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White Cambric and Jaconet, full line.
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WINTER SHAWLS, in great variety,
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THE WILCOX & GIBBS SEWING MACHINES
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ENTIRELY NOISELESS,
and with Selfadjusting Hemmers, are now ready for sale
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FAIRBANKS & EWING,
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For the quality and finish of these Tables the manufacturers refer to their numerous patrons throughout the Union, who are familiar with the character of their work.

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Northeast Corner Fourth and RACE Streets, PHILADELPHIA, WHOLESALE DRUGGISTS, IMPORTERS AND DEALERS

FOREIGN AND DOMESTIC WINDOW AND PLATE GLASS, MANUFACTURERS OF WHITE LEAD AND ZINC PAINTS, PUTTY, &c. AGENTS FOR THE CELEBRATED FRENCH ZINO PAINTS.

1,000 DOZEN HICKORY SHIRTS.

do. {GRAY, RED, AND BLUE FLANNEL SHIRTS. do. { ASSORTED FANCY TRAVELING SHIRTS.

{LOW-PRICED WHITE MUSLIN SHIRTS. DENIM OVERALLS. 10,000 PAIRS COTTONADE PANTALUUMS.

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C. A. VANKIRK & CO. Have on hand a fine assortment of CHANDELIERS AND OTHER GAS FIXTURES.

Also, French Bronze Figures and Ornaments, Porcelain ad Mica Shades, and a variety of FANCY GOODS WHOLESALE AND RETAIL.

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e adapted to every branch of the business, where a orrect and durable Scales is desired, FAIRBANKS & EWING, General Agents MASONIC HALL, 715 CHESTNUT ST. (HAS. S. & JAS. CARSTAIRS, NOS. 126 WALNUT and 21 GRANITE Streets, Offer for sale the following goods in bond of their own

ognac and Rochelle Brandles, in half pipes, quarters, ndy Ports, in quarters and octaves.

porto Ports, in cutaves.

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Jamaica Rum, in puncheons.

Jay Rum, in puncheons and barrels.

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Also, the following, for which we are the sols agents:

CHAMPAGNE.—The celebrated brands of "Gold Lac"

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Carstairs" pure Salad Oil:

10 for sale, to arrive, 180 casks Marseilles Madeira.

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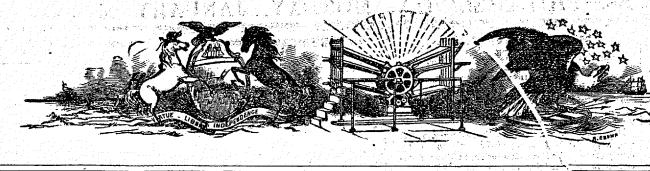
10 cases French Mustard.

11 quarter casks Burgundy Port.

12 casks Burgundy Port. ACKEREL, HERRING, SHAD, C. do. Bbls Mass. Nos. 1, 3, and 8 Mackerel, late-caught in assorted packages. Bbls. New Eastport, Fortune Bay, and Halifax of Boxes Lubec, Scaled, and No. 1 Herring.
bluin new Mess Shad.
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MURPHY & KOONS.
No. 146 North WHARVES.





PHILADELPHIA. MONDAY, JANUARY 26, 1863.

CLOTHS. LININGS. &c.,

MONDAY, JANUARY 26, 1863. The Case of General Porter.

The following is a review by Hon. Joseph Holt, he Judge Advocate General of the United States, of the evidence in the case of Major General Fitz John Porter, whose trial by court martial was concluded a short time ago. The charges and specifications have been published, and we give a full synopsis of Mr. Holt's elaborate opinion, together with the judgment and sentence of the court, and the order of the President confirming its decision. FINDINGS AND SENTENCE OF THE COURT. The court was thereupon cleared for deliberation, and having maturely considered for centeration, and having maturely considered the evidence adduced, find the accused, Major General Fitz John Porter, of the United States Volunteers, as follows:

Of the first specification of first charge, guilty;
Of the third specification of first charge, guilty;
Of the fourth specification of first charge, not guilty; of the forth specification of first charge, not guilty;
Of the fifth specification of first charge, not guilty;
Of the first specification of second charge, guilty,
except so much of the specification as implies that
he, the accused, "did retreat from advancing forces
of the enemy" after the receipt of the order set forth
in said specification;
Of the second specification of second charge,
guilty;

guilty;
Of the third specification second charge, guilty, except the words "to the Manassas Junction."
Of the second charge, guilty.
And the Court do therefore sentence him, Major General Fitz John Porter, of the United States Ceneral Fitz John Porter, of the United States Volunteers, to be cashiered, and to be forever disqualified from holding any office of trust or profit under the Government of the United States.

D. HUNTER, Major General,

J. Holf, Judge Advocate.

President. J. HOLT, Judge Advocate. THE APPROVAL BY THE PRESIDENT.

THE APPROVAL BY THE PRESIDENT.

The record of the proceedings having been transmitted by Major General Halleck to the Secretary of War, and by him, under the 65th Article of War, laid before the President on the 12th inst., he, on the 21st inst., confirmed the same by an endorsement thereon in the following words:

The foregoing proceedings, findings, and sentence in the foregoing case of Major General Fitz John Porter are approved and contirmed, and it is ordered that the said Fitz John Porter be, and he is hereby, cashieled and dismissed from the service of the United States, as a Major General of volunteers, and as Colonel and Brevet Brigadier General in the regular service of the United States, and forever disqualified from holding any office of trust or profit under the Government of the United States.

