Col. Fremont and his Party--Authentic Particulars.

From the National Intelligencer, April 14.

Letters have been received from Col. Fremont, covering the two months (from the last of November to the 2d of February) that he was not heard of, and giving terrible events of that time. They are written from Taos and Santa Fe, New Mexico, and addressed to Mrs. Fremont, at Washington; and, in her absence, (for it was deemed probable she might have set off to California by sea before they could arrive,) to Senator Benton, and in his absence to William Carey Jones, Esq. The letters came from St. Louis last night, having been brought to that place by Mr. St. Vrain. Mrs. Fremont, fortunately was gone; Senator Benton had delayed his departure for Missouri, confident that letters were on the way; and in his hands we have seen the originals, and we propose to give extracts in the order of their dates. The first is dated—

"TAOS, NEW MEXICO, Jan. 27, 1849.

"I write to you from the house of our friend Carson. This morning a cup of chocolate was brought to me while in bed. To an overworn, overworked, fatigued and starving traveler, these little luxuries of the world offer an interest which, in your comfortable home, it is not possible for you to conceive.

"I have now the unpleasant task of telling you how I came here. I had much rather speak of the future, (with plans for which I am already occupied) for the mind turns from the scenes I have witnessed and the sufferings we have endured; but as clear information is due to you, and to your father still more, I will give you the story now, instead of waiting to tell it to you in California; but I write in the great hope that you will not receive this letter. When it reaches Washington you may be on your way to California.

"Former letters will have made you acquainted with our progress as far as Bent's Fort, and, from report, you will have heard the circumstances of our departure from the Upper Pueblo, near the head of the Arkansas. We left that place on the 25th of November with upwards of one hundred good mules and one hundred and thirty bushels of shelled corn, intended to support our animals in the deep snows of the high mountains and down to the lower parts of the Grand river* tributaries, where, usually, the snow forms no obstacle to winter travelling. At Pueblo I had engaged as a guide an old trapper, well known as "Bill Williams," and who had spent some twenty years of his life in trapping in various parts of the Rocky Mountains.

"The error of our expedition was committed in engaging this man. He proved never to have known, or entirely to have forgotten, the whole country through which we were to pass. We occupied (after passing the mountain) more than half a month in the progress of a few days, blundering along a tortuous course, through deep snow which already began to choke up the passes, and wasting our time in searching the way. The 11th of December we found ourselves at the mouth of the Rio del Norte canon, where that river issues from the Sierra San Juan—one of the highest, most rugged, and impracticable of all the Rocky Mountain ranges, and inaccessible to trappers and hunters, even in summer.—Across the point of this elevated range our guide conducted us; and having still great confidence in this man's knowledge, we pressed onwards with this fatal resolution. Even along the river bottoms the snow was already breast deep for the mules, and falling frequently in the valley and almost constantly on the mountains. The cold was extraordinary. At the warmest hours of the day (between one and two) the thermometer (Fahrenheit) stood, in the shade of a tree trunk, at zero; and that was a favorable day, the sun shining and a moderate breeze. Judge of the nights and the storms!

"We pressed up towards the summit, the snow deepening as we rose, and in four or five days of this struggling and climbing, all on foot, we reached the naked ridges which lie above the line of the timbered region, and which form the dividing heights between the waters of the Atlantic and Pacific oceans. Along these naked heights it storms all winter, and the raging winds sweep across them with remorseless fury. On our first attempt to cross, we encountered a *pouderie*—(dry snow driven thick through the air by violent wind, and in which objects are visible only a short distance) —and were driven back, having some ten or twelve men variously frozen—face, hands or feet. The guide came near being frozen to death here, and dead mules were already lying about the camp fires. Meantime, it snowed steadily. The next day (December —) we renewed the attempt to scale the summit, and were more fortunate, as it then seemed. Making mauls, and beating down a road, or trench, through the deep snow, we found the ascent in spite of the driving *pouderie*, crossed the crest, descended a little, and encamped immediately below in the edge of the timbered region.

"The trail showed as if a defeated party had passed by—packs, pack saddles, scattered articles of clothing, and dead mules strewed along. We were encamped about twelve thousand feet above the level of the sea.—Westward, the country was buried in snow. The storm was continued. All movement was paralyzed. To advance with the expedition was impossible; to get back, impossible: Our fate stood revealed. We were overtaken by sudden and inevitable ruin. The poor animals were to go first. The only places where grass could be had were the extreme summits of the *Sierra*, where the sweeping winds kept the rocky ground bare, and where the men could not live. Below in the timbered region, the poor animals could not get about, the snow being deep enough to bury them alive. It was instantly apparent that we should lose every one. I took my resolution immediately, and determined to re-cross the mountain back to the valley of the Rio del Norte, dragging or packing the baggage by men. With great labor the baggage was transported across the crest to the head springs of a little stream leading to the main river.

