Miners' Journal.

POTTSVILLE, PA.

SATURDAY, JUNE 25, 1859.

THE SPEAKERSHIP OF THE NEXT HOUSE OF REPRESENTATIVES.

Upon all the reliable data at hand, it is demonstrated that there will be no strict party majority in the next National House of Representatives, while it is clear the Administration will be in a minority, even allowing it all the strength which may be claimed under the most favorable auspices, that is to say, conceding to it the support of the whole South, upon any important party division. The generally well informed Washington correspondent of the Philadelphia *North American*, says that the estimates heretofore presented, have claimed the anti-Lecompton democrats in New York, New Jersey and Pennsylvania, as part of the regular Opposition. This assumption, though perhaps well-founded in some instances, is not authorized by any open declaration of these members. It has, therefore, seemed most correct to classify the House under the heads of regular Opposition, regular democrats, anti-Lecompton democrats, and Americans, as representing precisely the positions occupied by the respective parties themselves, when elected, and the more especially as their future course may be shaped by events yet to happen. They have by no public act or expression justified a different classification. It is quite likely, and seems to be foreshadowed, that Messrs. Clark, Haskin and Reynolds, of New York, will act with the regular Opposition. And so, too, of Mr. Hickman, of Pennsylvania, and Messrs. Adrain and Riggs, of New Jersey. But Messrs. Montgomery and Schwartz, of Pennsylvania, who were elected as anti-Lecompton democrats, have yet given no indication of such a purpose. The anti-Lecompton democrats of Illinois are classed with the regular democracy, because it is supposed they will imitate the example of Judge Douglas, and enter the caucus, by way of illustrating their orthodoxy. With these preliminary remarks, the following table exhibits the state of parties in the House, so far as the elections have proceeded:

	Opp.	Dem.	A. L.	D.	Am.
Maine,		5			
Massachusetts,		11			
Vermont,		3			
New York,	26		4		2
New Jersey,		3			2
Pennsylvania,	20		2		3
Ohio,	15	6			
Indiana,	8	3			
Illinois,	4	5			
Michigan,	3	1			
Wisconsin,	3	1			
Iowa,		1			
Delaware,		6			
South Carolina,		1			
Florida,		7			
Missouri,		2			
Arkansas,					
New Hampshire,	3				
Rhode Island,	2				
Connecticut,	4				
Virginia,		12			1
	112	51	8		1

The regular Opposition have made their most important gains in the States which have already voted; but the recent movements in Georgia and Tennessee, particularly, encourage the belief that they may be strengthened by southern accessions. Without, however, assuming any such expectation, let us take the figures of the States yet to vote, as they were represented in the last Congress, as follows:

States yet to elect, as politically represented in the last Congress:

	Opp.	Dem.	A. L.	D.	Am.
Minnesota,	2				
Georgia,	6	6	2		
Kentucky,	8	3	2		
Tennessee,	3	7	3		
Mississippi,	5				
Alabama,	7	7	1		
Louisiana,	3	2			
Texas,	3	3			
Maryland,	7	1	1		
North Carolina,	1	1			
California,		1			
	51	1	12		

RECAPITULATION.

	Opp.	Dem.	A. L.	D.	Am.
States already voted,	112	51	8		1
States to vote in last Congress,	51	1	12		
Total,	112	102	9		13

Oregon was admitted last session, and is not included. It may be safely assigned to the democratic side. With her vote, the aggregate of the House is 237 members, requiring 119 to elect, unless the plurality rule should be adopted, after the example in the thirty-fourth Congress. The losses and gains in the States to elect will probably offset each other, and in the aggregate, the south will be apt to stand as in the last Congress, though the chances favor the Opposition. Allowing the democrats the south solid—which they cannot hope to get—and the two anti-Lecompton men from Pennsylvania, who are regarded most doubtful, and they still could not organize the House with a majority. The Opposition only require the aid of seven out of the eight anti-Lecomptonites, to have the control, independent of the southern Americans. With any co-operation from the latter, they could elect their Speaker and other officers, without a day's delay. But it is very clear that these fractions hold the balance of power, and may yet exert an important influence in organizing the House. If they choose to stand out obstinately, they may prevent the election of Speaker for weeks, as in the case of Mr. Banks, four years ago.

The presentation of a strong candidate for Speaker would obviate the anticipated difficulty, and enable Congress to proceed to business without delay. The nation certainly, would desire it, and a quick organization would be the best move the Opposition could make. It is very evident that under the circumstances the candidate of the Opposition for the Speakership should be a Pennsylvanian, as most likely to promptly concentrate the entire vote of the Opposition to the present Administration. If in addition he is a man of marked ability; and of conservative principles, such a result would do more than anything else, to harmonize the efforts of the Opposition, to successfully combat the political iniquity of the Buchanan Democracy.