ABRAHAM LINCOLN. January 21, 1863.

REVIEW OF THE JUDGE ADVOCATE. The following is an abstract of Judge Advocate Holt's opinion of the case, and review of the testi-In order to show the animus of the accused towards his commanding officer, the despatches which General Porter sent to General Burnside are

briefly considered and commented upon thus: "In explanation of these despatches, and with a view to relieve the mind of the impression they tend to make, it was alleged in the defence, and was proved by General Burnside, that they were official in their character, and that the accused had been requested to furnish him information in reference to current military wents occurring in connection with duested to furnish that information in reference to current military events occurring in connection with the army with which he was serving. So far as the purpose for which they were offered by the Govern-ment is concerned, it is wholly immaterial under whose prompting, or for what end, they were writ-ten. If the words make it manifest that the accused ten. If the words make it manifest that the accused entertained feelings of contempt and hostility towards the Army of Virginia, and its commander, it matters not whether they were spoken in a private and confidential, or in an official communication. The fact, however, that such words are found in a grave and formal official correspondence, must seem to show how strong these feelings were, and how difficult it was to repress their utterance.

"In reply to what must be regarded as the prevailing sentiment of the language quoted, there was iment of the language quoted, there was General McClellan—which was not sent—dated September 2, 1862. It is full of fervent patrictism, and of professions of devotion to his duty in connection with the Army of Virginia and its commander. The court undoubtedly gave to this paper the consideration it deserved. Unhapplly, it came too late. The Army of Virginiahad suffered, in the way of disaster, all that the enemy and the inaction of the accused could inflict upon it; and at the very moment this despatch was written, the field for the 'cordial co-operation and constant support,' which it promised, was being swept away by the order issued that morning for the army of Virginia to fall back within the entrenchments of Washington, and, of course, under the command of Gen. McClellan." Further testimony, indicating the animus of the accused, is considered, especially that of Lieut. Col. Thomas C. H. Smith, an aid-de-camp on the staff of General Pope, who called on the accused in the afternoon of the 28th of August. He had not heard of his disobedience of any orders, and had, like General Roberts, the most favorable opinion of his character and conduct as an officer; yet, such was the impres-sion, made upon him by us manner and conversa-tion, that, at the close of their interview, he left him fully satisfied that he would fail General Pope, and would withhold from him his support in the then pending operations of the Army of Virginia. Soon thereafter he arrived at the headquarters of General Pope, and said to him that he had just seen General Porter on his way there, and that he would fail him, and added: "So certain am I that Fitz John Porter is a traitor, that I would shoot him to-night, so far

would allow me to do it," In referring to this interview between Colonel Smith and General Porter, the Judge Advocate remarks: "In view of the fearful perils which then menaced In view of the tearini perils which then menaeed the Army of Virginia, to which they owed a common duty, it is passing strange that during this interview the accused uttered not to the witness one word of kindness or cordiality, of encouragement or determination in reference to the sanguinary conflict in which the morrow was to involve them with a common enemy." With this exhibition of the disposition of the ac-

as any crime before God is concerned, if the law

used towards the service in which he was engaged, the Judge Advocate proceeds to review, as briefly as possible, the testimony in its bearing upon the charges and specifications of the record. An order directing the accused, then at Warrenton Junction, to start on the morning of the 28th of August, and to march with his whole corps so as to be at Bristow Station, distant nine miles, at daylight, was disobeyed. Upon this disobedience the Judge Advocate thus comments:

Advocate thus comments:

"While the weight of the testimony is to the effect that the troops did not move forward until daylight, none of the witnesses represent them as having done so earlier than 3 o'clock, and the arrival at Bristow station took place, not at daylight, as directed by the order, but at twenty minutes past two of the afternoon of the 28th. If our army—a large part of it without ammunition—had not, in the meanwhile, been fallen upon and beaten, it was not because of any effort made by the accused to prevent such a catastrophe, but simply because the enemy had not thought proper to make the anticipated attack. enemy had not thought proper to make the anticipated attack.

"The violation of this peremptory order is sought to be excused, or rather fully justified by the accused on three grounds; first, the fatigue of his troops; second; the darkness of the night; third, the obstructions in the road growing out of breaks and difficult places in it, and the presence of wagon trains in motion."

The Judge Advocate reviews the testimony submitted on these three points, and shows that these excuses are of little value. He says: "Whatever may be thought of the difficulties in the way of the night march required by this order, it was the manifest duty of the accused to make a It was the manifest duty of the accused to make a sincere and determined endeavor to overcome them. If, after having promptly and vigorously, made this effort, and started, as ordered, he had failed to arrive at Bristow Station at daylight, either from the exhaustion of his troops, the darkness of the night, or the character of the road, the responsibility of the failure would not have been charged upon him. The contemptuous and unfriendly feelings dis closed in the despatch to Gen. Burnside—which was. written but five hours and a half before this order was received —will probably furnish a more satisfactory solution.