"A few days were sufficient to destroy that fine band of mules which you saw me purchase last fall on the frontier of Missouri.—They generally kept huddled together; and, as they froze, one would be seen to tumble down, and disappear under the driving snow. Sometimes they would break off, and rush down towards the timber till stopped by the deep snow, where they were soon hidden by the *pouderie*. The courage of some of the men began to fail.

"In this situation I determined to send in a party to the Spanish settlements of New Mexico for provisions, and for mules to transport our baggage. With economy, and after we should leave the mules, we had not two weeks' provisions in the camp; and these consisted of a reserve of maccaroni, bacon, sugar, &c., intended for the last extremity. It was indispensable to send for relief. I asked for volunteers for the service. From the many that offered, I chose King, Brackenridge, Creuzfeldt, and the guide, Williams; and placed the party under the command of King, with directions to send me an express in case of the least delay at the settlements.

"It was the day after Christmas that this little party set out for relief. That day, like many Christmas days for years past, was spent by me on the side of the wintry mountain, my heart filled with anxious thought and gloomy forebodings. You may be sure we contrasted it with the Christmas of home, and made warm wishes for your happiness. Could you have looked into Agrippa's glass for a few moments only! You remember the volumes of *Blackstone's Commentaries* which I took from your father's library when we were overlooking it at our friend Brant's. They made my Christmas "amusements." I read them to pass the time, and to kill the consciousness of my situation. Certainly, you may suppose that my first law lessons will be well remembered.

"The party for relief being gone, we of the camp occupied ourselves in removing the baggage and equipage down the side of the mountain to the river in the valley, which we accomplished in a few days. Now came on the tedium of waiting for the return of the relief party. Day after day passed, and no news from them. Snow fell almost incessantly in the mountains. The spirits of the camp grew lower. Life was losing its charms to those who had not reasons beyond themselves to live. Proue laid down in the trail and froze to death. In a sunshine day, King, having with him the means to make a fire, he threw his blanket down on the trail, laid down upon it, and laid there till he froze to death! We were not then with him.

"We carried our arms and provisions for two or three days. In the camp, left under the command of Vincenthaler, the messes only had provisions for two or three meals, and a supply of five pounds of sugar to each man. If I failed to meet King, my intention was to make the Mexican settlement on the Colorado, a little affluent of the Rio del Norte, about half a degree above Taos, (you will see it on my map,) and thence send back the speediest relief possible to the party under Vincenthaler.

"On the second day after leaving the camp we came upon a fresh trail of Indians—two lodges with a considerable number of animals. This did not lessen our uneasiness for our long-absent people. The Indian trail where we fell upon it, turned and went down the river, and we followed it. On the fifth day, (after leaving the camp) we surprised an Indian on the ice of the river. He proved to be a Utah, son of a Grand River chief whom we had formerly known, and he behaved towards us in a friendly manner. We encamped near them at night.

"Sixteen days passed away, and no tidings from the party sent for relief. I became oppressed with anxiety, weary of delay, and determined to go myself, both in search of the absent party, and in search of relief in the Mexican settlements. I was aware that our troops in New Mexico had been engaged in hostilities with the Spanish Utahs, and with the Apaches, who range in the valley of the Rio del Norte and the mountains where we were, and became fearful that they [King and his party] had been cut off by these Indians. I could imagine no other accident to them. Leaving the camp employed with the baggage, under the command of Vincenthaler, with injunctions to follow me in three days, I set off down the river with a small party, consisting of Godey, his young nephew, Preuss, and Saunders, [colored servant.]

"By a present of a rifle, my two blankets, and other promised rewards when we should get in, I prevailed on this Indian to go with us as a guide to the little Rio Colorado settlement, and to take with him four of his horses to carry our little baggage. The horses were miserably poor, and could only get along at a slow walk. On the next day [the sixth of our progress] we left the Indian lodges late, and traveled only some six or seven miles. About sunset we discovered a little smoke in a grove of timber, off from the river, and, thinking perhaps it might be our express party [King and his men] on their return, we went to see. This was the twenty-second day since that party had left us, and the sixth since we had left the camp under Vincenthaler. We found them—three of them; Creuzfeldth, Brackenridge and Williams—the most miserable objects I had ever beheld.

"I did not recognize Creuzfeldt's features when Brackenridge brought him up and told me his name. They had been starving. King had starved to death a few days before. His remains were some six or eight miles above, near the river. By the aid of the Indian horses we carried these three with us down to the valley, to the Pueblo on the Little Colorado, which we reached the fourth day afterwards, [the tenth after leaving the camp on the mountains, having traveled through snow, and on foot, one hundred and sixty miles.

"I look upon the feeling which induced me to set out from the camp as an inspiration. Had I remained there, waiting the return of poor King's party, every man of us must have perished.

"The morning after reaching the Little Colorado Pueblo, (horses and supplies not being there,) Godey and I rode on the Rio Hondo, and thence to Taos, about 25 miles, where we found what we needed; and the next morning Godey with four Mexicans, thirty horses or mules, and provisions, set out on his return to the relief of Vincenthaler's party. I heard from him at the Little Colorado Pueblo, which he reached on the same day he left me, and pressed on the next morning. On the way he received an accession of 8 or 10 horses, turned over to him by the order of Maj. Beall, of the army, commanding officer of this northern district of New Mexico. From him I received the offer of every aid in his power, and such actual assistance as he was able to render. Some horses, which he had just recovered from the Utahs, were loaned to me, and he supplied me from the commissary's department with provisions, which I could have had no where else.