If it is expedient then, that Pennsylvania should present the candidate—who shall it be? We emphatically answer, JAMES H. CAMPBELL. Mr. CAMPBELL enjoys no mere local reputation. His Congressional career not only received the encomiums of his associates, Republicans and Americans; but its brilliancy secured for him justly, a national reputation. His zeal, unwavering fidelity, and ability in the cause, are recognized, and he is spoken of in other States as the leader of the Opposition in this State. The final success of Mr. Banks alone prevented Mr. CAMPBELL from being elected Speaker four years since. The interval has but served to strengthen him, and we believe truly, that he is the most unobjectionable candidate for the Speakership, the Opposition can select.

The political weight of the next House will be so nicely balanced, that extreme care will have to be exercised lest a man opposed to our progressive principles be selected—a man with no aspiration beyond executing the behests of party.—By such a selection not only would our interests be jeopardized, through the appointment of hostile Committees, but the triumph in 1860, now confidently predicted, might be imperilled. As in the past, so next year will depend upon the vote Pennsylvania gives, the fate of an American-Republican candidate for the Presidency. Lighter occurrences than the failure to elect a proper man Speaker of a National House of Representatives, have decided the fates of parties; of mighty interests; the destinies of nations. This consideration should have its due weight with the Opposition, upon the assembling of the next Congress, and when it recognizes the peculiar fitness of the man for the office; the train of consequences to follow his election; the importance of such a selection at this time, we trust that it will act wisely in the matter.

It is thought that the European war will be protracted. The Austrians are falling back upon a strong line of fortifications and defences, to reduce which will require much time, and severe losses. Austria is the most obstinate Power in the world. She would not now make a treaty ceding even the west of Lombardy, to say nothing of evacuating the Italian peninsula. To bring her to that point, not one defeat, but the destruction of her army will be necessary; and from that consummation we are yet somewhat remote. Nor is there any likelihood that England and Prussia will intervene to compel the conclusion of a peace. Prussia, on the one hand, is restrained by Russia; and England is now about to pass from the hands of a Government whose sympathies are with the Austrians, into the hands of one whose sympathies will be with Napoleon III.

MR. DALLAS's last dispatches state the defeat of Derby was fully anticipated, but the friends of Palmerston and Russell could not agree as to a proper distribution of power, and therefore it was believed they would not be able to form a new Ministry.

THE *National Intelligencer* says of the Virginia election that "if the material victory still remains in the hands of the Democracy, it must be admitted that their opponents have achieved all the moral advantages of a decisive triumph."

Local Affairs.

WEEKLY ALMANAC.

1859—June.	SUN RISES	SUN SETS	MOON'S CHANGES.
25 SATURDAY,	4 30	7 35	D. H. M.
26 SUNDAY,	4 30	7 35	New M. 1 2 14 m.
27 MONDAY,	4 30	7 35	First Q. 7 3 07 e.
28 TUESDAY,	4 31	7 35	Full M. 15 5 22 m.
29 WEDNESDAY,	4 31	7 35	Last Q. 23 9 26 m.
30 THURSDAY,	4 31	7 35	New M. 30 3 45 m.
1 FRIDAY,	4 31	7 35	

Thermometrical Record for the Week.

P. R. & P. TELEGRAPH OFFICE,
Pennsylvania Hall, Pottsville.

	2 A.M.	2 P.M.	9 P.M.	
June 18—Saturday,	62°	69°	68°	cloudy.
" 20—Monday,	66	72	70	"
" 21—Tuesday,	77	78	74	clear.
" 22—Wednesday,	75	76	72	"
" 23—Thursday,	76	80	74	"
" 24—Friday,	65	79	74	cloudy.

The Scott Rifle Company will parade on the Fourth for target practice; and afterwards go through firing evolutions, etc., in our streets. A good idea.

The Burns' Club will meet this evening at Stewart's Hotel, Minersville, at 7½ o'clock, in order to accommodate the membership in the western end of the County.

Schuylkill Navigation Company.—The President and Board of Managers of the Company arrived here on Thursday evening, having made their annual trip along the line of the works.

Fatal Mining Accident.—On Friday morning, the 17th instant, B. Murphy was instantly killed at Thomastown Shaft, near Heckscherville, by a fall of coal. He leaves a wife and three children.

A Pigeon Shooting Match, $50 a side, came off on Monday, at the head of Mahantango street, between two men named Cox and Whitehouse. Cox won, killing eight out of thirteen birds his antagonist two.

A New Steam Canal Boat, built by William Call, of Reading, was launched last week.—The machinery is in course of construction at Port Carbon, and the boat is an experimental one to determine the feasibility of steam navigation on the Schuylkill Canal.