—will probably furnish a more satisfactory solution of the question why this effort was not made than can be found in the nature of the obstacles themgelves.
"Nor is it believed that the conduct of the ac-"Nor is it believed that the conduct of the accused finds any shelter in the Napoleonic maxim quoted in the argument for the defence. The discretion it allows to a subordinate, separated from his superior officer, is understood to relate to the means, and not the end of an order. When the accused determined that, instead of starting, at one o'clock, he would start at three or four, he did not resolve that he would arrive at Bristow Station by daylight in a different manner from that indicated by his commanding general, but that he would not arrive there by daylight at all. In regard to this, the end of the order, he had no discretion." reached Generals McDowell and Porter they were on the road between Manassas Junction and Bethlehem Church, and were proceeding in the direction of

The rest of the opinion we give in full:

Their forces continued their march—those of the accused being in the advance—until the front of his column had reached some three miles beyond Bethlehem Church, and until a small part of General McDowell's command had passed that point. Gen. McDowell's command had passed that point. Gen. McDowell then rode forward to the head of the column of the accused, where an interview and conference took place between them, to which reference is frequently made in the testimony. They discussed the joint order, and Gen. McDowell determined for himself that there were "considerable advantages to himself that there were "considerable advantages to be gained by departing from it," and by moving with his forces along the Sudley Springs road towards the field of a battle then being fought by the main army of Gen. Pope, at the distance of three or four miles. His Gen. Pope, at the distance of three or four miles. His purpose was to throw himself on the enemy's centre, and he wished the accused to attack his right flank. He, therefore, said to him, "You put your force in here, and I will take mine up to the Sudley Springs road, on the left of the troops engaged at that point with the enemy," and he left him, at about twelve o'clock, with the belief and understanding that he would, put in his force at that point. Why this expectation was doomed to disappointment, may possibly be gathered from the following extract from General McDowell's testimony, as to what occurred during his conference with the accused. Question. "You have said that the accused made an observation to you which showed that he was satisfied that the enemy was in his immediate front. Will you state what that observation was?"

Answer. "I do not know that I can repeat it exactly what the remark might seem to imply. The observation was to this effect—(putting his hand in the direction of the dust rising above the top of the trees)—'we cannot go in there any where without getting into a fight.'"

Question. "What reply did you make to that regetting into a fight."

Question. "What reply did you make to that re-

Answer. "I think to this effect: That is what we came here for."

These words will certainly stand in memorable

EVANS & WAISON'S

STORE,

18 SOUTH FOURTH STREET.

PHILADELPHIA. PA.

A large variety of FIRE-PROOF SAFES always on

Gainesville, as the order contemplated.

The rest of the opinion we give in full:

and he was thus left untrammeled and in possession of the joint order still in full force. Soon after, General Griffin's brigade—a part of the corps of the accused—was ordered to move to the right, as if for neral Griffin's brigade—a part of the corps of the accused—was ordered to move to the right, as if for the purpose of advancing on the enemy, as directed by General McDowell. It had proceeded, however, only about six hundred yards, when, coming into "some small pine bushes," and somegody.saying there were obstacles ahead, a retreat was ordered, and they fell back to their original position. General Griffin saw no obstacles himself, and he made no reconnoissance. This was all that was done towards carrying into effect the stirring and soldierly direction of General McDowell.

Some time after this faint demonstration—it may have been an hour or more, General McDowell having left at about 12—a rebel battery threw three or four shot at the head of the accused's column. It was at once replied to and silenced, and then came the order to fall back, of which Colonel B. F. Smith, who witnessed the artillery firing, speaks so distinctly. The note of the accused to Generals McDowell and King, which was read in evidence, and is without date, must have been written immediately after this artillery firing, and after the order to retreat which followed it. It is in the following words:

"Generals McDowell and King: I found it."

order to retreat which followed it. It is, in the following words:

"Generals McDowell and King: I found it impossible to communicate by crossing the roads to Grovetown. The enemy are in strong force on this road, and as they appear to have driven our forces back, the firing of the enemy having advanced and ours retired. I have determined to withdraw to Manassas. I have attempted to communicate with McDowell and Sigel, but my messengers have run into the enemy. They have gathered artillery, and cavalry, and infantry, and the advancing masses of dust show the enemy coming in force. I am now going to the head of the column to see what is passing, and how affairs are going. Had you not better send your train back? I will communicate with you.

"F. J. PORTER, Major General."

This remarkable note appears to have been written for the purpose of explaining why the accused had not "put his force in" at the place which General McDowell had pointed out. It amnounces most energetically a determination "to with approach of the enemy, and because of the battle seemed to be going against the Federal forces. That this purpose was promptly carried out, substantially, if not to the letter, is made evident from the fact that, at between five and six o'clock, the accused was found at or near Bethlehem Church, surrounded by his 'troops, whose arms were stacked. It is 'nurther proved by Colonel B. F. Smith, who was in the front, at the time of the artillery firing, and 'alleges that he and the troops of his command then fell back under ofders, to within a mile or, two, of Manassas, where they passed the night, having arrived there in the afternoon. It is yet further shown by General Griffin, examined by the accused, who says his brigade retreated from a mile and a half to 'two miles. This retrograde movement might have been excused, had there made in good faith for the purpose of reaching. Bull. Run. that night; but no such purpose was entertained, nor has it been insisted that it was, either by the testimony or the argument. Gene lowing words:
"Generals McDowell and King: I found it

fought immediately to his right. Surely such advantages as these, purchased, as they were, at the imminent hazard of the sacrifice of the whole army, were not those contemplated by the order. The advance of the accused, either along the Gainesville road or to the right, would have brought him into conflict with the enemy. The court concluded, and justly, that his falling back, under the circumstances and for the purpose mentio ed in his note to Generals McDowell and King, was a violation of the joint order to himself and General McDowell.