"I find myself in the midst of friends. With Carson is living Owens. Maxwell is at his father-in-law's doing a prosperous business as a merchant and contractor for the troops. I remain here with these old comrades, while Godey goes back; because it was not necessary for me to go with him, and it was necessary for me to remain, and prepare the means of resuming the expedition to California as soon as he returns with the men left behind. I expect him on Wednesday evening, the 31st inst., this being the 17th.

"Say to your father that these are my plans for the future.

"At the beginning of February, (Godey having got back at that time,) I shall set out for California—taking the southern route—the old route—by the Rio Abajo, the Paso del Norte, the south side of the Gila, entering California by the Agua Caliente, thence to Los Angelos, and immediately to San Francisco, expecting to get there in March, and hoping for your arrival in April. It is the first time that I have explored the old road, but cannot help it now. I shall move rapidly, taking with me but a part of my party. The survey† has been uninterrupted up to this point, and I shall carry it on consecutively. As soon as possible after reaching California, I shall go on with it. I shall then be able to draw up a map and report of the whole country, agreeably to our original plan. Your father knows that this is an object of great desire with me. All my other plans remain entirely unaltered. A home in California is the first point, and that will be ready for you in April.

"EVENING.—Mr. St. Vrain and Aubrey, who have just arrived from Santa Fe, called to see me. I had the gratification to learn that St. Vrain sets out from Santa Fe on the 15th of February for St. Louis, so that by him I shall have an early and sure opportunity of sending you my letters—the one I now write, and others, after the return of Godey, and up to our departure for California. Lieut. Beall left Santa Fe on his way to California on the 9th of this month. He probably carried on with him any letters that might have been in his care, or at Santa Fe, for me.

"MONDAY, January 29.—My letter assumes a journal form. No news from Godey. A great deal of falling weather; rain and sleet here; snow in the mountains. This is to be considered a poor country, mountainous, with but little arable land, and infested with hostile Indians.

"I am anxiously waiting to hear from my party, and in much uneasiness as to their fate. My presence kept them together and quiet; my absence may have had a bad effect. When we overtook King's famishing party, Brackenbridge said to me, 'He felt himself safe.'"

So far the extracts from the first letter, and they are mournful enough. The next, written after the return of Godey, with the survivers of the party, will be still more so. The written with rapidity, and confined to events—the mind recoiling from the description of scenes and the details of woe—it is still too long for this night's paper, and must be deferred till our next.

* A fork of the Colorado of the Gulf of California.

† With a view, among other great objects, to the Mississippi and Pacific highway.

KILLING GAME AT PANAMA.—A correspondent of the New Orleans Crescent says:—"Coming all the way from Chagres to Gorgona, save 18 miles, in canoes, we had ample opportunity for sport among the alligators, anacondas, cougars, etc., which are seemingly as plenty as squirrels in Ohio. Several of the real black South American tigers were seen. Dr. Chamberlain killed a cougar, several of the party killed large alligators, and N. and I killed a large anaconda each.

ADVICE TO YOUNG MEN.—Have it fairly understood before you wed, whether you intend to marry an individual or a whole family. —*Boston Post.*

Morning Herald.

RICHARD U. SHERMAN, EDITOR.

WEDNESDAY MORNING, APRIL 18, 1849.

Important Amendments to the Plank Road Law.

We publish officially, in another column, a bill, passed at the late session of the Legislature, making sundry important amendments to the General Plank Road Law. These amendments provide for the construction of branch lines by any of the companies now organized in the State, and for the extension of main lines, under the same regulations as those provided for the constructing new roads. They also provide for exempting certain classes of passengers from the payment of tolls, as for instance, persons on their way to attend religious worship or general or town elections, farmers going to cultivate their lands, jurors and witnesses attending courts, &c. &c.

The provision of the old law restricting dividends to ten per cent., is repealed. The roads may now divide all they make. But the most important feature of the new bill is a section which, in effect, authorizes the planking of every road district in the State. The plan is, to empower the highway officers of any district to anticipate the road taxes of several years in one, and with the avails, grade, gravel or plank the road, and no farther labor is required thereon, except what is actually necessary to keep the road in proper repair. This provision will be found of great utility in villages and thickly populated districts, which will, no doubt, very generally avail themselves of its benefits.

This section was incorporated into the bill at the instigation of the inhabitants of the road district extending from Yorkville to the New York Mills, who desired to plank their road in the manner provided by the bill. Mr. Geo. Balis and Mr. Scholifield, of Yorkville, are entitled to the credit of getting the measure incorporated into the general bill. The remaining provisions of the bill are mostly the work of Senator Geddes, of Onondaga, the author of the general plank road law, and a gentleman to whom the people of this State are principally indebted for the introduction of these valuable thoroughfares.

