugs* of the day, as they were, and must now be confessed to have been by every candid man. In neither of these letters is there to be found one syllable favorable to the constructions thus put upon them. The letter to the Chicago Convention makes not the most distant allusion to the question of internal improvements. A person may be the greatest latitudinarian, or the strictest constructionist, and yet have written that letter with perfect consistency, simply because all it does is to decline being present on that occasion. The letter to Mr. Nicholson examines and denies the power of Congress to pass the Wilmot Proviso, and endeavors to show that that measure would be inexpedient and unnecessary, even if it were constitutional. This is its extent. There is not in it, from beginning to end, one word going to show my opinion was that slavery would be established there, or my wish that it should be established there. All this will surprise many good men who yet retain the impressions they received during a period of excitement, and which they gained from the press, too often pursuing its object without regard to the higher considerations of justice. Let him who doubts what I say on the subject of these letters, turn to them and read for himself. To the law and to the testimony.

I will now ask Mr. Greeley—for I respect his candor—what has my letter to a gentleman who invited me to attend the Chicago Convention, to do with my opinions upon the subject of internal improvements? I was asked to attend that convention; and that was all I was asked. I answered I should not attend; and that was all I answered. And yet this answer, as I have stated, was circulated from one end of the Union to the other during the late presidential contest, as conclusive evidence of my hostility to any improvement by the general government, be the character of the object what it might. I had supposed the device had served its purpose, and was among the things that have been. Little did I anticipate that a man of Mr. Greeley's intelligence and reputation for integrity would revive this exploded charge, and would refer to that letter as furnishing any index to my sentiments on this subject, or any ground to convict me of inconsistency in my acts or opinions. I did not go to the Chicago Convention, because I did not think any good would result from its labors. I did not believe, nor do I now believe, that such bodies, in periods of political excitement—perhaps, indeed, at any period—either by the concentration of public opinion or by the diffusion of information, can lead to any useful plan of action. Invited, as he members of that convention were, from every portion of the Union, the sphere of operation was far too extensive for wise and cautious deliberation and decision. There were too many interests involved. If general propositions only are to be laid down in such a convention, the object is not worth the effort; for, in the divided state of the public mind upon the question, whatever platform might be adopted, the opinion of parties, and generally of individuals, would remain the same.

If a general plan of operations is to be proposed and pressed upon Congress, the objections are palpable and grave. The members are under little responsibility; and as each section of the country will have its own objects to attain, these must be attained by concessions to the objects of others, and the result will furnish evidence of a mutual spirit of accommodation, rather than a cautious regard for the general interest. Such an assemblage is a very different thing from the attempt to concentrate opinion and action in favor of any improvement affecting a particular portion of the Union, where there is a community of information and interest, and where there is no weighing of one project against another, nor any sacrifices to insure the desired result.

And I am fully confirmed in my previous anticipations concerning the Chicago Convention. I imagine the first man is yet to be found who will venture to say that any advantage has resulted from its labors.

But I had yet another reason for declining to attend that convention. I did not like its origin. The earliest notice of it which I saw was connected with the names of some well-known whigs, prominent politicians of the city of New York; and I believed, and I have yet no reason to doubt, that one great object was to injure the democratic party by taking advantage of the excitement which prevailed in certain portions of the country in consequence of the failure of two successive internal improvement bills. And I have since understood, though I cannot vouch for the fact, that such was the actual intention, and that the proceedings of the convention would have assumed a party character, and been directed to this object, had not the design been frustrated by the firmness of the democratic members.

Now Mr. Greeley will understand why I did not attend this convention. But I cannot understand why he seeks my opinions on this question in my letter, which is wholly silent on the subject, and not in my speeches and votes in the Senate of the United States.

Eminent whig politicians whom I could name, but that it would be invidious to do so, were invited to attend the Chicago Convention, but neither answered nor attended. I thought it due to the gentleman who invited me to acknowledge his attention, and did so. And this act of courtesy, which constitutes the only difference between myself and others, has been made the text book whence my opinions are to be deduced, and by which my inconsistency is to be proved. On the question of the power of the United States over the subject of internal improvements, my sentiments are in accordance with those of the great democratic party, and are fully expressed in the resolutions of the Baltimore Convention. In the words of one of these resolutions, I believe "that the constitution does not confer on the general government the power to commence and carry on a general system of internal improvement," and no man living has the right to gainsay this assertion. But at the same time I have never disputed the right of Congress to improve some of the great harbors and rivers and lakes of the Union, national in their character, and important to the commerce, and some of them to the defence of our country. While the democratic party deny the power to devise and carry on a vast system of operations—whose pecuniary extent no man can foresee, and what is still worse, whose corrupting influence, as well in the legislature as out of it, cannot be viewed but with the most serious apprehension—the great majority of that party, indeed nearly all of it, has advocated particular appropriations justified by the circumstances of position and importance. Almost at the same time that I declared my adhesion to the resolutions of the Baltimore Convention, I voted with equal good faith for bills in the Senate providing for the improvement of rivers and harbors and lakes, and advocated their passage in my seat; and this is precisely the reason why I accuse many of the whig papers and politicians of disingenuousness, or something worse, in asserting that my Chicago letter, which contained not a word on the subject, was proof of my hostility to all the action of Congress, in the very face of my official course and of my publicly-declared opinions. And my position was that of most of the prominent men of our party, who, while they held to the doctrines of the resolutions, held likewise to the power of special legislation, and voted for the same bills. I do not know, indeed, that there is a single senator who denies to Congress all power to legislate over this matter. Certainly Mr. Calhoun does not, who adopts the wholesome doctrine of strict construction. I am aware it is difficult to draw a practical line at all times between objects that ought and that ought not to engage the attention of Congress; and I think, therefore, looking to the abuse to which the whole subject is liable, that the effort should be to narrow, and not to enlarge, the circle of power; and such I understand to be the views of the democratic party.

The other proof of insincerity, as I have already stated, is drawn from the fact that in my letter to Mr. Nicholson I took ground against the Wilmot Proviso, excluding slavery by law from the territories, and now believe that slavery, with or without that restriction, will not be established there. And the wonder is gravely expressed how I could write that letter and the letter of three lines to the Chicago Convention, and yet claim the character of an honest man. It is a much graver wonder to me, how intelligent editors of public papers, whose influence on public opinion is so great, should venture thus to deal even with a political opponent, in utter disregard of his true position. It will not surprise you, but it will many, who have viewed my course only in a party aspect, to be told that in that very letter to Mr. Nicholson I expressly stated my opinion to be, that slavery would never extend to California or New Mexico; and that "the inhabitants of those regions, whether they depend on their ploughs or their herds, cannot be slaveholders." I quoted with full approbation the opinions of Mr. Buchanan and of Mr. Walker, the former of whom says: "It is morally impossible, therefore, that a majority of the emigrants to that portion of the territory south of 36 deg. 30 min. will ever re-establish slavery within its limits." Mr. Walker maintains that, "beyond the Rio Del Norte slavery will not pass, not only because it is forbidden by law, but because the colored race there preponderates in the ratio of ten to one over the whites; and holding, as they do, the government and most of the offices in their possession, they will not permit the enslavement of any portion of the colored race, which makes and executes the laws of the country." And to these remarks I add: The question, it will therefore be seen on examination, does not regard the exclusion of slavery from a region where it now exists, but a prohibition against its introduction where it does not exist, and where, from the feelings of the inhabitants, and the laws of nature, "it is morally impossible," as Mr. Buchanan says, "that it can ever re-establish itself." I have never uttered to a human being a sentiment in opposition to these views. And subsequent events, the events indeed of every day, confirm their justice, and render it impossible that slavery should be re-established in the region ceded to us by Mexico. Such is the general opinion in the non-slaveholding States, among those who are most attached to the compromises of the constitution, and most determined to maintain them. And I do not doubt but there are many persons in the southern States who resist the Wilmot Proviso with all their power, as offensive to the feelings and injurious to the rights of the South, but who still believe it is a question rather of principle than of action, and that circumstances are preparing an exclusion which Congress has no right to pronounce.