It would seem also to have been a manifest viola-It would seem also to have been a manifest viola It would seem also to have been a manifest violation of the duty resting on him as a soldier in the position in which he was placed, without reference to any specific order or direction; leading or directing him to engage the enemy. In forward, aggressive movements, it is an established principle of mislifary science that the columns shall be so held in their advance as to be ready to afford mutual assistance in time of need. Another elementary principle of such movements is, that in the absence of positive restraining orders, the march shall always be towards the sound of the guns, thus confirming the sentiment of the words of General McDowell that it is the soldier's mission to fight. Both these fun-damental rules of the military profession were dis-regarded in the retreat of the accused. He fell back regarded in the retreat of the accused. He fell back-precisely at the moment that the obligation to co-operate which was pressing upon him required him to advance, and his march was not towards, but from the sound of the enemy's cannon. The order of 4.30 P. M., August 29, directed the accused "to push forward into action at once on the enemy's right flank, and, if possible, on his rear." It was not obeyed, nor was any attempt made to enemy's right flank, and, if possible, on his rear."

It was not obeyed, nor was any attempt made to obey it.

It was claimed in the defence that the accused should not be condemned for this disobedience: first, because the order was received too late to be obeyed; and secondly, because obedience to it was impracticable in consequence of the presence of the enemy in overwhelming force, and in consequence of the character of the country over which the movement would have had to be made.

There is a decided conflict in the testimony as to the hour at which the order was received by the accused. It bears date 4.30 P. M., and Captain Pope, the staff officer who bore 14, says that he proceeded direct from General Pope to the accused, and delivered it "as early as five o'clock, or probably three or four minutes after five." Charles Duffee, the orderly who accompanied him testifies that they left General Pope at about half past four, and went on to the headquarters of the accused, at a pace "about as fast as they thought their horses could travel." He thinks about an hour kas occupied on the road, and that the order reached the accused at about half pastfive. These statements are corroborated by the evidence of Gen. McDowell as to the time and place at which he met them, and read the order. General Pope says: "I know that an aid-de-camp, riding rapidly, could go from the field of battle to Manassas Junction, on the Gainesville road, if he found General Porter in advance of Manassas Junction, within an hour, by going at speed." General Roberts, who was present when the order was issued, expressed the opinion that it should have been delivered "in half an hour or less, as orders are generally carried on such occasions." Adopting the latest estimate—that of Gen. Pope and the orderly—this would give the accused two hours of daylight, within which to make the attack.

On the other hand, there are five witnesses introduced by the accused two hours of daylight, within which to make the t was not obeyed, nor was any attempt made to

sions." Adopting the latest estimate—that of Gen. Pope and the orderly—this would give the accused two hours of daylight, within which to make the attack.

On the other hand, there are five witnesses introduced by the accused—three of them being his staff officers—viz. General Sykes, Lieutenant Colonel Locke, Captain Monteith, Lieutenant Weld; and Lieutenant Ingham, who depose that the order was not received until about sundown. One of them, indeed—though he is not supported by the others—fixes the hour much later. If, in ascertaining the value of testimony, witnesses were counted, and not weighed, the question would be at once settled by the relative numbers as given. Such, however, is not the rule of law, and it may be that, after carefully considering all the circumstances, the court left that the explicit and intelligent states ments of Captain Pope and his orderly, fortified by the corroborative evidence of Generals Pope, McDowell, and Roberts, were not overcome by the opinions of the five officers named. There was, outside of the positive testimony, a consideration strongly supporting this view, and it is this: There is no question as to the time at which Capt. Pope left with the order; it was at 4½ o'clook; he rode as fast as his horse could carry him, and had but about five miles to travel; and yet, according to the theory of the defence—that he did not arrive until sunset, or half past six—he was two hours on the way. Is it credible that a staff officer, bearing an important order, in the midst of a fiercely-contested battle, would have traveled at this rate; and this, too, when he was conducted by an orderly acquainted with the road, and encountered no obstacle to his progress? Is it not much more probable that but a single hour was occupied, and that, in point of fact, he arrived at half past five?

Conceding, however, for the sake of the argument, the position taken by the defence, that the order was not received until sunset; this would have left the accused an hour of daylight within which to make cused ands any shelter in the Najoleonic maxim quoted in the argument for the defence. The discretion it allows to a subordinate, separated from his superior officer, is understood to relate to the means, and not the end of an order. When the accused determined that, instead of starting at one o'clock, he would start at three or four, he did not resolve that he would arrive at Bristow Station by daylight in a different manner from that indicated by his commanding general, but that he would not arrive there by daylight at all. In regard to this, the end of the order, he had no discretion."