The provisions of the bill which we publish, are calculated to give a new impulse to the plank road enterprise.

Opening of the Canals.

The Canal Board announce officially that the Canals of this State will be open for the passage of boats on the 1st day of May. There has been an unusual amount of work performed on the canals since the close of navigation last fall, several new portions of the enlarged work having been brought into use, together with a number of locks of the enlarged size. The canals might be opened at an earlier day however, but for the fact that some very extensive works are going on at Buffalo that can not possibly be completed sooner. In order to forward the work as much as possible the Canal Commissioners have taken it out of the hands of the contractors and are prosecuting it with the utmost energy, keeping a force of several hundred men constantly at work.

It is the policy of the Commissioners to have whatever is done by them, well done. They deem it better to postpone the opening of navigation a few days rather than to run the risk of the constant interruptions which would be liable to occur from an undue haste. This policy, we are sure, will give the best satisfaction to those who do business on the canals.

SUDDEN DEATH.—James J. Curtiss, a well known and highly esteemed citizen of Westmoreland, in this county, who went to the east a few days since with a drove of stock, was brought home by the noon train of cars from Albany yesterday, a corpse. The manner of his death was sudden and singular. He was well at tea time, and in the evening visited the Albany Museum in company with several friends. After leaving the Museum he stopped at a restaurant and drank a glass of wine. Soon after, his friends observed him to be drooping and went to his assistance. They found him speechless and took him to his hotel where he died at 11 o'clock. The character of his disease was unknown to his medical attendants. A Telegraphic dispatch announcing the melancholy tidings was dispatched to this city yesterday morning and at noon the body came on and was sent to Westmoreland. Mr. Curtiss was an estimable and popular citizen and the news of his death will create a profound sensation among his neighbors and townsmen. He was for several years, the Supervisor of Westmoreland.

AN IMPORTANT CANAL REGULATION.—The Canal Board, says the Evening Journal, have adopted a rule in relation to the draft of boats navigating the canals, which the Collectors along the line have been directed to enforce to the very letter, and to which we would particularly call the attention of all engaged in the shipping business. We learn from the State Auditor, F. H. Ruggles, Esq., that no boat will be permitted to clear at any Collector's office, or navigate any of the canals, drawing more than *three and a half feet* of water, and that this regulation will be strictly enforced at the opening of navigation. To this fact we would particularly call the attention of those residing in New York, and who are engaged in the forwarding business.

SPECIAL TERM OF THE COURT OF OYER AND TERMINER.—Governor Fish has appointed a special term of this Court, to be held in Rochester on the first Monday in May next, for the trial of Dr. John K. Hardenbrook, for causing the death of Thomas Nott. We understand that Justice Welis is to preside, and Attorney General Jordan is to assist the District Attorney on the trial.

A lively competition exists in the steamboat transportation business between the cities of Louisville and St. Louis, by which the price of passage between those places has been brought down, in some instances, as low as $5 and $6, which sum also includes the boat fare. At these low rates the boats are crowded.

☞ The whigs of Lyons have nominated W. N. Cole, Editor of the Whig Journal in that place for Post Master.

OSWEGO RAILROAD.—The cars leave Syracuse at 7¾ A. M. and 3 P. M., and Oswego at 5 A. M. and 2 P. M. We find no notice in the Oswego papers of the time of departure of the steamboats.

APPLICATIONS FOR OFFICE.—The N. Y. Mirror says the Post Master General has now on file 7000 applications for post offices—360 for situations in the Department at Washington, and 78 for Riding Agents; six being the number employed.

☞ We have received from the publisher, H. Wilson, New York, Wilson's Illustrated guide to the Hudson River, with a Map and Street Directory of the City of New York, and Wilson's Railroad Guide from New York to Washington, with Maps of New York, Philadelphia and Baltimore and Sectional Maps of the routes. They will be found of great convenience to the travelers on the Hudson and to Washington, as well as to visitors to either of the cities above named.

SNAKE-BITES AND IODINE.—Dr. Whitmire (in the N. West Med. and Surg. Journal for January) recommends the tincture of iodine as a cure for the bites of venomous reptiles in man and beast, which he says he has used with success in the bites of rattlesnakes, copper-heads, &c. It puts an end to the swelling and pain in from twelve to sixteen hours. He paints the bitten part over the whole swelling with three or four coats of the tincture twice a day, renewing the application when the swelling extends, which it often does at the first application, if made while the wound is fresh.

☞ The Washington *Union* crows over the result of the election in Connecticut, and says "*it will have a good effect in Virginia.*"—Free soil papers please copy.

Laws of New-York--By Authority.

[Every Law, unless a different time shall be prescribed therein, shall commence and take effect throughout the State, on and not before the twentieth day after the day of its final passage, as certified by the Secretary of State.—Sec. 12, title 4, chap. 7, part 1, Revised Statutes.]