Homicide at Glen Carbon.—The Schuylkill *Gazette* states that on Saturday evening last, a man named Robert Motely, was beaten to death at Glen Carbon. Several arrests have been made, and the matter is being investigated before C. W. Taylor, Esq., of Minersville.

The new "spider" of the Humane Fire Company of this Borough, will reach here from Philadelphia on Monday next, and be housed.—Some twenty-five or thirty Philadelphia firemen will accompany the apparatus. We presume our fire department will give it and the visitors an appropriate reception.

A Pic-Nic will be given by Washington Camp, No. 14, Junior Sons of America, of this Borough, at Yuengling's Grove, Deer Park, on Thursday, July 7th, 1859. An every arrangement necessary to a pleasant time, will be made, those who participate may anticipate a delightful day amid the shades of Deer Park.

Pottsville Saving Fund Association.—A meeting for the organization of this Association will be held on Monday next, 27th inst., between the hours of three and six, P. M., at the Hotel of Geo. Betz, at which time shares may also be had. The first monthly instalment, $1 for each share, will become due on the 5th of July, and regularly thereafter on the first Monday of each month.

Rev. R. H. Austin of Brownsville, Pa., has accepted a call from the Baptist Church of this Borough. Mr. Austin will enter upon this field on Sunday, July 3d, 1859. A series of resolutions highly complimentary to him as "a man of God, a faithful pastor and an efficient minister of the Gospel," was recently adopted by the Brownsville Church, and published in the Christain Chronicle.

To Destroy Insects on Trees.—A solution of white oil soap will destroy the numerous insects that infest trees and shrubbery at this season of the year. Dissolve the soap in warm water, making "suds" of medium strength, and sprinkle the leaves with a syringe. This specific is sure death to the caterpillar, miller, and the army of ravagers that destroy the foliage. Now is the time for its application.

Mr. H. H. Davis, portrait painter, of this Borough, has been sojourning in Harrisburg.—The *Telegraph* thus speaks of him:

"He is a worthy young man, and a first class artist. We have examined a number of portraits of many prominent citizens, painted by Mr. Davis, which we think cannot be excelled for accuracy, softness of tone and beauty of finish. All of them are perfect copies of the originals, and show a very high degree of artistic skill on the part of Mr. Davis."

Murderer Arrested.—On Saturday last, Dennis Shea, the murderer of James Elliot in Philadelphia, was arrested by officer Schlosser, of that city, on the canal-boat *Cherokee*, above Humburg. He was tracked to Norristown and then to Reading, and when arrested was sitting on deck. He made no resistance, and gave up the knife—a weapon with a blade about five inches long—with which he committed the deed. He was taken to Philadelphia on Saturday afternoon.

Brutal Assault.—The Schuylkill *Gazette* states that on Saturday evening last, as Mr. Tobias McCullough, accompanied by his wife and Mr. Peter Furphey, were proceeding towards their homes at Forrestville, after a visit to Minersville, they were met on the old Sunbury road, a short distance above town, by three men named Daniel McGarrey, Patrick McGariey, and Andrew Bird, who attacked and beat them in a most brutal manner. The assailants were arrested.

Post Offices in Schuylkill County.—The complete and reliable list is as follows:

Ashland, Auburn, Barry, Beaumont, Branchdale, Broad Mountain, Cressons, Donaldson, Ellwood, Foeht's Forge, Friedensburg, Gordon, Hegins, Heckscherville, Hendler, Hepler, Hughes, Klingerstown, Landingville, Llewellyn, Lower Mahantango, McKeansburg, Middleport, Minersville, North Penn, Orwigsburg, Pinegrove, Pitman, Port Carbon, Port Clinton, Pottsville, Ringtown, Rough and Ready, Sacramento, Saint Clair, Schuylkill Haven, Silver Creek, Summit Station, Swatara, Tamaqua, Tremont, Tuscarora, Upper Mahantango, West Penn, Woodside.

"Humane," to the Rescue.—The Honorary, Active and Contributing Members of the Humane Hose Company will meet at the Hose House, on Monday afternoon, 27th inst., at ½ o'clock for the purpose of housing the New Carriage, in the following dress: *Equipped Members*—White New York hats, gray shirt, black neckerchief, black pants, and white gloves; *Non-Equipped Members*—Black coat and pants, white vest and gloves, black silk hats, with the badge worn by the company on former parades.

Sewing Machines.—These valuable assistants in getting through with the troubles and turmoils of this world, are coming into universal use among those who like to live easily and work sparingly. Our friends Green & Hoffman, Centre street, have pretty well established the superiority of "Grover & Baker's" machine. But a man down in Connecticut has got a new machine, which, according to his description, leaves our first-class "Grover & Baker" far in the rear. We have tried both kinds, and would strongly object to parting with either.