In the view here taken, the effort to engraft the Wilmot Proviso upon an act of Congress, even if Congress had the requisite power, is a useless attempt to direct the legislation of the country to an object which would be just as certainly attained without it. If Congress have not the power, as I believe they have not, in common with a large portion of the people, it becomes worse than useless by becoming unconstitutional. And in addition to this, it is peculiarly offensive to one-half of the States of the Union, who see in it an attempt to circumscribe their rights, and to mortify their pride of character. No man can look at the signs of the times without being satisfied that the prosecution of this question is producing the worst state of feeling; and though I trust that happen what may, our southern brethren will still cling to the Union, equally their ark of safety and ours, still there are evils short of a separation which every good citizen should seek to avoid. He should seek to avoid all occasions of unfriendly feelings: to avoid as far as may be, the agitation of questions hostile to the sentiments or interests of different sections of the country, and thus tending to array one of them against another. There is enough passing in the Old World—and if there were not, there is enough passing around us—to teach us the inestimable value of our institutions, and that these ought not to be hazarded by internal dissensions, as unnecessary in their origin as they are portentous in their consequences.

So much for the expediency of urging a measure thus advocated and opposed. But beyond this question is a still more important one in a constitutional government, and that is the power of Congress to legislate over the subject; and this must be settled affirmatively before the propriety of legislative action can be considered. I am not going over this ground at present. I have already touched upon it in my letter to Mr. Nicholson, and I shall probably have an opportunity of expressing my sentiments more fully at the next session of Congress.

I shall content myself with presenting a few general remarks here, as the subject lies in my way. There is one important consideration which meets us at the very threshhold of this inquiry: there is no express power in Congress to legislate over the territories to be found in the constitution; for I believe it is now generally conceded—as indeed it must be—that the power to *dispose of and make needful rules and regulations for the territory and other property of the United States* contains no grant of political power over persons upon such property either within or without the respective States. And if it does in the one, it must in the other; for these words are equally applicable to the *territory and other property* of the United States, wherever situated. But there are some five or six provisions in the constitution whence the power is sought to be deduced—some persons deriving it from one clause, and some from another; while each is more fortunate in showing where it does not, than where it does exist. The exercise of a great political power like this by a legislature, deriving its existence from a written instrument, ought not to depend on such loose constructions. Nothing shows the well-grounded doubts respecting this power better than the very uncertainty in which we are involved in the endeavor to maintain it by an express constitutional grant. And no wonder that now, when peculiar circumstances bring this question more forcible than ever before the country, the true foundation of the power should be severely investigated.

Those who maintain the right of Congress to pass the Wilmot Proviso, must maintain not only the right of that body to establish governments, and to provide for the necessities of legislation over the public territory, which is one thing, but also the power to direct all the internal territorial legislation at its pleasure, without regard to the will of the people to be affected by it, which is another and quite a different thing. I shall not enter into any *subtleties* touching the condition of sovereignty, or the rights it brings with it. That subject was a good deal debated at the last session of Congress; but it had been already exhausted in the discussions previously to our revolutionary struggle. We are sovereign, said the British government to the colonies, and may legislate over you as we please. You are sovereign, said our fathers, and may establish governments; but you have no right to interfere, by your legislation, in our internal concerns. Such legislation, without representation, is the very essence of despotism. This dispute divided one empire. Let us take care that a similar assumption of power does not divide another.

Have Congress any power to legislate over the territories? I said in my letter to Mr. Nicholson, "How far an existing necessity may have operated in producing this legislation, and thus extending, by rather a violent implication, powers not directly given, I know not. But certain it is, that the principle of interference should not be carried beyond the necessary implication which produces it."

The ground of necessity is that upon which Mr. Madison placed the action of the old confederation in passing the ordinance of 1787; and if I do not misunderstand the late Mr. Justice Story, he entertained similar views when he said that acquired territory "must be under the dominion and jurisdiction of the Union, or it would be without any government at all." If to avoid this latter consequence Congress exercise a power not otherwise to be defended, that power should be limited by the necessity of the occasion which calls it forth. To preserve the peace of society—and to this ground of support we must come at last—there is no more need that Congress should conduct the legislation of the Territories than that they should conduct the legislation of Virginia or of Massachusetts. It is enough that they should organize governments, and then the necessity for their interference ceases. And the result proves this; for the local governments do manage the internal concerns of the Territories in most cases, and would as safely in all, if not restrained by congressional interposition; and if Congress can pass beyond the power to organize governments, they may rule a territory at their pleasure, and prostrate every barrier of freedom. If, as I have heretofore said, they can regulate the relation of master and servant, what but their own will is to prevent them from regulating the other relations of life—the relation of husband and wife, and of parent and child; and, indeed, all the objects which belong to the social state? There is no man who can show the slightest necessity for this interference on the part of the general government, and there is consequently no man who can show that it has any right to interfere on the ground of its necessary action. The people of the Territories are fully competent to conduct their own affairs; and the very first principle of our social system demands that they should be permitted to do so.

"Whichever may be the source," says Chief Justice Marshall, speaking doubtfully of the origin of this jurisdiction, "whence this power may be derived, the possession of it is unquestionable." He is speaking of the power of government; and no doubt it has been possessed; but it becomes very important to ascertain how, and how far, Congress has justly possessed it, in order to ascertain to what extent it may be exercised. In almost all—I believe I may say in all—the speeches and essays in support of the power of Congress to legislate over slavery, after endeavoring vaguely to deduce it from some clause or other of the constitution, the principal reliance is at last upon the authority of the few instances of its exercise to be found in the statute books. Authority and precedent have weight, and ought to have some weight, in doubtful questions; but I trust there are few to be found who are prepared to shut the constitution, and to seek in the practice of the government the foundation of its power; and more especially when, as in this case, the early legislative proceedings passed, as we have reason to believe, without objection or inquiry. They commenced by adopting the provisions of an ordinance of the old government to the administration of the new one, and thus impliedly recognizing the exclusion of slavery, and seem to have gone on silently and unquestioned for years. I have not had time to look back to ascertain the facts precisely; but I believe it will be found that this power has never been exercised where there was a united sectional opposition to it. Precedent may weigh much in the consideration of a doubtful question, where the whole subject has been maturely considered, and many minds have been brought to bear upon its adjustment. But as the foundation of political power a practice thus introduced is of little value, particularly when it comes to involve grave questions seriously affecting the Union. We turn then instinctively from what has been done to what ought to be done—from the authority of precedent to the authority of the constitution. These are times which try such questions. Who can wonder, that with the views entertained of this subject by the South, an appeal should be made to the common charter of the country, or that a large portion of our citizens should be satisfied with no answer not derived from it? That what has been must continue to be, is a principle which has done more to perpetuate abuses than all the other causes which have operated upon political institutions.