[Every Law so published by him, (the State Printer,) may be read in evidence from the paper in which it shall be contained, in all courts of justice in this State, and in all proceedings before any officer, body or board, in which it shall be thought necessary to refer thereto until three months after the close of the session in which it became a law.—Sec 8, title 7, chap. 8, part 1, Revised Statutes.]

CHAPTER 250.

An act in relation to plank roads and turnpike roads. Passed April 6, 1849.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. The directors of any plank road company formed under the act passed May 7, 1847, entitled "an act to provide for the incorporation of companies to construct plank roads, and for companies to construct turnpike roads," may with the written consent of the persons owning two-thirds of the stock, and with the written consent of a majority of the inspectors whose appointment is provided for in the 23d section of said act, construct branches to their main line of road, or extend their main line, or change the route of their road or any part thereof, which branches or extensions shall in all respects be governed by the same rules and effected by the same laws as the main line of road, and the said directors may increase the capital stock of the company to an amount not exceeding two thousand dollars a mile of such branches or extensions for their construction, and distribute the certificates therefor among the stockholders of the company in proportion to the stock owned by them severally, if such stockholders shall demand and pay up the same; and in case the new stock after the directors have given public notice in some newspaper printed in every county in which their road is situated for six successive weeks, is not demanded and paid by the stockholders, they may permit any person or persons to subscribe and pay on the new stock the same percentage that had been paid on the original stock of the company, and the same shall in all respects be held and considered as though it had formed a part of the original stock of the company. The right of way for any such branches or extensions shall be acquired by the company in the same manner as is now provided by law for plank road companies to acquire the right of way for their roads.

§ 2. The following persons and no others shall be exempt from the payment of tolls at the gates of the several plank road companies formed under the before mentioned act:

1. Persons going to or from any court to which they have been summoned as jurors, or to which they have been subpœnaed as witnesses.

2. Persons going to or from any training at which they are by law required to attend.

3. Persons going to or from religious meetings.

4. All persons going to or from any funeral, and all funeral processions.

5. Persons living within one mile of any gate shall be permitted to pass the same at one-half the usual rates of toll, excepting farmers going to or returning from their work on their farms, who shall go free, when not employed in the transportation of persons or of the property of other persons.

6. Troops in the actual service of this state or of the United States.

7. Persons going to any town meeting or election at which they are entitled to vote for the purpose of voting and returning therefrom.

§ 3. Any person falsely representing him or herself to any toll gatherer as being entitled to any of the exemptions mentioned in the preceding section of this act, shall forfeit to the company, to be recovered in the corporate name of the company, in any justice's court the sum of ten dollars.

§ 4. Whenever any plank road company formed under the before mentioned act, shall have finished their road, or any three consecutive miles thereof, and had the same inspected as provided in the before mentioned act, it shall be lawful to erect a toll gate thereon and exact tolls thereat, for a term not exceeding one year, unless such road or five consecutive miles thereof be completed within such year.

§ 5. Sections fifty-four, fifty-five and fifty-six of part first, title first, chapter eighteen of the Revised Statutes shall apply to all companies formed under the before mentioned act, passed May 7, 1847, so far as the same can be applied and are not inconsistent with this act.

§ 6. So much of section thirty-five of the aforesaid act, passed May 7, 1847, as provides that "in no case shall any plank road company charge or receive rates of toll which will enable said company to divide more, nor shall any company divide more than ten per cent per annum on their capital stock actually paid in and invested in their road, after keeping the road in repair, and appropriating not exceeding ten per cent per annum on their capital stock invested as aforesaid, as a fund for the re-construction of their road when necessary," is hereby repealed.

§ 7. The inspectors, or a majority of them, whose appointment is provided for by the thirty-third section of the said act, passed May 7, 1847, are hereby authorized to determine the distance that the outer limits shall be apart, of any plank road or any turnpike road, belonging to any company formed under said act, in case the same has not been determined by the commissioners appointed under the eighth section of said act: provided, that in no case shall the company take more than four rods in width, except by the voluntary sale of the same to the company.

§ 8. It shall be lawful for any two or more companies, formed under the provisions of the aforesaid act of 1847, to consolidate the respective companies, on such terms as the persons owning two-thirds of the stock of each of said companies may agree upon; and such company, consolidated as aforesaid, may change the name of their road, on filing in the office of the Secretary of State a certificate, containing the names of the roads so consolidated, and the name by which such road shall thereafter be known.

§ 9. Any person who shall pass any plank road gate, or turnpike gate, without paying the toll, and with the intent to avoid the payment of the same, by which a penalty accrues, or any person committing any depredation or trespass on any plank road or turnpike, may be sued for said penalty or trespass in the county where such offence or trespass was committed, or in the county where such person may reside.

§ 10. Whenever a complaint shall be made to the inspector or inspectors of any plank road or turnpike in this State, before such inspector or inspectors shall upon such complaint, he or they shall receive from the complainant the fees provided by law; and in case it shall appear, upon examination of the road, that the complaint was well founded, the amount of said fees shall be paid to the complainant by the company. In case it is determined that the complaint was not well founded, the complainant shall not be entitled to receive back the fees so paid by him.