Mount Vernon Fund.—The Vice Regent of the Ladies' Mount Vernon Association of Pennsylvania, has appointed Mrs. Sophia Seigfried the assistant Lady Manager for the Borough of Port Clinton. The object of the Association, as is well known, is to raise funds to purchase the Mount Vernon estate, embracing the tomb of Washington. Contributions of any amount sent to Mrs. Seigfried will be immediately acknowledged. Every person who contributes one dollar towards this fund becomes thereby a permanent member of the Association, and is inscribed as such in a record which will be preserved at Mount Vernon.

Important Improvement to Railroad Companies.—Mr. David D. Lewis of Tamaqua, has obtained a patent for an improved Railroad Frog. Its use for three years on the Little Schuylkill Railroad, proves that it affords a safe and easy passage for wheels, and prevents accidents. With these Frogs also, the facility of making necessary repairs required from time to time, will be increased, and one half of the expenses saved. It is a desideratum to railway companies, in consequence of the facility with which the castings can be repaired, the point removed and re-inserted when necessary. A number of them are also in use on the East Pennsylvania Railroad, and prove to be all their inventor claims for them.

But Slightly Damaged.—In our last we noticed the fact of an explosion of fire damp at the Lewis Vein Colliery of I. P. Vorhies, above this Borough, originating from the breaking of a battery, between the old and new works of Mr. Vorhies. Although the explosion was severe, yet we are pleased to state that the damage done inside and to the slope, was but slight, and that the colliery is again being worked. The principal damage sustained was to the engine house, and the severest loss was the killing by the choke-damp of three valuable mules that were inside.—It must be gratifying to Mr. V. to be again in so short a time after the occurrence, enabled to ship Coal which for quality and the manner in which it is prepared for market, bears so fair a reputation.

A druggist sent his Irish porter into a darkened cellar; soon after, hearing a noise, he went to the opening and called out—"Patrick, keep your eyes skinned."

"Och! devil an eye," roared Pat, "but it's my nose that's skint entirely."

We were reminded a day or two since, of this rather unfortunate accident to Pat, by the predicament a fellow son of Erin was placed in, in Norwegian street, this Borough, by the sudden onslaught upon him of a huge porker, goaded to desperation by half a dozen dogs. Our Pat's legs formed a decided bow, and between them the muddy pig plunged. Pat performed a double somersault in the air, and lit in a puddle, at the same time barking his nose on the sharp edge of the curb. As he rose to his feet he presented a pitiable spectacle, and we could not help sympathising with his ejaculation, "Bad luck to the man that owns the ugly baste, and worse luck to the town that lets sich craturs be so familiar wid decent folks." Honest Pat, you malediction though severe, is not we are sorry to say, undeserved.

Of the many pleasant ways of spending the 4th of July that will present themselves to our citizens, we do not know of any that possess so great attraction as the Floral Festival and Fourth of July celebration, to be given by the Young Ladies of Schuylkill County, in accordance with the request of the Regent of the Mount Vernon Association which we published in our last issue. The Ringgold Cornet and Cotillion Band of Reading has been engaged for the occasion. This band is composed of 24 martial and 6 cotillion performers, and they have the reputation of being the best band outside of Philadelphia.

The ladies will endeavor to have the fire works that will be provided for the 4th by the gentlemen of Pottsville, concentrated at the Festival, where conveniences for displaying them will be provided. This strikes us as being an excellent plan, as the same amount of fire works combined will make a beautiful display. Those let off in small portions and in different parts of the town will produce no display at all.

In the evening the grove will be brilliantly illustrated by Chinese lamps, &c. We know it is not necessary to urge to general attendance as all who do attend will spend a delightful and patriotic 4th of July.

Take it Easy.—Our excellent cotemporary, the *Miners' Journal*, appears to be smartly exercised at our brief allusion, last week, to the late contest between the Germantown and Pottsville Cricket Clubs, and lets off at us some of its carbonic acid gas. Our friendly suggestion to it, to take the vanquish that every one similarly situated can assume it, that though the battle appeared to be hotly contested, the Germantown boys were only *playing* with their challengers. See last Saturday's victory, recorded in our "locals," achieved over the Union Club of picked cricketers, and—quietly retire.—*Germantown Telegraph.*

Not until called "out" by the umpire in this case—the first eleven of the Germantown Cricket Club. If the Major will put on his "spec's," and refer to paragraph seven of a card published by "One of the Germantown Eleven" in the *North American*, he will find the following sentence:

"It was one of the hardest fought battles Germantown ever remembers."