On the morning of the 29th of August, after General McDowell and Porter had joined|their forces, and McDowell had assumed the command under the 62d article of war, an order was received, addressed to both of them, directing them to move with their joint command towards Gainesville until they should effect a communication with the forces of Heintzelman, Sigel, and Reno, and then to halt, taking care to occupy such a position that they could reach Bull Run that night or by the morning of the following day. The order contained these further words: "If any considerable advantages are to be gained by departing from this order it will not be strictly carried out." At the time this order reached General McDowell and Porter they were on the road between Manassas Impetion and Rathle.

Ing the enemy; and yet General McDowell testified that an attack even at this late hour—indeed; which was a dark—hour indeed; at any hour before the battle closed, which was a dark—hour indeed; at any thour before the battle closed, which was a dark—hour indeed; at any thour before the battle closed, which was a dark—hour indeed; at any thour before the battle closed, which was a dark—hour indeed; at any thour before the battle closed, which was the an attack even at this late hour indeed; at any thour before the battle closed, which was a dark—hour indeed; at any thour before the battle closed by the record—which must lave in present the court as going the further fact that the order was revoked before it was possible to make the movement, can we escape a painful impression that the order itself was issued without any expectation that it would or any purpose that it should be obeyed?

There is yet one other fact presented in connection with this order, which deserves a passing notice. Captain Pope found the accused with his troops halted, and the arms of some of them stacked. After delivering the order, and during his stay of fifteen or twenty minutes, he did "not observe any orders given, or any indication of preparation for a movement in the direction of the battle-field." On his return, nearly an hour afterwards, the same con-

his return, nearly an hour afterwards, the same condition of things existed. The following extract from the testimony of Mr. Duffee, who accompanied Captain Pope, will yet further illustrate the absence of all anxiety, if not of all interest, on the part of the accused. all anxiety, if not of all interest, on the part of the accused:

"Question. Did you see the order delivered into the hands of General Porter?

"Answer. Yes, sir; I saw him take the order from Captain Pope.

"Question. Was he in his tent or out of doors?

"Answer. He was lying down under a shade tree when he took the order.

"Question. Did he change his position on reading the order, or did he continue to lie down?

"Answer. I cannot state positively whether he the order, or did he continue to lie down?

"Answer. I cannot state positively whether he rose to his feet or not; but at the time he was reading the order, I noticed that he was lying in this position on the ground, (describing him as resting on his elbow, his head upon his hand.)

"Question. Did you leave him lying down on the ground when you came away?
"Answer. Yes, sir."

The accused had, for between five and six hours, been listening to the sounds of the battle raging immediately to his right. Its dust and smoke were before, his eyes, and, the roar of its artillery was shaking the earth beneath his feet. He must have known the exhaustion and carnage which this prolonged conflict involved, and he had reason to believe, as shown by his note to Generals McDowell lieve, as shown by his note to Generals McDowell and King, that our army was giving way before the heavy reinforcements of the enemy. He had a command of some 13,000 fresh and well-appointed troops, who had marched but a few miles, and had not fought at all on that day. Under these circumstances, should not an order to charge the enemy have electrified him as a soldier, and have brought him not only to his feet and to his saddle; but kaye awakened the sound of eager preparation throughout his camp? But the bugle note of this order, seems to have fallen on listless ears, and after reading it, and at the close lieve, as shown by his note to Generals McDowell

of an interview of from fifteen to twenty minutes; the messenger who bore it turned away, leaving the accused still "lying on the ground."

There is some contrariety in the evidence as to the force of the enemy by which the accused was confronted. The weight of the testimony is that it was small-decidedly so in the early part of the afternoon, when the attack directed by General McDowell should have been made. General Roberts thinks there was only a cavalry force, with some light artillery. Colonel B. F. Smith, who was at the head of the column at the time the rebel battery was silenced, and who fell back, with his command half an hour afterwards, noticed clouds of dust beyond the trees, but whether there were troops advancing or moving in another direction, he could not tell. He saw nothing to induce him to believe that they were retreating before the enemy; but supposed that they had been making a reconnoissance in force, and, having completed it, were falling back for some other duty. General Griffin, a witness for the accused, who was also at the front, and enjoyed every opportunity of observation, having been asked as to the position of the enemy in relation to General Porter's corps; between 5 and 7 o'clock of the 29th, replied, "It is a hard question to answer. I do not know much about the enemy; I only know that, during the day, large clouds of dust were going to our front and to our left, from a point stated to us there to be Thoroughfare Gap. The batteries which opened poin us at 2 o'clock were within 1,200 or 1,500 yates of us. We saw no force at all; we saw scattering groups of horsemenor of infantry. If do not believe we saw in any one group over forty men."