§ 11. Whenever any plank road or turnpike road shall be built in pursuance of the provisions of this act, or the act hereby amended, upon the site of an old highway, it shall be the duty of the commissioners of the highways of the town where such road shall be made, to designate some district or districts within their town, on which the highway labor of the inhabitants residing along the line of said plank or turnpike road shall be performed.

§ 12. It shall be lawful for the inhabitants residing in any road district in this State, to grade, gravel, or plank the road or roads in such district, by anticipating the highway labor of such road district for one or more years, and applying it to the immediate construction of such plank or gravel road, and after the completion of such plank or gravel road, the said inhabitants shall be exempted from the labor so anticipated and applied, except so far as their labor may be necessary to keep their said road or roads in repair; such road to be in all cases free road.

§ 13. Section first of chapter 220, of the laws of 1847, is amended by striking out in the tenth and eleventh lines, the words, "and five per cent. paid thereon as hereinafter required."

State of New-York, } I have compared the preceding with the original law on file in this office, and do certify that the same is a correct transcript thereof, and of the whole of the said original.
Secretary's Office. }

CHRISTOPHER MORGAN, Secretary of State.

☞ We regret to announce the sudden death of Col. John Richardson, one of the oldest and most respectable inhabitants of this city. He had not been ill but two or three days and was not thought to be in serious danger until within a very few minutes before his death. It is reported that his disease was the Small Pox, though we suspect without good foundation. Col. R. was amongst the first settlers of Auburn, and had won the respect of all who knew him, by his integrity of character, and had rendered himself deservedly popular with all classes, by his many social virtues and his natural kindness of heart. A large circle of friends and acquaintances, not only in this city, but in every part of the country will mourn his death with unaffected sorrow.—*Auburn Daily Adv.*

☞ Last Sunday afternoon, the Rev. J. H. McILVAINE, pastor of the First Presbyterian Church in this city, announced to his congregation that on account of impaired health he contemplated being absent about five weeks. Mr. McI. has discharged his pastoral duties in this city about a year with great acceptance, and with the cordial regard of the church and society. We hope he will return with renewed health and after a pleasant journey.—*Roch. American.*

Notice.

THE Ladies of the Presbyterian Society of N. Y. Mills will give a SOIRRE at the Brick Church, on Thursday evening, April 19. The avails will be appropriated for benevolent purposes.

To the Proprietors of the "House" and "Bain" Systems of Telegraphing.

OFFICE OF THE NEW YORK, ALBANY & BUFFALO TELEGRAPH CO.
UTICA, April 13, 1849.

Much having been said through the medium of the press, about the accuracy and dispatch with which either of the above patented machines are worked, without any fact being submitted to the citizens between New York and Buffalo who are called on to give these systems their support; and believing that *our substantial fact* presented fairly to their consideration, will have more influence than any mere declaration can have; and with a view to this end, I now make the following distinct proposition, which, if accepted, will enable all to judge which is the best and most reliable method of Telegraphing:

First. I will give to either of the above named parties the use of one of the wires of the New York, Albany and Buffalo Telegraph Company, in good order, any one or more days between the 1st and 5th of May next; they to place one of their machines in the office at New York, and one in the office at Buffalo, and an intermediate one at Utica.

Second., Mr. House and his associates shall use *only what is patented to them in the United States*, and they may have the first trial on the following conditions:

They shall transmit from New York to Buffalo, two hundred consecutive words, averaging five letters each, printing the same also at the intermediate station, and using all the letters of the alphabet, all of which shall be plainly printed in Roman characters or letters, and correctly spelt; and two trials may be made and no more, and the result shall be submitted to competent judges, each party choosing one, and they the third, and their decision to be final; and if decided to be fairly and correctly done, according to the terms, intent and meaning of this proposition, then I agree to pay the said House *five hundred dollars*; but if not correctly transmitted from New York to Buffalo, and at the intermediate station at Utica, according to the true intent and meaning of this proposition, then the said House, or his associates, shall pay me *five hundred dollars* for the use of the wire. The money to be deposited in the Oneida Bank, in Utica, on or before the 25th instant, by each party.

Third. I offer to Mr. Bain, and his associates, the same terms, confining them to *Bain's American Patent*, without the use of any thing that Mr. Morse has patented.

The money to be deposited as above, subject to be drawn by the party entitled to it by the decision of the judges.

Fourth. After full trial by the parties as above proposed, I offer to take the same wire used by them, it being in good order, with *Morse's* instruments, and will have transmitted the same number of words in less time; and for every word not correctly spelt and written out, with "Morse's" machine now in use in said offices, I agree to pay the above parties *five dollars*, on condition that they agree to pay me *one dollar* for every word correctly transmitted.

All to be subject to the decision of same judges.

T. S. FAXTON,
apl6d3t President N. Y., A. & B. T. Co.

W. W. BACKUS, AUCTIONEER.

SPLENDID HOUSEHOLD FURNITURE AT THE RESIDENCE OF E. W. TEAKLE, Esq. 57 BROAD STREET.