How is that, Major? Explain,—and reconsidering our resolution, we will "quietly retire" without waiting to be called "out." We like the Germantown Club. It is composed of a fine, manly set of young gentlemen; and next to inspecting the Major's garden, we should like to see the expression of his face, as one of them whispers confidentially, to the Major, "we beat them, dear Major; but oh, we were dreadfully alarmed. Major, Major, what a spectacle for Germantown is that score—two innings, 97!" [*Curtain falls to slow music. Exit Germantowner sobbing hysterically. Major falls back into his arm chair, faintly ejaculating*, peas, peas!]

A Cricket match came off on Saturday last, on the ground of the Pottsville Club, in this Borough, between the two rival boys' clubs of the Borough—the "Keystone" and "Osceola." A ball was played for. The game was well contested. The "Keystone" was victorious by five runs. The boys are improving rapidly in the game.—By the time they reach years of maturity, they will be excellent players. The score of the game noted above, is as follows:

KEYSTONE.

First Inning.			*Second Inning.*	
Ed. Hodgson, b Taylor	0	b Parry		13
Milton Bowman, b Evans	1	b Parry		3
Jno. Atwood, b Evans	1	c McCool, b Evans		4
S. Foster, c Evans, b Taylor	1	not out		2
Higley, b Evans	16	c Beck, b Evans		14
Marcus Bowman, not out	0	b Parry		2
Straub, b Evans	1	b Taylor		2
Slater, b Taylor	0	b Taylor		10
Lerch, run out	1	run out		0
Smith, b Evans	1	c Russel, b Taylor		2
Moorhead, c Fey, b Taylor	2	c Taylor, b Evans		3
Byes	1	Byes		0
Leg Byes	2	Leg Byes		8
Wides	2	Wides		0
	29			60

OSCEOLA.

First Inning.			*Second Inning.*	
Evans, b Smith	1	b Straub		0
Parry, b Higley	7	b Higley		0
Taylor, b Higley	3	c Smith, b Straub		1
Patterson, b Smith	4	c Higley		0
Little, b Straub	4	b Higley		3
Fey, b Higley	0	b Smith		0
McCool, c Moorhead, b Straub	12	b Smith		20
Lower, c Hodgson, b Smith	3	c and b Smith		6
T. Foster, b Straub	0	not out		1
Russell, not out	3	c Mr. Bowman b Higley		0
Beck, c Atwood, b Straub	0	c Lerch, b Smith		0
Byes	1	Byes		4
Leg Byes	0	Leg Byes		0
Wides	0	Wides		1
	38			46

UMPIRES.

For Keystone Club, Francis Leib.
" Osceola Club, Robert Hunt.

SCORERS.

For Keystone Club, Francis Campbell.
" Osceola Club, Roland C. Luther.

Proceedings of the Borough Council.—A stated meeting of the Borough Council was held on Tuesday evening, June 21. Present Messrs. Hoover, Pellnagle, Haywood, Innes, Nagle, Kienzle, Christian, Mennig, Reppller, Boone, McBarron, Mr. Nice, President, in the chair.

The minutes of last stated and adjourned meetings read and adopted.

Com. of Accounts on unfinished business in its hands, continued.

Special Com. on lot corner of Centre and East Market sts., was discharged.

Street Com. on culvert in Morris' Addition, was continued.

Special Com. on opening street from Centre to Coal streets, was continued.

Com. of Acc. on collecting $10 from the Mine Hill Railroad Company, was continued.

Com. of Acc. on District Attorney's bill of costs, continued.

Com. of Fire Apparatus on petition of Young Men's Christian Association, and others, for erection of public hydrants, reported negatively. Report accepted and Com. discharged.

St. Com. on crossings in Norwegian street at Third and Fourth streets, continued.

Room Com. on painting Council building, discharged.

Street Com. on crossing in Coal street at Snyder's Foundry, continued.

Street Com. on paving in Norwegian street between George and Jackson streets, continued.

A petition from residents of South Ward, praying that Jackson street be opened, was laid on the table.

The Com. to whom was referred the petition for opening a street on the Greenwood property, made report in favor of opening said street.—Report accepted and Com. discharged.

St. Com. on opening Ash street, putting Mauch Chunk street bridge in order; on crossing in Centre street opposite the Episcopal Church, and on condition of Railroad street in Morris' Addition, was continued.

Com. of the whole on survey of the condition of the streets, etc., of the Borough, was continued to meet at the Council Chamber on the morning of June 22d.

The matter of raising the Clerk's salary was laid over.

A petition from the Washington Artillery corps, asking for an appropriation of $50, for the purchase of powder, etc., to appropriately honor with its field piece, the approaching Anniversary of our National Independence, was read, whereupon on motion of Mr. Haywood, an order for that amount was directed to be drawn in favor of the Treasurer of the corps.

On motion of Mr. Innes, it was resolved that the Street Com. be instructed to erect a crossing at Fifth and Norwegian streets, provided the pavements are laid at that point.