Those who advocate and those who oppose the Wilmot Proviso occupy very different positions. The former urge its adoption as a matter of expediency, in order to exclude slavery from the newly acquired territories, where it does not exist, and where it cannot be denied that this exclusion is as morally certain without it as with it; while the latter all oppose this measure on the ground of its unconstitutionality, and a large portion of the Union on the ground also of its interference with their rights and feelings. The contest to which this subject has given rise has already been productive of the worst consequences. For two years it has prevented all legislation over most important regions, and has left them without government, and in a state of social disorganization, to our own reproach and to the surprise of the world.

I do not believe there is another country on the face of the earth which would have permitted such a state of things. And how long is it to continue? Is California to become a prey to intestine dissensions in the absence of all law, or is it to be driven to separate from us because we neglect to discharge one of our first duties—a duty of necessity—that of organizing a government for the people who inhabit it? Those who oppose the Wilmot Proviso on the ground of its unconstitutionality can never surrender their opinions and vote for it. Those who have heretofore advocated its adoption may well abandon it, convinced, as they must be, that their object will be as well attained without it as with it. It appears to me one of the most barren questions that ever divided a country; barren in useful results, but fertile in difficulties and dangers. I freely confess that I look with amazement upon the zeal and pertinacity displayed in urging this measure under these circumstances, and augur from them the worst consequences.

These are my sentiments. They will give offence to many, and will expose me to much obloquy. But I do not hesitate thus openly to avow them; for every public man who is not prepared to take a decided part agreeably to his convictions, in times like these, is not prepared to discharge one of the first duties which belongs to his position. "To insure domestic tranquillity," in the words of the constitution, was one of the great motives of the people of the United States in the organization of their present government. Measures which may endanger that tranquility should be scrutinized with great caution, and never adopted but in the last necessity, and then with great reluctance.

I am, dear sir, with great regard, truly yours,

LEW. CASS.

THOMAS RITCHIE, Esq.

PREMATURE BURIALS.—We are assured that the following is true in every particular. A poor man, residing in the upper part of the city, left home at the usual hour some days since, to perform his daily labor, and on returning in the afternoon, found that his wife had been seized with cholera during the forenoon, and conveyed to the Hospital in Thirteenth street. He immediately went there, and as he entered the place, six coffins were carried out to be conveyed to Potter's Field. The poor fellow proceeded to the room and inquired for his wife, when he was informed that she was dead, and that one of the coffins he had passed contained her body, but which of them they could not tell, as no marks are placed upon them to distinguish one from the other. The man, in an agony of grief, started in pursuit of the conveyance, and accompanied it to Potter's Field, when he pleaded so hard to be permitted to look once more upon the face of his wife, that permission was given and the coffins were opened. When the body of the woman was exposed, he seized it frantically in his arms and pressed it fondly to his bosom. For a moment he fancied he felt the beating of her heart, and seizing her wrist, he exclaimed, "My God, she lives!" At that moment the woman opened her eyes and recognized her husband; she was conveyed home, and is now quite recovered. If this be true—and our informant affirms that it is—what a frightful reflection it conjures up, that perhaps others, bearing only the semblance of death, have been prematurely hurried to the grave!—*N. Y. Mirror.*

ENGAGEMENT WITH A SLAVER.—Accounts from the coast of Africa, published in the English papers, speak of a bloody engagement, on the first of May last between the boats of the Alert, commander Dunlop, one of the British blockading squadron, and a felucca slaver, in which the boats were beaten off. and Lieut. Shaw, and Mr. H. B. Sanders, mate, and four others, were killed, and seven men were wounded.

SOMETHING NEW.—The millenium is surely at hand. The editor of a country Whig paper was last week taken sick, and called on his rival, the editor of the Democratic paper in the same village, to get out his paper for him—and a right sprightly number he made of it—decidedly the best of the season. By the way, if all the political editors of the two parties were to exchange places, the Whigs taking the editorial control of the democratic papers, and the Democrats that of the whig papers, we have the evidence of the case before us that at least one good result would follow—there would be an absence of low personal abuse, and in the place of political slang, matter of more useful information.—*Pa. Ledger.*

We know of several whig papers that might be improved in the manner suggested above.

CRUELTY OF THE AUSTRIANS.—Some estimate of the heartless and barbarous character of Austrian warfare may be formed from the single fact that ten capital cities have been bombarded by Austrian generals since March, 1848. These are Milan, Cracow, Prague, Lemberg, Vienna, Arad, Brescia, Pesth, Venice, and Ancona. No mode of warfare can be regarded as more execrable and barbarous than the bombardment of cities. It is one in which non-belligerants suffer more often than those actively engaged. Private property to an immense amount is uselessly sacrificed. The aged, the sick and the helpless perish from the missiles of the flames kindled by the explosion. Thousands more of the innocent and unoffending are doomed to poverty, and perhaps a death as certain though more slow, in consequence. In Pesth alone, the amount of private property destroyed was more than five millions of dollars! This may enable our readers to form some idea of the amount of ruin which the paternal and apostolic Government of Austria has brought upon its people.

PAINTINGS BY COX.—The Cincinnati Dispatch, in a recent notice of the Art Union of that city, pays the following well deserved compliments to our townsman, Mr. JACOB COX:

"Several new pictures have been recently added to this collection, which greatly enhance the interest of the exhibition. Among them are the landscapes by Cox, of Indianapolis, which possess striking merit. The best of these is a picture with a stream, spanned by a rustic bridge, and an emigrant's camping scene in the fore ground, and a view of Indianapolis, with the dome of the State Capitol looming up, in the distance. This is altogether a capital picture, and the whole arrangement, tone, and handling, exhibit a decided improvement upon the previous efforts of this talented young artist. The other is a rural scene, with figures of boys and cattle in the foreground, the distances of which are very fine."

THE FIRST PLANK ROAD.—According to the Day-Book, the first plank road was constructed by C. Edwards Lester. It was built sixteen years ago, in Cayuga county, N. Y., and three miles in length. It was made across a swamp caused by an inlet or bay, at the end of Cayuga Lake. All the tolls received were by voluntary contributions. A box was placed at the end of the road, and those who passed, put in as much as they pleased—some a penny, some a sixpence, and some a dollar. The amount received in this manner the first year was equal to the cost of the road. This was the germ, the *idea*, from which sprung all the plank roads in the country.