W. W. BACKUS will sell at Auction on Wednesday, April 25, at 10 o'clock A. M., at the above mansion, the most splendid Household Furniture which has been offered in this city, consisting of costly Rose Wood Sofas, Arm Chairs, Ottomans, Divans, Chairs covered with Crimson Plush, Card Tables, Quartette Tables, Sofa Tables, Work Tables, all of Louis XIV style. Also Mahogany Dining and Tea Tables, Sideboards, Bedsteads, Night Stands, Marble Top Wash Stands, &c. An elegant Rose Wood Piano, made by Stoddard & Dunham, New York. Rich China and Glass Ware, Tapestry, Brussels and Ingrain Carpeting, Hair Mattresses, Pillasters, &c., &c. At the same time will be sold an elegant double Carriage, elegant single and double Harness, silver Sleigh Belts, &c., &c.

The above Furniture is nearly new, and made to order by the best makers in New York.

Persons desirous of examining this beautiful Furniture can do so one day previous to the sale.

Sale positive. Terms made known at time of sale. apr18

50 BOXES of Oranges and Lemons received this morning by Express, and for sale by
apl18.3tf WM. P. BATTY, 6 Bleecker-st.

PINE APPLES.—500 Pine Apples received this morning, the first of this season, for sale by
apl18.3tf WM. P. BATTY, 6 Bleecker st.

LOBSTERS received this morning by Express, and for sale by WM. P. BATTY,
apl18.3tf 6 Bleecker-st.

5000 FRESH CLAMS just received this morning, and for sale at
apl18.3tf WM. P. BATTY'S, 6 Bleecker st.

BOOKS POSTED,

OR any kind of plain writing executed. Apply at No. 102 Genesee st. J. INGOLS.

By Telegraph.

NEW YORK, April 17—2½ P. M.

The Board for the settlement of Mexican claims met at Washington yesterday. Mr. Smith being absent, the sitting of the Board will be continued from day to day to receive applications, &c.

Brigadier General Pillow declines being a candidate for the governorship of the State of Tennessee.

The Crescent City sailed for Chagres at 12 to-day with one hundred and forty-three passengers for California. The Crescent City, it is said, has on board $150,000 in silver coin, consisting of dimes, half dimes and quarter dollars.

WASHINGTON, April 17th.

Appointments by the President.

B. S. Hawley, Collector of Customs at Appalachicola; Robert B. Little, Naval Officer, N. Orleans; Manuel J. Garcia, Surveyor of the Port at N. Orleans; John W. Crockett, Commissioner to superintend the building of the Custom House, N. Orleans.

The Patent Robbery.

WASHINGTON, April 16.

The jury in Shuster's case stood seven for acquittal to five for conviction. They were discharged after being out 48 hours.

HARTFORD, Conn., April 16.

The election for city officers came off to-day, and resulted in the election of the whig ticket. The new Mayor is Hon. Philip Ripley, by a large majority.

NEW YORK, April 17, 6 P. M.

The St. Louis Robbery.

The St. Louis papers contain the account of the arrest and subsequent escape of the robbers of the Banking House of Nisbet & Co., of St. Louis. The amount recovered was about $6,000 in addition to some property which had been purchased by the men.

Among the passengers by the Crescent City for Chagres to-day was Lieut. Budd, who goes out to take charge of the steamer California, and Capt. Bailey, who is to command the Panama.

Large Cargo.

The Baltimore Patriot of yesterday, says: The ship Juniata, cleared at this port this morning for London by Messrs. R. Garrett & Sons, had upwards of 1100 tons of provisions. This is the heaviest cargo that ever left this port. The invoice is $130,300.

Col. R. T. P. Allen, the newly appointed agent of the Post Office Department for California and Oregon, will take passage in the steamer Falcon for Chagres, and thence proceed overland to his destination.

Commercial.

New York Markets.

NEW YORK, April 17—7 P. M.

Stocks—Second Board, some improvement and a better feeling though business was tight. Operators are beginning to suspend in anticipation of the steamers advices which it is expected will materially affect the market. Sales Mohawk at 81¼, Indiana State 5's 82, Harlem 58¾, Farmers 35¾, Erie new 57¾, Canton Co. 38, Treasury 6's a decline of ⅛, being 8⅛.

A larger amount than usual of Foreign bills were sold, to go by the Niagara. The principal portion at 6⅜, towards the close 6⅜.

Ashes—Pearls lower. Sales at 6 87½. Pots firm, and in request at 7 00.

Cotton dull and heavy. Transactions small.

Flour—Market for western continues firm, with good eastern and city demand. Sales add up 7,000 bbls, at 4 50@4 56½ for Brooklyn and city, 4 56¼@5 00 for common to straight state and mixed to favorite western, and 5 50@5 75 for favorite Genesee.

Rye Flour steady. Sales 2 81¼@2 87½.