On motion of Mr. Reppller, it was resolved that the Chief Burgess be authorized to rent a suitable building to confine dogs running at large contrary to the provisions of an ordinance in relation to this matter.

On motion of Mr. Innes the matter of opening East Centre street from Washington to Jefferson, was referred to the Com. of Survey with instructions to report an ordinance and grade for the street.

On motion it was resolved that the Com. of Lamp and Watch, was instructed to procure a suitable room for the monthly meeting of the police force of the Borough.

On motion of Mr. Nagle it was resolved that the Street Com. be instructed to erect a crossing at Second and Market streets.

On motion of Mr. Nagle it was resolved that the Com. of Market House, take the necessary steps to establish a market hall.

Special Com. on claim of Rebecca Stichter for damages for injuries to mule at Mauch Chunk street bridge, reported in favor of granting $25. Report accepted; Com. discharged, and order directed to be drawn for the amount.

A petition from property holders in Market st. near Seventh, praying for the building of a culvert at that point, was referred to the Street Com.

The bond of Enoch Bayer, Borough Tax Collector, calling for $18,000, with Messrs. Luser and Yuengling as sureties, was read and approved.

Com. of Survey was instructed to prepare an ordinance for Sanderson street.

On motion of Mr. Haywood, it was resolved that an order for $25 be drawn in favor of Dr. A. H. Haberstadt as an indemnity for damages sustained in consequence of the insecure condition of Centre street at the old gas works.

The matter of difficulty among the watchmen, was referred to the Com. of Lamp and Watch.

The bill of Adam Schertle, $150, for services as Treasurer, was referred to the Com. of Accts.

A communication from Mr. Whitney, expressing his desire to resign the position of Town Clerk, was read, and the resignation accepted.

An election to fill the vacancy was entered into, when Mr. A. K. Whitner was declared elected. The other candidates for the position were, Judge Palmer, J. T. Schoener, Jonathan Wright, Samuel Harts, and J. K. Boyer.

The thanks of the Council were then tendered to the late Clerk for the attentive and faithful manner in which he had discharged the duties of the office.

The following bills were read and ordered to be paid:

Adam Shilling,	$26 70
Philip Nagle,	127 98
C. Wurman and others,	127 50
Four watchmen,	124 00
Rebecca Bitchter,	25 00
Washington Artillery Company,	50 00
Dr. A. H. Haberstadt,	25 00
Total,	$506 18
Previous issue,	617 37
	$1,123 55

Adjourned.

PROCEEDINGS OF COURT.

REPORTED FOR THE MINERS' JOURNAL.

William T. Carter vs. The York County Bank.—This was a Feigned Issue under the Sheriff's Interpleader Act to try the right to certain personal property, levied on by the Sheriff under an execution in his hands, for $4592 74 in favor of the York County Bank, against John Carter, surviving partner of the firm of J. & R. Carter. The plaintiff, William T. Carter, claimed the property, and this issue was feigned to try whether it belonged to the plaintiff or to John Carter, the surviving partner. A large amount of property was levied on, consisting of steam engine house, cars, mules, &c., about the mines at the Greenwood Colliery, near Tamaqua. It appeared in evidence that Richard and John Carter being very heavily involved, and unable to pay their debts, on the first of October, 1857, sold all their real and personal estate, by deed and bills of sale, to William T. Carter, their nephew, he in consideration thereof binding himself to the payment of certain liabilities of Richard and Jon. Carter, estimated to be about $114,500. This included the judgments then against them the money due their workmen, and generally all the debts of J. & R. Carter, excluding the indebtedness of Carters, McCauley & Co., created, as they alleged, by a wrongful use of the name of the firm, of which firm the Carters were members, and some other indebtedness. On the same day, the property of the firm of Carters & Allen was sold to W. T. Carter, he binding himself to the payment of all the indebtedness of that firm, amounting to about $71,000, and subsequently, on March 2, 1858, after a judgment had been confessed to the creditors by Allen, who grew tired of the delays, and feared lest the property might be swept away by other claims, executed a mortgage for $58,312 on the property, in trust for the creditors of Carters & Allen. The judgment of the York County Bank was founded on a promissory note for $4199 38, drawn by John W. Wagenseller, and endorsed by Henry M. Fuller, and by J. & R. Carter, and was not among the claims which W. T. Carter found himself to pay.

The deft. contended that the sale to the pltff was a mere sham, intended to hinder, delay and defraud creditors, that W. T. Carter was an irresponsible man without any capital, that the property conveyed was worth more than the indebtedness which the pltff. agreed to pay in consideration thereof, and even if sold at a fair price to the pltff., yet if with his knowledge it was conveyed to him with the intent to hinder, delay or defraud the creditors of J. & R. Carter, then the sale was void as to creditors, and conveyed no title.