Major Hyland, who belonged to Colonel Marshall's regiment of skirmishers, and was some eight hundred or one thousand yards in advance of General Roberts.

hundred or one thousand yards in advance of General Morrell, says, the enemy, began to form in his front and to the right between two and three o'clock. He' saw none to the left. Thinks the force was very large, and although unable to give even a proximate estimate of their numbers, believes they were strong enough to have resisted an attack off General Porter's corps. Second Lieuterant Stevenson supposed the enemy's forces to consist of from twelve to fifteen thousand; but he was a young man, with limited experience, and when he stated that the enemy's line of battle was but a mile long, it was sufficiently evident that a large abatement was to be made from his estimate. Colonel Marshall set the enemy's troops down at twice fine number of the corps of the accused. It is o't lough this opinion from the clouds of dust, which may have arisen as much from the morement of ambullances and wagons, as from the merch of which may have arisen as much from the movement of ambiliances and, wagons, as from the march of troops. He states that they came from towards. Thoroughfare Gap, and separated into two columns, one of which proceeded in the direction of the battle-field, at Groveton, and the other came down on the Gainsville and Manassas road. Now, we learn from General Buford, that the chemy's forces passing through! Gainsville that day from Thoroughfare Gap, and counted by himself, did not exceed four-teen thousand men, and dividing these into two columns it is believed that at no time, on the 29th, could the acqueed have been opposed by a rebel force columns at a believed that at no time, on the 29th, could the accused have been opposed by a rebel force exceeding seven thousand—a little more than one half the strength of his own corps. The strong probability is that the force was not so large; but, supposing the enemy to have had quite as large a force as his own, was that a reason why he should not make the lattack, seeing that a severely contested battle was then pending!

The course of the inquiry on the part of the defence would seem to imply an impression that the accused could not attack the right flank because he found an enemy in his front, and could not attack the front because the order was to engage the right. A dead look, however, in military movements could scarcely be suffered to be produced by such a process as this. General McDowell, in a frank and soldierly manner, solves this question, by saying

scarcely be suffered to be produced by such a process as this. General McDowell, in a frank and soldierly manner, solves this question, by saying that, if the enemy's forces were posted in the front of the acqused in the manner indicated by the witnesses, they must have constituted his right flank, so that a movement in that direction would have been a literal compliance with the order.

A conclusive reply to the suggestion that the ground between the enemy and the accused was impracticable for military movements is found in the testimony of Lieut Colonel Smith. He says: "Linter that the corps of the accused could have moved up, its right wing joining with the forces engaged, and have flanked the enemy. This is not all an inference merely from the general character of the country. It is based also on the fact that that portion of the country over which, as I understand it, the corps of the accused would have moved upon the enemy was sufficiently practicable to enable the enemy as they did, to make a jsimilar movement on our left on the next day."

Some of the witnesses of the accused declare that artillery could not have been marched through the woods in any order. Under a cross-examination, however, the obstacles on which these opinions were based, were much reduced in the accused them. The genen which these opinions were based, were much reduced in the attempt to enumerate them. The general description of the country given is that it is open, with fields and woods; and occasional ravines, but not remarkable for its ruggedness. There were no with heids and woods, and coasional ravines, our not remarkable for its ruggedness. There were no impassable streams, or morasses, or precipices. Generel McDowell deposed that he did not consider that there were any insuperable obstacles "in the way of the advance on the part of General Porter's command upon the final of the enemy;" and he proved the sincerity of this opinion by directing him to make the movement. After recting in detail certain facts leading to this belief, he thus concludes: "These movements by these two divisions of my corps, my own movements, and the movements of the enemy, give me the belief that troops could move through the country comprised between the Warrenton turnpike and the Sudley Spring road, and the road from Bethlehem Church to Gainsville. I will mention further, that that country is a mixture of woods, cleared ground, and hills, and that it is easy for troops to march without being seen or seeing the enemy." A glance at the map which accompanies fhe record will show that the ground in question is embraced in this boundary and description.

It may be admitted—and perhaps the testimony requires the admission to be made—that in falling upon the enemy on the afterroon of the 29th the requires the armission to be made—that in falling upon the enemy on the afternoon of the 29th, the accused would have encountered both difficulty and danger; but difficulty and danger, in time of war, are daily and hourly in the category of the soldier's life. Their presence should be for him, not a discouragement, but an inspiration. To grapple with them should be his ambition; to overcome them, his glory.

couragement, but an inspiration. To grapple with them should be his ambition; to overcome them, his glory.

That a vigorous attack upon the enemy by the accused, at any time between twelve o'clock, when the battle begah, and dark, when it closed, would have secured a triumph for our arms, and not only the overthrow of the rebel forces, but probably the destruction or capture of Jackson's army, the record fully justifies us in maintaining. This opinion, in effect, is emphatically expressed by Generals Pope, McDowell, and Roberts, and by Lieut. Col. Smith, all of whom participated in the engagement, and were well qualified to judge. General Roberts, who was on the field throughout the day, says: "I do not doubt at all that it would have resulted in the defeat, if not in the capture of the main army of the Confederates that were in the field at that time." To the same effect is the following explicit language of General Pope: "Late in the afternoon of the 29th—perhaps towards half past five or six o'clock—about the time that I hoped General Porter would be in his position and assauking the enemy on the fiank, and when General McDowell had himself arrived with his corps on the field of battle, I directed an attack to be made on the left of the enemy's line, which was handsomely done by Heintzelman's and Reno's corps. The enemy was driven back in all directions, and left a large part of the ground, with his pead and wounded upon it, in our possession. Had General Porter fallen upon the fiank of the enemy, as it was hoped, at any time up to eight o'clock that night, it is my firm conviction that we should have destroyed the army of Jackson." Even had the attack itself failed, General McDowell states that the number of troops which would have been withdrawn from the main battle by the enemy to effect this: redestroyed the army of Jackson. Even had the attack itself failed, General McDowell states that the number of troops which would have been withdrawn from the main battle by the enemy to effect this result, would have so far relieved our centre as to render our victory complete. When we recall the calamities already suffered by our country, and contemplate the untold griefs to the homes and hearts of its people, which may yet follow from the escape of that army on that day, we may appreciate with some approach to accuracy the fearful responsibilities incurred by a line of conduct which so certainly and so fatally led to that disaster.