BALTIMORE, Aug., 20.—A painful occurrence came to light yesterday, which created intense excitement. The remains of the venerable D. Evans Reese, who died suddenly on Friday evening, were conveyed to the Light street buring ground, and while they were being placed in the vault, the hand of a human being was discovered protruding from one of the coffins deposited there. On a closer examination, those present were startled to find the hand was firmly clenched, the coffin bursted open, and the body turned entirely over, leaving not a doubt that the unfortunate being had been buried alive.

The corpse was that of a respectable man who died, apparently, very suddenly, and whose body was placed in the vault on Friday last. It is a harrowing thought to suppose that he was buried before life was extinct; but the facts leave little doubt of it. Truly is it a sad commentary on hasty burials.

THE NEW HAMPSHIRE PATRIOT (Old Hunker) likes the letter of General Cass, except as it regards slavery. On this point, it enters a strong protest.

"But while the other portions of the letter are so satisfactory, we are sorry that what he says upon the slavery question is as much the contrary. He expressly reiterates the doctrine of his famous 'Nicholson Letter,' *which lost him the Presidency*, that Congress has no constitutional power to legislate upon slavery. The Democracy of the North never did endorse this doctrine, and never will." * * * "The Democracy of this State are unanimous in the opinion, so far as we know, that Congress has and should exercise the power to exclude slavery from California and New Mexico."

Notice.

The members of the Independent Relief Fire Engine and Hose Company, No. 1, will meet at the Council Chamber for the transaction of business on Monday, September 3d, at 7½ o'clock, P. M. FITCH C. FISHER, Sec'y.

SECOND Vol. Hildreth's History of the United States. HOOD & NOBLE.

HISTORY of the American Bible Society, just received. 26 HOOD & NOBLE.

SUPREME COURT OF INDIANA.

REPORTED BY ALBERT G. PORTER, AND HORATIO C. NEWCOMB, ESQRS.

Patterson v. Brackett.—Appeal from the Marion C. C. *Affirmed*, with 10 per cent damages.

Caldwell v. Rose et al. Appeal from the Parke C. C.

PERKINS J. A. being indebted beyond his ability to pay, made an assignment of his real and personal property, except so much as was by law exempt from execution, in trust for certain preferred creditors. The assignees were young men, employees and creditors of the assignor, and boarders in his family. After the assignment, no apparent change took place in the possession or control of the property; the assignees followed the directions of the assignor, in regard to its disposition, even, in some cases, to the violation of the provisions of the deed of trust. The assignees were of doubtful competency to manage so extensive a trust as was committed to them. It was in proof that the assignor stated, about the time of the transfer, that certain of his creditors, parties to this suit, he would never pay; it also appeared that a part of the property so transferred, was afterwards clandestinely sent by one of the assignees, to the assignor at St. Louis. Held, that there having been no exclusive possession of the property by the assignees, and no sound reason shown for the omission to take such possession, said assignment must, as to creditors, be considered fraudulent and void, so far at least as the personal property was concerned.

Fraud between the assignor and assignees, having been established, the declarations of the former made subsequently to the assignment, may be received in evidence against the assignees, in a suit between them and contesting creditors.

A deed void in part for fraud is void *in toto;* and the fact that there are innocent creditors provided for in a fraudulent general assignment by a deed of trust, will not make the deed valid as to them. *Affirmed.*

Kinney & Gookins, R. W. Thompson & C. W. Barber for appellants.

Griswold & Usher for appellees.

Brisel v. Williams et al. Error to the Lagrange C. C. *Reversed.*

McCulloch et al. v. Dawson. Appeal from the DeKalb C. C.

BLACKFORD, J. The vendors of certain lands who sold the same as trustees under an appointment of the Allen C. C., gave to the vendee a certificate of purchase which, after reciting the payment of a part of the purchase money, and the receipt of the notes of the vendee for the residue, provided that should the purchaser or his legal representatives, pay the notes as they should respectively become due and payable, then and in that case the vendors or their successors would convey the lands to the vendee, his heirs, &c., by a good and sufficient deed in fee simple with the usual covenants of general warranty. *Held*, that the provisions of said contract were dependent and that to authorize a suit on the notes last due, the plaintiffs or their predecessors must have executed the deed *on the day* appointed for the payment of those notes, or have legally offered on that day to execute the deed; and the rule is the same as to the notes previously due, where suit is not brought until after the time when the last note becomes payable.

An allegation in a plea in such case that neither the vendors nor their successors had offered the deed *according to the tenor and effect of the agreement*, on or before, &c., is equivalent to saying that they had not *legally* offered the deed on the day, &c., and is sufficient in substance.

Such allegation is not a mere conclusion of law, but of law and fact together, and may be traversed. In this case, the purchaser, by his contract, was entitled to a deed with covenants of general warranty; and if the trustees exceeded their authority in agreeing to make such a deed, they are personally liable for the performance of their covenant. *Affirmed.*

W. H. Coombs for appellants; J. B. Howe, D. H. Colerick, and H. Cooper, for appellee.

Gorham v. Reeves et al. Appeal from the Hendricks C. C.

BLACKFORD, J. This was an action of debt commenced in 1846, on a promissory note due Aug. 15, 1840. The defendant pleaded first, that the note was given in consideration that the plaintiff would, on the 15th of August, 1841, execute to the defendant a sufficient deed in fee simple for a certain tract of land, (describing it,) that the plaintiffs on the day the note sued on was given, executed to the defendant a title bond conditioned that they would convey said land to the defendant in fee simple, on the 15th of August, 1841. Averments, that the plaintiffs did not on said 15th day of August, 1841, execute or offer to execute, nor have they thence hitherto offered to execute to the defendant a good and sufficient deed in fee simple, &c., although the defendant was, on said 15th day of August, 1841, and has continued thence hitherto, willing and ready to pay the note to the plaintiffs if they would make to him such deed as aforesaid. Replication, that in March, 1846, before suit, &c., plaintiffs offered to defendant a deed in fee, &c., and demanded payment of the note, but the defendant refused, &c.; that plaintiffs have at all times since been ready to deliver the deed to the defendant, if he would pay the notes. *Held*, that the plea and replication were both bad. The plaintiffs were not bound to make an unconditional tender of the deed. It was only incumbent on them to offer the deed on the 15th of August, 1841, on condition that the defendant would, at the same time, pay them the note; the plea not traversing such conditional offer on the appointed day does not show a non-performance of the contract on the part of the plaintiffs.

The issue raised by the replication, whether or not the plaintiffs had offered to make the deed in March, 1846, was an immaterial issue.