The plaintiff's counsel contended, that the mere preference of one class of creditors over another was not presumed to be intended to hinder or defraud the latter—that the pltff was a man of active and correct business habits, and had the command of means, J. & R. Carter being indebted to him $12,000, at the time of the sale, that the sale was made for full consideration, and for at least its full value, and that it was *bona fide*, the business being conducted, and books kept in the name of W. T. Carter, and a very considerable portion of the indebtedness of J. & R. Carter having already been paid by him, and about $20,000 of the indebtedness of Carters & Allen.

The Court charged that the mere preference of one creditor over another did not afford a presumption of an intention to hinder, delay or defraud creditors, but that if J. & R. Carter sold to W. T. Carter with intent to hinder, delay or defraud creditors, he knowing the same, even though for a full and valuable consideration, that then the sale was void, and the execution creditors of J. & R. Carter might levy on it and sell it as their property. That it was principally a question of fact, the issue of the case being clear.

The jury found a verdict in favor of the plaintiff, W. T. Carter.

(*Conclusion Next Week.*)

THE WAR IN ITALY.

Two Important Battles.

MAGENTA AND MARIGNAN.

THE AUSTRIANS RETREATING.

By two arrivals this week, we have intelligence of sanguinary conflicts, in which the allied French and Sardinian forces were victorious over the Austrians. Of the battle of Magenta, we have by the Anglo Saxon at Quebec, the following particulars:—

The combined forces of Bonaparte and Melas at Marengo amounted to hardly more than half of the Austrian army at Magenta. The number of French killed at Marengo was 6,000, and of Austrians 9,000. The crack field of Austerlitz, that miracle of battles as it has been called, was fought and won by rival hosts numbering in all 150,000 men: and the killed, wounded and prisoners, numbered 12,000 French, and 30,000 allies. The battle of Magenta must have arrayed at least a quarter of a million of men in hostile arms. It is only in the Napoleonic campaigns in 1809 and 1812 that we can find any armies comparable, in numerical importance, with those now contending to decide the fate of Italy.

The most hotly-fought fields of the Peninsular war and of the Crimea seem small in the presence of these masses of desperate and determined valor. Inkerman was fought and won by an allied force hardly more numerous than the French divisions which defended Montebello on the 20th of May. Malka, that famous British battle, which did so much to cheer the dispirited British troops, and to reassure them in the prospect of meeting the Continental armies, was contested by forces inferior to the armies engaged at our victory of Buena Vista.

The Battle of Magenta

The following is the first announcement of the battle by telegraph, from Napoleon to the Empress:

"NOVARA, June 4th, 11.30 P. M.—A great victory has been won at the bridge of Magenta. Five thousand prisoners have been taken. Fifteen thousand of the enemy are killed or wounded. The details will be dispatched by telegraph."

The above was published in Paris on Sunday, the 5th, and on the evening of that day the cannon at the Hotel des Invalides announced the victory, and the city was brilliantly illuminated.

The dispatches then follow, claiming that 20,000 or 25,000 Austrians were killed or wounded, and 7,000 taken prisoners, and alleging that the French loss was only 3,000 men killed and wounded, and one cannon captured. It is added that on the 5th inst. the Austrian army was resting for the purpose of reorganizing itself.

The latest dispatch from Napoleon is dated the 6th, announcing that he had 12,000 prisoners, and that the Austrians had a vastly greater loss than the French loss is, according to rumor, from 9,000 to 12,000.

The substance of the Austrian dispatches claiming a partial victory was correctly stated yesterday. An Austrian dispatch from Verona gives a similar view, but adds that the authorities and weak garrison of Milan, with the exception of the castle garrison, have withdrawn at the command of Gen. Gyulai. The town was quiet.

The movement which preceded the battle of Magenta is not clearly stated, but it was previously announced that the allies were about to cross the Ticino to the number of 100,000 men, and it is presumed the rapid movement of the allies prevented the Austrians from completing the retreat which they had commenced, and compelled them to accept battle on the banks of the river.

On the 4th, a great religious solemnity, with procession and public prayers, took place at Vienna, the object being to implore Heaven to bless the Austrian arms with victory. All the members of the imperial family and the ministers were present. Mass was read by the Pope's Nuncio.

It appears that at the great battle of "Magenta," General McMahon, instead of Louis Napoleon, commanded the allies, and for his valor received the Marshal's baton from the Emperor on the spot, and was created Duke of Magenta.

The battle seems to have lasted almost two days, for the Austrian accounts state that a series of engagements occurred from the 4th, to the night of the 6th of June, with various successes and great losses on both sides. The longest battle fought by the first Napoleon was that of Castiglione, in 1796, which lasted five days, from the 2d to the 6th of August inclusive.