The first, second, and third specifications of the second charge arraign the conduct of the accused on the 29th, under the 52d article of war, as "misbehavior before the enemy," If a soldier disobeys the order of his superior officer before the enemy, he commits a double crime by violating both the 9th and 52d articles of war; and he may be prosecuted and convicted of either or, both offences. So any other breach of duty connected with military movements, and occurring in the presence of the enemy, has assigned to it by the Articles of war as derth of erminelly which would any other breach of duty connected with military movements, and occurring in the presence of the enemy, has assigned to it by the Articles of War, a depth of criminality which, would not belong to it under other and ordinary circumstances. This results from the increased disaster likely to follow from misconduct in such a conjuncture, and from the fact that insensibility to duty is doubly criminal when displayed in the midst of those dangers which ever inspire the true soldier with renewed devotion to the honor and interests of his fag. The accused is shown to have been, with his command, in the presence of the enemy, from the beginning to the end of the battle of the 29th—a period of at least seven hours and a half, or eight hours. His troops were fresh and well appointed; and that from his position he was bound to have taken part in the engagement, and that his failure to do so was to the last degree culpable cannot be denied, unless it can be made to appear that he was restrained by some uncontrollable physical necessity, or by some positive order of his commanding expensil. The atternt has heen

planations made by the accused as to certain disparaging telegrams which he was understood to have sent to General Burnside. In view of the relation of these two officers to the conversation, the court, of course, could not hesitate to accept the version of General Pope as the true one. Even if General Pope had declared himself satisfied, it would not have affected the status of the accused before the law. His responsibility was to his Government and country, and not to the commanding general. Nor can any presumption arise against this proceeding from the failure of General Pope to prefer charges against the accused. It was his privilege to prefer them, but he was not bound to do so. He discharged his whole duty when, in his official report, he laid these transactions before his Government for its consideration. This case has been most patiently investigated. If, in war, and in the midst of active hostilities, any Government has ever devoted so long a period of time—some forty-five days—to the examination of a military charge, it has not come to my knowledge. The court was not only patient and just, but liberal, and in the end, everything was received in evidence, which could possibly tend to place the conduct, of the accused in its true light. He so to believed that there remains upon the record a single ruling of the court to which exception could be seriously taken.

The case is important, not only because of the gravity of the charges and the dignity of the officer straigned, but also because of the fact that it involves a principle which lies at the very foundation of all discipline and of all efficiency in military operations—the principle of military obedience. A standard author, treating oa this branch of jurisprudence, says: "Hestiancy in the execution of a military order is clearly, under most circumstances, a serious offence, and would subject one to severe penalties; but actual disobedience is a crime which the orders of the officer appoint of orders of the highest degree, and against which is denou and that his failure to do. so was to the last degree culpable cannot be denied, unless it can be made to appear that he was restrained by some uncontrollable physical necessity, or by some positive order of his commanding general. The attempt has been made to justify his conduct on both grounds. The review already made of the testimony warrants the conviction that the material obstacles in his way, growing out of the proximity and strength of the enemy, and the nature of the country, were not sufficient to excuse his inaction. His chief of staff, however, Lieutenant Colonel Locke, called by the defence, deposed that in the afternoon of the 29th he bore a message from the accused to General King, whom he found near Bethlehem Church, with Gen. McDowell; that General McDowell sent back by him to the accused a reply in the following words: "Give my compliments to General Porter, and say to him that I am going to the right, and will take General King with me. I think he (General Porter) had better remain where he is; but if it is necessary for him to fall back, he can do so upon my left;" and the witness testified that he regarded this as an order, and communicated it to the accused; and this, it is insisted, restrained the accused from attacking the enemy.

In the first place, it is to be remarked that this language does not import an order, but simply a suggestion and counsel from one companion-inarms to another. Again, General McDowell was not then in a condition to command the accused, and this both he and the accused must have well known. They were separated from each other, and were not, in the terms of the 62d Article of War, "joined or doing duty together." General McDowell was proceeding at the moment, with his forces, upon an entirely distinct service from that in which the accused was engaged. But the whole of Lieut, Col. Locke's statement in regard to this message was swept away by the evidence of General McDowell and King. The witness had stated that the message was given to him in the presence of Gene minds, in reference either to the fact of disobedience, or in reference to the measure of criminality that prompted it; and hence they found him not gullty of the fourth and fifth specifications of first charge; and in the same spirit, the fourth specification of second charge was withdrawn. While, however, the court felt, that of crimes such as these, no officer should be convicted but upon the clearest and most convincing proof of his guilt, they must also have felt that the honor of the profession of arms, and the most enduring interests of our common Government and country, imperatively demanded that there should be no acquittal when that proof had been made. "Jalum in uno, Jalsum in omnibus." The same witness who deposed to the receipt of the message from General McDowell, deposed to its delivery to the accused, and in neither point was he supported by the testimony of others. Having been discredited, as laboring under a complete misapprehension, in regard to the first, this discredit necessarily attaches to the second, and under the maxim quoted, his entire statement falls to the ground.