The defendant also pleaded that the plaintiffs at the time of the sale and thence hitherto were not the owners in fee simple of the land for which the note was given; the plea also alleged that the plaintiffs at the time of the making of said note, falsely and fraudulently represented to the defendant that they were owners in fee simple of the land, &c., and that defendant confiding, &c., gave to the plaintiffs the note, &c. Replication, that the note was obtained fairly and not by fraud as alleged. *Held*, that that part of the plea denying the ownership of the plaintiffs to the land, &c. was a good bar to the action. If the plaintiffs were not the owners of the land on the 15th of August, 1841, they could not perform their part of the contract, and consequently could not sue on the note. The allegation of fraud is immaterial, and therefore the issue raised by the replication is immaterial.

The finding of both the immaterial issues in this case for the plaintiffs, did not entitle them to final judgment; a plaintiff only being entitled to judgment on a finding in his favor, on an immaterial issue to a bad plea, where there is no other issue in the case.

The defendant could not have judgment *non obstante veredicto* on the finding of the second immaterial issue against him, as the plaintiffs did not by their replication expressly admit the allegation of non-ownership alleged in the second plea, and as an implied admission, like the one in question, does not authorize a judgment *non obstante veredicto*.

The rule that the party committing the first fault in pleading shall not be allowed a repleader, applies only where the issue is found against him. Where the issue is found in his favor, he may have a repleader.

Reversed. Replication to second plea set aside. Finding on the first issue to remain. Cause remanded, with leave to plaintiffs to reply anew to the second plea.

J. S. Harvey, for appellant; C. C. Nave, for appellees.

FIRE! FIRE!!
DAVIS & RAY, INDIANAPOLIS,
(Next door to Craighead's)
AGENTS FOR THE
HARTFORD FIRE INSURANCE CO.,
Hartford, Connecticut.
Incorporated 1810 — *Charter perpetual — Capital* $150,000, *with power of increasing it to* $250,000.

THIS long established and well known Institution, has transacted a most extensive Insurance business for more than thirty-seven years, throughout the United States and the British North American provinces. It has aimed to secure public confidence, by an honorable and faithful fulfilment of its contracts; and owners of property are assured that all fair claims for loss under its policies will be liberally adjusted and promptly paid. Public buildings, manufactories, mills, machinery, dwelling houses, stores, merchandise, household furniture, &c., will be insured at rates as low as the risk will admit. The following gentlemen constitute the Board of Directors.

HEZEKIAH HUNTINGTON, Esq., President.

Hezekiah Huntington, Charles Boswell,
Albert Day, Henry Keney,
Junius S. Morgan, Calvin Day,
James Goodwin, D. F. Robinson,
Job Allyn.

JAMES G. BOLLES, Secretary.
CHRISTOPHER C. LYMAN, Assistant Secretary.
DAVIS & RAY, Agents.

Sept. 1, 1849. 26-y

Executor's Notice.

NOTICE is hereby given, that on Tuesday the 25th day of September next, the goods and chattels belonging to the estate of Owen Fisher, late of Marion county, State of Indiana, deceased, consisting of horses, cattle, sheep, hogs, and a two-horse wagon and gearing, wheat in the stack, corn in the field, hay, household furniture, and farming utensils, one set of cooper's tools, one cooking stove, with various other articles, will be sold by the undersigned, executor of said estate, at the residence of the deceased in Franklin township in said county. A credit of twelve months will be given on all sums over three dollars, and notes will be required with sufficient security made payable without any relief from valuation or appraisement laws. BENJAMIN MORGAN, Executor.

Aug. 31st, 1849. 27-3w¶

Executor's Notice.

NOTICE is hereby given, that letters testamentary were granted to the undersigned, executor of the last will and testament of Owen Fisher, late of Marion county, deceased, on the 29th day of August, 1849. All persons concerned will take notice and govern themselves accordingly. The estate is probably solvent.

26-3w¶ BENJAMIN MORGAN, Executor.

Lafayette and Indianapolis Railroad Company.

THE Stockholders of the Lafayette and Indianapolis Railroad Company are hereby notified that the annual election for Directors of said Company, will take place on Monday, the 1st day of October next, at the house of John E. Loveless, in Prairieville, between the hours of 11 o'clock A. M. and 4 o'clock P. M. By order of the Board. H. G. HAZELRIGG,

26 4w [St. Jour. Aug. 29.] President pro tem.

DAVIS & RAY,
Booksellers and Stationers,
One door west of Craighead's Drug Store,
NORTH SIDE WASHINGTON STREET,
INDIANAPOLIS, IND.

REMOVED.

THE subscribers would respectfully inform their friends, and the public generally, that they have taken the large store room one door west of *D. Craighead's Drug Store*, where they would be happy to see their old friends and customers. DAVIS & RAY,

26 Booksellers and Stationers.

WM. HANNAMAN,
Druggist and Apothecary,
AND DEALER IN
PAINTS, VARNISHES, OILS, DYE-STUFFS, &c. &c.
Store on Washington Street, north side, two doors west of Pennsylvania Street,
INDIANAPOLIS, IND.

A SECOND visit to the United States, by Sir Charles Lyell; just received by 26 HOOD & NOBLE.

SECOND part of Southey's Common Place Book, just received by 26 HOOD & NOBLE.

Buck's Improved Patent

COOKING STOVE.

THE subscribers offer to the public four sizes of a new pattern of Buck's Cooking Stove, greatly improved, which then confidently assert to be not only the most perfect baking stove in use, but the most compact and beautiful Cooking Stove ever offered to the public. Its capacity for baking (which in the old Buck's stove exceeded every other stove,) has been greatly increased by the addition of another oven, which enables it to bake at one time twice as much as ordinary cooking stoves. Being made airtight, and having dampers, the fire can be regulated to suit every occasion.

Those who want a good cooking stove, one that can be relied upon, should see this new stove, as it cannot fail to please.

We warrant the stove to give satisfatcion, and can refer to hundreds of families which have them in use. We will in every case it should fail to please upon trial, take back the stove and refund the money.

We have on hand the largest and best selected stock of stoves ever brought to the market, consisting of *Premium Cooking Stoves* of the latest and most approved patterns, ten plate stoves, very heavy plate, seven plate stoves, several sizes, one size to take three feet wood suitable for churches and school houses, box stoves and air-tight stoves; also, the celebrated Stanley's and Saratoga air tight parlor stoves, the two most beautiful patterns of air-tight stoves in the market.

In addition to the above, we manufacture and keep constantly on hand a general assortment of *Tin Ware*, which we offer wholesale or retail at very low prices. We are prepared to manufacture all kinds of copperwork at the shortest notice.

C. & J. COX,

32 w&swtf Washington street, west of Meridian

ECLECTIC MEDICAL INSTITUTE.
CINCINNATI, OHIO.

THE next annual course of Lectures in this Institution commences on the first Monday in November next, and continues till the 15th day of March following. A preliminary course commences on the first Monday in October, and continues one month.