By the Persia at New York, we are in possession of Liverpool dates to the 11th inst. This additional intelligence shows that the victory at Magenta was a very decided one, and the Austrians retreated to Oermous, pursued by the allies. Another affair appears to have occurred with their left wing and the right of the French, under Baraguay d'Hilliers, who took 1200 prisoners and expelled them from Marignan. It is also reported that Prussia had given indications of aiding Austria, but this report does not agree with the symptoms hitherto shown by that Government to keep out of the quarrel; and, with the new turn that affairs have taken in England against the Derby Administration in the House of Commons, Prussia will not be inclined to precipitate herself into the quarrel, if she can help it. By the Persia we learn that Cotton and Breadstuffs are declining.

The important points of the Persia's news are summed up as follows:

George Bailey, editor of the National *Era*, of Washington, died on board the steamer Arago, on the 5th inst.

The British sloop of war Heron capsized in a tornado on the African coast. One hundred and seven lives were lost. The Captain and twenty-six of those on board were saved.

The Austrians have been driven from Marignan with the loss of 1200 prisoners, and the main body of the army is reported to be retreating across the river Adda.

The British Ministry has been defeated in the House of Commons, and the resolution of a want of confidence has been carried by a majority of thirteen. The ministry was expected to resign on the meeting of Parliament on Saturday, the 11th.

In the House of Commons on the 9th, Mr. D'Israeli laid on the table the promised correspondence of the Government on the Italian question.

The adjourned debate on the address in response to the Queen's speech was resumed.

The speakers in opposition were John Bright, Sir James Graham, Sergeant Deasy and others, while those in defence of the speech included Seymour Fitzgerald, Mr. Seymour, and the Attorney-General for Ireland.

The debate was resumed on the following day: Milner Gibson, Sydney Herbert, Sir G. C. Lewis and Lord John Russell, spoke against the Government. Messrs. Roebuck, Lindsay, Sir J. Pakington, and the Solicitor General spoke in its favor. The House then divided for the amendment, expressing a want of confidence—the vote being 323, against 310.

The Red Sea cable broke, and was lost when only sixty miles from Cape Sidera.

The War News.

The details of the battle of Magenta are received at London and Paris very slowly, but they do not change the first composition. The losses were much greater than were on both sides. The Austrian official accounts acknowledge only four to five thousand killed and wounded, and says that the enemy lost fully half as much again.

It is reported, but not confirmed, that General Gyulai has been dismissed and Gen. Hess appointed Commander-in-Chief.

The Austrians have retreated beyond the River Adda. Their head quarters were near Cremona. They were expelled from Marignan by Gen. Baraguay d'Hilliers, who took 1200 prisoners.

Pavia was evacuated by the Austrians, and the Emperor Napoleon and King of Sardinia entered Milan on the 8th inst., where they were most enthusiastically received. They remained there at the last accounts.

The latest advices say that the allies were advancing from Milan, in pursuit of the retreating Austrians, and also that Prussia had given indications of aiding Austria.

Great Britain.

The Latest by Telegraph from London to Liverpool.

The British Ministry did not resign on Saturday.—The House of Commons adjourned over till Friday, the 17th inst.

It is reported that the Prussian army will be mobilized and Prussia will soon take part in the conflict. It is also said that the Prussian government is negotiating for the passage of troops through Germany.

The Austrians were at Lodi, and the allies advancing. Gen. Garibaldi had beaten an Austrian force at Brescia.

Five hundred Zouaves were killed and wounded at Marignan. The Austrians lost 1,500 killed and wounded, and 1,200 made prisoners.

The battle at Marignan lasted nine hours.

The armies were preparing for another engagement.

Official Austrian Bulletin.

VIENNA, June 10.—The official Austrian correspondence of the 10th, states that the Austrian army was continuing the retreat beyond the Adda, and that its head-quarters will be at Cavalligeri, before Cremona.

The Austrian Head-Quarters.

A special despatch to the London *Times* says that on the 8th, the Second Austrian army had its head-quarters at Codogno, on the Adda.

The Battle of Magenta.

It turns out that Gen. Canrobert was not wounded at the battle of Magenta.

All accounts give the great glory of the day to Gen. McMahon. He had no orders to proceed to Magenta, but heard the roar of the battle, rushed on, and saved the army.

The Paris *Moniteur* of the 10th inst., contains the following details of the battle of Magenta:

The concentration of our troops on the Po deceived the enemy into the belief that we intended to cross the river. On the morning of the 6th, 125,000 of the Austrians were in position opposite the Emperor, and the grenadier division of the Imperial Guard was obliged to fight this disproportionate odds. All our Generals displayed great energy in the subsequent action. The French General Wimpfen was wounded. Douay and Manfourt, commanders of the Grenadiers, were killed.

The official Bulletin describes the operations of Gen. McMahon