Meal without change. 2 56¼@5 62½ for Jersey afloat and in store.

Grain—For wheat, market is firm with fair inquiry. Sales 10,000 bus Ohio at 1 00, 860 prime Penn. at 1 13, 1000 Delaware at 1 00, and a considerable quantity Genesee at about 1 20.

Rye dull. 2,800 bus sold at 88 delivered.

Barley quiet. 62½ delivered.

For corn there is fair inquiry, and holders are firm. Sales 2,500 bus at 56½@57 for southern yellow, 58 for northern 59 for southern white, 53 for damaged southern Yellow, and 48@49 for heated N. O.

Oats sell at 33@38.

Provisions—Mess Pork is without any material change. Prime is in request at better prices.—Sales 500 bbls at 10 37½ and 8 50 for mess and prime. There were also sales 500 bbls sour prime at 7 50 and 200 do mess at 9 50. Of Beef there were small sales made at previous rates. Sales 100 bbds dry salted Hams at 5 for the former and 4½ for the latter.

Lard is in moderate demand with sales 4 000 bbls in tierces at 6⅞@6¾, and 500 kegs at 6½@7 for prime to extra.

Butter and Cheese dull.

Whisky, in limited demand and heavy. Small sales Prison about 21.

Freights dull. Some parcels Flour were taken at 2s.

MARRIED,

At the Central Hotel, in this city, on the 17th inst., by the Rev. D. G. Corey, Mr. HOSWELL E. STEWART to Miss SARAH M. MARTIN, all of Western.

AUCTION.

AUCTION SALE A LARGE quantity of FURNITURE will be sold at 15 Broad street, commencing on Thursday, the 19th inst., at 10 o'clock A. M., and continue from day to day until all is sold.

TERMS.—Three months credit for all sums over $50, with good approved notes.

apr16tf C. D. CLARK, Auctioneer.

GLOVES AND HOSIERY.—A complete assortment of all kinds and qualities. Misses and Boys do. DOOLITTLE & NORRIS.
136 110 Genesee street.

NEW GOODS.—DOOLITTLE & NORRIS have just received Linen Ginghams, Linen Lustres, Linen Barages, French and Scotch Ginghams, Muslin de Laines, Lawns and Muslins, Prints &c., &c.
110 Genesee street.

TAKE NOTICE.

THE PUBLIC ARE HEREBY CAUTIONED against trusting any person or persons on our account, as goods sold to other individuals and charged to us, will not be paid for, unless delivered in accordance with a written or printed order. ROBERTS & SHERMAN.
Utica, April 3, 1849.

POTASH AND PEARLASH, for sale by
J. E. WARNER & CO.

GRIND STONES.—A consignment of large Grind Stones, for sale low at 92 Genesee-st. by
39 DANA, SON & CO.

THE DRUG AND GROCERY BUSINESS IN all its branches at the old stand of James S. Hart, will be continued after the first of May next by
apr16tf A. B. MORTLEY.

BUTTER.—A few tubs choice Butter for sale by
133tf V. V. LIVINGSTON.

CONGRESS WATER for sale by
J. E. WARNER & CO.

COAL SIEVES, for sale at 92 Genesee-st., at
39 DANA, SON & CO'S.

SUGAR MILLS.—A new pattern and at a reduced price, for sale by
49 J. E. WARNER & CO.

FIRE STANDS, Bronzed and Japanned, manufactured and for sale by
DANA, SON & CO.

Corporation Notice.

NOTICE is hereby given that an application is now pending before the Common Council of the City of Utica, and will be finally acted on the fourth day of May, 1849, for grading Philip street. The work to be done under the direction of the Street Commissioner, and the expense thereof assessed on the real estate benefitted thereby in proportion to the benefits resulting thereto, as nearly as may be. JAMES McIVER, Clerk.
Utica, April 14, 1849.

The N. Y. Health and Life Provident Society.

HON. JUDGE HAMMOND, President.
LEWIS I. BIERCE, Secretary.

THIS Society acts for most of the Life and Health Insurance Companies in the United States, that make an annual division of the whole profits to the insured. It procures policies in cash companies at a premium reduced 25 per cent from the Carlisle standard, or in credit companies at the usual rates. Receipts for premiums will be sent from the office of the company insuring wherever desired. The agents of the Society will cheerfully give information in relation to the various systems of Life and Health Insurance, both in this country and England, and where desired will explain the peculiar merits of particular companies based on these different systems. Persons contemplating insurance will see the utility of consulting the undersigned before insuring elsewhere. *The Health L. P. Society was organized for the purpose of disseminating a practical knowledge of the benefits of Life and Health Insurance and acts only in the capacity of an agency.*

☞ CALIFORNIA risks taken at 2½ per cent.—L. J. RICHARDSON, Agent, office at Clark & Richardson, on Public Square, fronting Rail Road Depot. 1d

NATURAL AS LIFE:
Davie's Gallery of Daguerreotype Portraits.

Third Story of Devereux Block, Utica.

PORTRAITS of all sizes, from the largest down to groups