FACULTY:

H. P. GATCHELL, M. D., on Special, General and Pathological Anatomy.
J. R. BUCHANAN, M. D., Physiology and Institutes of Medicine.
T. V. MORROW, M. D., Theory and Practice of Medicine and Pathology.
S. ROSA, M. D., Principles and Practice of Homœopathy.
B. L. HILL, M. D., Obstetrics and Surgery.
L. E. JONES, M. D., Materia Medica, Therapeutics and Medical Botany.
J. B. STALLO, A. M., Chemistry, Pharmacy and Medical Jurisprudence.
WOOSTER BEACH, M. D., Emeritus Professor of Clinical Medicine.
J. MILOT, M. D., Demonstrator of Anatomy.
Aggregate cost of all the tickets $70.

$100 in advance will be received as payment in full for one student to attend as many courses as may be necessary for his graduation.

Matriculation fee is $2, Demonstrator's ticket $5, use of Library $2; boarding may be had in good houses at from $2 to $3 per week.

Candidates for graduation, in addition to the preliminary term of study must have attended two full courses in some legally incorporated Medical College—the last of which must be in this—or one full course after having been in reputable practice four years.

Letters asking further information must be addressed, post paid, to the undersigned.

The College Edifice of the Institute is situated on the corner of Court and Plum streets.

Notes on all solvent banks in States in which the student resides will be received in payment of fees.

T. V. MORROW, M. D.,

22-4w w&sw [*Cin. Times, Aug.* 11.] Dean of the Faculty.

MEDICAL COLLEGE OF OHIO.
SESSION FOR 1849-50.

THE 30th Session of this Institution will open on the first Monday in November next, and continue four months under the following arrangement.

John Locke, M. D., Prof. of Chemistry and Pharmacy.
John P. Harrison, M. D., Prof. of Materia Medica and Therapeutics.
L. M. Lawson, M. D., Prof. of Physiology and General Pathology.
M. B. Wright, M. D., Prof. of Obstetrics and Diseases of Women and Children.
Daniel Drake, M. D., Prof. of Special Pathology and Practice of Medicine.
George W. Bayless, M. D., Prof. of Descriptive Anatomy.
R. D. Mussey, M. D., Prof. of Surgery.
John T. Shotwell, M. D., Prof. of Surgical Anatomy and joint Professor of Surgery.
John Davis, M. D., Demonstrator of Anatomy.

FEES.—For a full course of Lectures $104; Matriculation and Library ticket $5; Dissecting ticket $10; Graduation fee $25; Hospital ticket $5.

☞The anatomical rooms will be opened for dissections at an early period under the directions of the Demonstrator of Anatomy.

Clinical Lectures will be delivered at the Commercial Hospital three times a week throughout the session, by the following Professors: Medicine, by Professors Drake and Harrison; Surgery, by Professors Mussey and Shotwell. The facilities for clinical instruction are not surpassed by any school in the United States.

BOARD, including light and fuel, can be obtained at from $2 to $3 per week.

Further information can be obtained by addressing the Dean.

L. M. LAWSON, M. M.,

20-3w sw&w *Dean of the Faculty.*

TAXES FOR THE YEAR 1849.

THE Treasurer and Collector of Marion county, Indiana, hereby gives notice that the duplicate for the present year is now in his hands.

The amount of taxes is as follows:

For State purposes, on each one hundred dollars, 25 cents; Poll tax, 75 cents; one cent and seven and a half mills on each one hundred dollars, for the support of a Lunatic Asylum; two cents and two and a half mills for a Deaf and Dumb Asylum, and one cent for the education of the Blind.

For County purposes, on each on hundred dollars, 20 cents; Poll tax 50 cents.

For School purposes, in district No. 7, township 14 north, range 4 east, for the use of said district, on each one hundred dollars, 25 cents.

For the purpose of receiving taxes, he will attend at the usual places of holding elections in the several townships in said county, on the following days, to-wit:

In Pike township, on Friday, the 19th day of October.
In Franklin township, on Saturday, the 20th day of October.
In Warren township, on Monday, the 22d day of October.
In Lawrence township, on Tuesday, the 23d day of October.
In Decatur township, on Wednesday, the 24th day of October.
In Perry township, on Thursday, the 25th day of October
In Washington township, on Friday, the 26th day of October
In Wayne township, on Saturday, the 27th day of October.

He will attend in person or by deputy at the Treasurer's office in Indianapolis, except when absent in the several townships, until the first day of January, 1850.

Tax payers will please attend and save the per centage.

J. M. TALBOTT, Treasurer.

Indianapolis, August 20, 1849. 23 6w w&sw

ST. XAVIER COLLEGE,
CINCINNATI, OHIO.

THIS INSTITUTION, incorporated by the Legislature of Ohio enjoys all the privileges usually granted to Universities. Situated in one of the most healthy and most commercial cities in the Union, and accessible from so many points in the country; as far as these are advantages, its position is one of the most eligible in the United States.

As a literary establishment it embodies everything that can be acquired in the most distinguished Colleges in America, with the additional advantage, generally common to Catholic Colleges, of teaching the modern languages practically. The French, German, Spanish, and Italian tongues, without extra charge, are taught, not only to be read, but spoken. The plan of instruction includes as well a mercantile as a classical course, and is so arranged that the pupil may pursue either or both, at his option. The College Buildings are commodious, airy, and clean; the discipline firm, regular and parental. Morality and good manners are objects of primary attention.

About twenty professors and teachers are presumed to afford every guaranty for competent instruction, and for the maintenance of thorough discipline.

Board, and tuition in all the branches taught, $130. For extra charges, apply to the President by letter, post paid.

JNO. DE BLIECK. President.

N. B. The next Scholastic year will open on the 3d of September 15-t Sept 15 is

Sale of School Lands in Hamilton County, Indiana.

NOTICE is hereby given, that the undersigned county auditor and school commissioner of Hamilton county, Indiana, in pursuance of an order of the board of county commissioners, made at the last session thereof, to-wit, June, A. D. 1849; and in accordance with the statutes in such case made and provided, on the 31st day of October, A. D. 1849, at the Court House door in the town of Noblesville, in said county of Hamilton, between the hours of nine o'clock, A. M. and four o'clock, P. M. of said day, will expose to sale at public auction the several lots and parcels of land, comprising school section number sixteen, (16) in township number eighteen (18) north, of range number three (3) east; and also the lots and parcels of land comprising school section number sixteen, (16) in township number twenty (20) north, of range number five (5) east, as divided and set apart by the proper trustees of said township,—a plat of which said sections so divided will be exhibited on the day of sale.

Such sale will commence on the day aforesaid, and if necessary, will be adjourned from day to day, within the same hours, until completed. The said lands will be sold on the following terms, to wit: one fourth of the purchase money to be paid in hand, and legal interest on the residue for one year in advance, and the residue in twenty-five years from such sale, with like interest annually in advance. On failure to pay any such annual instalment of interest when the same becomes due, the said contract shall be forfeited, and said lands shall immediately revert to said congressional township, and will be forthwith sold on the terms above specified. By order of the said Board, June session, 1849.

J. M. MALLERY, S. Comr. H. C.

Attest, LEVI FARLEY, Auditor Hamilton County.

24-t 31st Oct 9wis

SHERIFF'S SALE.

BY virtue of a writ of venditioni exponas to me directed from the clerk's office of the Marion circuit court, I will expose to public sale, on the 19th day of September, 1849, at the Court House door in the town of Indianapolis, within the hours prescribed by law, the rents and profits, for seven years, of the following real estate, to-wit:

The southwest quarter of section No. 30, in township No. 15 north, of range No. 3 east, except forty acres off of the north end of said land, which leaves seventy-one acres.

And on failure to realize the full amount of judgment, interest and costs, I will at the same time and place, expose the fee simple of said real estate. Taken as the property of Joseph R. Rhoads, at the suit of Jeremiah Johnson.

25-ts $1,87 CHARLES C. CAMPBELL, Sheriff M. C.

SHERIFF'S SALE.

BY virtue of a writ of venditioni exponas to me directed from the Clerk's office of the Marion circuit court, I will expose to public sale, on the 19th day of September, 1849, at the Court House door, in the town of Indianapolis, within the hours prescribed by law, the rents and profits for seven years, of the following real estate, to-wit:

Ten acres of land to be taken out of the northeast corner of the north end of the west half of the southeast quarter of section six, (6) township fifteen north, of range four east, in Marion county.

And on failure to realize the full amount of judgment, interest and costs, I will at the same time and place, expose the fee simple of said real estate. Taken as the property of John B. Phipps, at the suit of Jacob Landis.

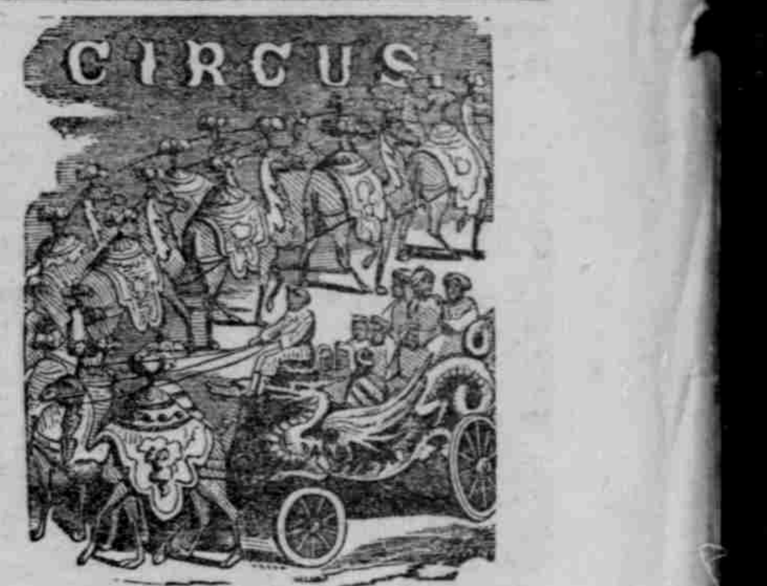
52-ts $1,87 CHARLES C. CAMPBELL, Sheriff M. C.

NOTICE.

WHEREAS my wife Maria Gathright, having left my bed and board without just cause or provocation, notice is hereby given to forewarn all persons from trusting or harboring her on my account as I shall pay no debts of her contracting after this date.

SAMUEL GATHRIGHT.

Indianapolis, Sept. 1, 1849. 26-3w¶



CRANE & CO.'S
GREAT ORIENTAL CIRCUS,
Will exhibit at Indianapolis,
ON THURSDAY, SEPTEMBER 13th.

Performance at 2 o'clock, P. M., and at 7 in the evening.

Embracing by far the largest establishment ever organized, formed of the principal equestrian and gymnastic talent, to be found in either continent, consisting of

240 *Men and Horses, Children and Ponies.*

Requiring 40 carriages to convey the performers, musicians, &c. The establishment on entering town will be preceded by the Monster DRAGON CHARIOT, drawn by

TEN CAMELS

of the Syrian breed, lately imported from the Deserts of Arabia for Crane & Co. Next the *Fairy Chariot*, devoted to the conveyance of the juvenile corps and drawn by

Twelve Diminutive Ponies,

Not more than 30 to 36 inches in height, driven by the celebrated Master WM. NIXON, and followed by the highly ornamented carriages of the establishment. The whole forming the most imposing spectacle ever witnessed in America.

The *Mammoth Pavilion*, under which the performance takes place, is the largest ever constructed, affording ample room for the accommodation of 5000 spectators. This company can boast of the best band of Music ever attached to any exhibition. It is styled the New York *Sax Horn Band*, and is under the direction of Mr. P. Fohs.

MR. W. H. KEMP,

Universally acknowledged as the best clown in America, is attached to this establishment. The performances will commence with the Magnificent Oriental Pageant of the *Arab Slave*, introducing ten Camels, with the Ladies, Children, and Ponies of the Company.

MADAME CAMILLA GARDNER,

The first female equestrian of America, will appear in some principal portion of each performance. Mr. Dan Gardner, the great clown and comic singer, will contribute his drolleries to the entertainments. The very popular youthful equestrian, Master William Nixon will appear in his wonderful feats of horsemanship. Mr. Samuel Lee, the Alcides of America, will appear in his extraordinary feats, with *real cannon balls*. The performance of the beautiful

TWIN PONIES,

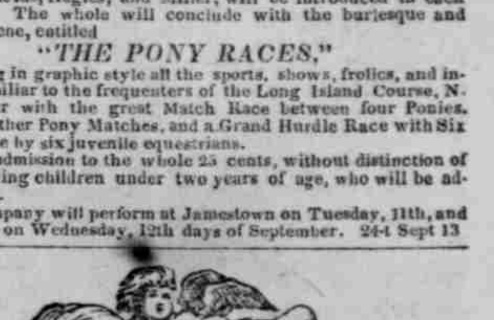
Damon and Pythias, form a most pleasing divertisement. In addition to these features, the various performances of Mr. James Nixon and his talented pupils, George and Albert; Miss L Wells, the beautiful danceuse; Mr Z J Lipman, the great Scene Rider; Mr W Smith, the celebrated Two Horse Rider; Mesdames Gardner, Johnson, Nixon, Lipman, Wells; Messrs. Bliss, Murray, Reed, Reynolds, Nagles, and Miller, will be introduced in each exhibition. The whole will conclude with the burlesque and sporting scene, entitled

"THE PONY RACES,"

Introducing in graphic style all the sports, shows, frolics, and incidents familiar to the frequenters of the Long Island Course, N. Y., together with the great Match Race between four Ponies. Also four other Pony Matches, and a Grand Hurdle Race with Six Ponies, rode by six juvenile equestrians.

Price of admission to the whole 25 cents, without distinction of age, excepting children under two years of age, who will be admitted free.

The Company will perform at Jamestown on Tuesday, 11th, and at Danville on Wednesday, 12th days of September. 24-t Sept 13



COUNTERFEITS.
FEVER AND AGUE,
CHILL FEVER, DUMB AGUE, INTERMITTENT AND REMITTENT FEVERS, AND ALL THE VARIOUS FORMS OF BILIOUS DISEASES SPEEDILY AND THOROUGHLY CURED BY
Dr. Osgood's Indian Cholagogue.

The following extract is from the Farmer's and Emigrant's Hand Book, a valuable work of some 500 pages, recently published by Messrs. Appleton & Co., New York. In chapter 8, page 235, the author, speaking of Fever and Ague, remarks:

"There is a valuable medicine sold in most of the Western cities which we can conscientiously recommend for Fever and Ague, and other bilious diseases, it is the Indian Cholagogue, which is prepared by Dr. Osgood, of New York, who has made the bilious disorders of the West his special study. We are no friends of those medicines usually called patent, but we have had ample opportunity of testing the invaluable effects of the Cholagogue in bilious cases."

The speedy and permanent relief afforded by the Cholagogue arises from its prompt and healthy action upon the blood, cleansing it from bile and restoring it to purity; thus striking at the root. Its tendency is not simply to suspend disease, but to remove the cause on which it depends. It is equally adapted to all ages and conditions of the system.

From S. F. Cary, Counsellor at Law, to the Agents in Cincinnati

CINCINNATI, October 11, 1846.

Messrs. Sanford & Park—In June last I was attacked with that most afflicting and unpleasant disease, the Chills and Fever. The Paroxysms returned daily, and were very severe. My physical energies had been much impaired by a previous attack of bilious fever. Having tried several favorite remedies without relief, a friend in whom I had confidence, recommended Dr. Osgood's Indian Cholagogue. I procured a bottle, and followed the accompanying directions. The consequence was, that I had but one paroxysm after taking the first dose, and my general health was rapidly restored without using any other medicine. I disposed of the remainder of the bottle to two other persons similarly afflicted, and with the same results. One of them had been shaking for eight months, and was relieved in two days by the use of the Cholagogue. I consider it my duty, as it is my pleasure, to recommend it, having the most entire confidence in its sanative power. Yours, truly, S. F. CARY.

Be sure you ask for "Osgood's Indian Cholagogue," and take no other.

☞Read from a communication of the Hon. William Woodbridge, of the U. S. Senate, late Governor of Michigan:

DETROIT, Oct. 21, 1840.

Dr. Charles Osgood—Dear Sir:—I have read with much interest, your late treatise, upon the "causes, treatment and cure" of the febrile diseases which have so extensively prevailed in our country during the last few months—an interest increased no doubt, by the fact that I have individually suffered so much from them. Though I feel myself very incompetent to judge safely upon a subject so entirely professional, yet your theory seems to me well reasoned, and your conclusions just, and I think withal, that your pamphlet is calculated to produce much practical good.

* * * * * * * * *

A violent cold, induced by one of those sudden changes in the weather, which I have always found so injurious, resulted in a far more serious febrile attack—the fever assuming the more painful character of a remittent fever, having become what within a year or two past, I have heard so much of a "chill fever." The disease continued upon me in despite of quinine and other popular remedies, when Mr. B. handed me a bottle of Indian Cholagogue which you had the kindness to send me. I immediately commenced taking the medicine according to directions, and before I had exhausted the contents of the bottle, was decidedly better. * * *

It fully justified your flattering expectations, and as a safe, convenient, and popular remedy; my own experience, so far, induces me to believe that it will prove a great public benefit. I am pleased to learn that you have recently established several agencies for its disposition—though I regret that, with a view to a more general dissemination of it, you should have found it necessary to remove from your present residence among us.

With much respect, I have the honor to be, sir,

Your obedient servant,

WILLIAM WOODBRIDGE.

Sold by J. D. PARK, (successor to SANFORD & PARK,) Fourth and Walnut streets, Cincinnati, O., general agents for the south and west, to whom all orders must be addressed.

Robinson, Peter & Carey, Louisville, Ky.; and by Winstandly & Newkirk, New Albany, Ind., and by appointed agents in every town in the South and West.

Tomlinson Brothers, D. Craighead, and W. Hannaman, Indianapolis; Siddall, Reeves & Co., Madison; Geo. W. Palmer, Columbus; C. Bell, Evansville; Jas. Somes, Vincennes; Chas. W. Wood, Terre Haute; John Burke, Crawfordsville; R. H. Eldridge, Lafayette; L. W. Bruce, Logansport; Ames & Holliday, Michigan City; and J. Reed, Richmond. 93epy

TAX NOTICE.
BOONE COUNTY TAXES FOR 1849.

THE Treasurer of Boone county, Indiana, hereby gives notice that the duplicate of taxes for State, County, and other purposes for the year 1849, is now in his hands for collection.

The rate of taxation charged thereon on all property entered on the general list for taxation for said year, is as follows:

On each $100 for State purposes, 25 cents;
On each poll for State purposes, 75 cents;
On each $100 for Indiana Hospital for the Insane, one cent and seven and a half mills.
On each $100 for Deaf and Dumb Asylum, two cents and two and a half mills;
On each $100 for the education of the Blind, one cent;
On each $100 for county purposes, twenty cents;
On each poll for county purposes, twenty five cents;
On each $100 for road purposes, ten cents;
On each $100 for railroad purposes, twenty cents;
On each poll for railroad purposes, ten cents.

And for the purposes of receiving taxes charged on said duplicates, he will attend at the usual places of holding elections in the several townships in said county, on the days following, to-wit:

In Marion township, on Thursday, the 11th day of October next;
In Clinton township, on Friday, the 12th day of October next;
In Washington township, on Saturday, the 13th day of October next;
In Centre township, on Monday, the 15th day of October next;
In Sugar Creek township, on Monday, the 22d day of October next;
In Jefferson township, on Tuesday, the 23d day of October next;
In Union township, on Wednesday, the 24th day of Oct. next;
In Eagle township, on Thursday, the 25th day of October next;
In Perry township, on Friday, the 26th day of October next;
In Harrison township, on Monday, the 29th day of October next;
In Jackson township, on Tuesday, the 30th day of October next.

He will attend at his office in Lebanon, except when absent in the several townships, until the first day of January, 1850.

J. T. McLAUGHLIN, County Treasurer.

Lebanon, August 20, 1849. 23 6w

CITY TAX!

THE undersigned Treasurer of the city of Indianapolis, hereby gives notice that the list of taxes levied for the year 1849, for general, school, and other purposes, has been placed in his hands for collection, pursuant to the provisions of the charter.

Tax-payers are therefore respectfully requested to call at the office of the undersigned, in the City Council Chamber, previous to the first day of October next, as after that time all taxes remaining unpaid will be returned delinquent and collected by distress and sale of property, as provided by the 40th section of the charter aforesaid.

It is earnestly hoped that this notice will not be disregarded, as a compliance with its suggestion will prevent an unpleasant discharge of duty on the part of the undersigned, and costs to the payee. JAMES H. KENNEDY, Treasurer.

Indianapolis, August 29, 1849. 25 3w