But even if it had been established that this message had been sent and received, and that it was in form an order, and given by proper authority, still MISSOURI LEGISLATURE.—Notwithstanding that the large majority of the Missouri Legislature are radical emanoipationists, it seems, from a statement of the nativities of the members, that only 11 are from New England, while Kentucky claims 41, Missouri 23, Tennessee 17, Virginia 16, Georgia 12, North Carolina 4, and 'Arkansas 1—making 114 in all from the slave States out of the total. Omitting the 23 Missourians, there are still 91 natives of other slave States, or a clear majority. Of the free States, Pennsylvania claims 14, Ohio 9, New York 7, Illinois 5, New England 11, Indiana 3—or 49 in all. form an order, and given by proper authority, still it is not claimed that it reached the accused before about 3 o'clock. This would leave his inaction, from 12 to 3 o'clock, in the presence of the enemy, and in the midst of a battle, unexplained, and therefore unpalliated in its culpability by anything that is contained in the record. palliated in its culpability by anything that is contained in the record.

Although that portion of the defence which would justify the inaction of the accused, because of the enemy and of the difficult nature of the ground in his front and to his right, has been commented on it may not be inappropriate to add that history shows these obstacles to be insignificant as compared with those which have been often in great emergencies overcome by military commanders. The battleof Hohenlinden furnishes an illustration and in one respect bears a striking analogy, while in, another offering a remarkable contrast to the events of the 29th of August. A few extracts from Thiers History of the Consulate and the Empire, vol. 1 pp. 217, 18, 19, Lippincott & Co.'s edition of 1861, will suffice to show the appositeness of the reference.

Austrian irm. 78,000 etcorg. "Richepause and be analy shipsions," says the historian, "were sent by Route and the positive, to throw the work of the positive, to throw the work of the positive, to throw the medical positive, to the control of the centre, which might occur. He left everythist, that was to be done to the intelligence of Richepause." "At length, as the battle progressed, a wavering was observed in the Austrian troops of the centre, which proved to be Richepause falling on their rear." "Be had stored without vositing for Brezeu, and distingly penchated into that had of incises and raunies, which separated the window to alting for Brezeu, and distingly prechated into that had of incises and raunies, which separated the Hodge and the services of the centre." "Richepause reskoning upon Decase of extracted Drouer's brigade, had marched without losing a moment for Maltenbout! for his miditary instinct told him that was the decisive point. "Though he had left but two demi-brigades of infanting, the Eighth and Forty-ciphith, a single regiment of cacetry, the First Chasseurs, and six pieces of cannon, with about 6,000 mm, he had continued his march, dragging his artillery by hima, almost always through the quagmire." "He free Chasseurs, and six pieces of cannon, with about 6,000 mm, he had continued his march, dragging his artillery by hima, almost always through the quagmire." "He free Chasseurs, and six pieces of cannon, with about 6,000 mm, he cannot be a considered to have the plant of the first him of the DEPAR TMENT OF THE SOUTHWEST. Navy received the followin 'g to-day:

CAIRO, Jan. 23.

I have just (6.29 P. M.) It veived a telegram from Memphis, Tennessee, from a ving Rear Admiral D. D. Porter, on board the United I States steamer Black Hawk, mouth of White river, Jan. 20, as follows:

"We have taken St. Charle, Duval's Buff, and Des Arc, and the light drafts are: over three hundred miles above the moute of the White river. The De Kalb, Lieut. Commander Walker, saptured at Duval's Buff two 8-inch gans, with ca vriages, ammunition, &c., two hundred field rifles, and three platform cars, and at Des Arc we captured the Try-nine pulsoners, and a quantity of zens and ammunition.

cars, and at Bes Arc we captured the Prisoners; and a quantity of seems and am venition.

A. L. PINNOCK,

"Fleet, Captain."

CONFEDERATE OFFICERS CAPT TRED AT

ARKANSAS POST.

The following officers, belonging to the Confederate navy, surrendered their arms to our reval officers at Arkansas-Post, January 12:

John N. Dunniagton, colonel comman ding 2d brigade, and first lieutenant C. S. N., cammanding naval forces; Joseph Preble; acting master C. S. N.; Frank Ranger, do.; F. M. Bolly, first lieutenant and brigade ordnance officer and midshipman, do.; N. M. Read, assistant surgeon; W. S. Campbell, major and quartermaster 3d brigade and captain's cleak; Howell Quigley, second assistant engineer; Samiral Sullivan, third do. do:; Joseph Nutter, master's mate; H. A. Lang, captain's steward; Geo. Elliots, John McDonald, boatswain's metes; W. C. Fishen, master-at-arms; Charles Lettig, ordnance master; John B. Horsett, do.; Michael Kemmert, do.; John Shephard, do; and twenty petty officers.

ANOTHER LIST OF REBEL OFFICERS CAPTURED AT FORT HENDMAN.

ARRANSAS POST, Ten. 11, 1863—The steamers TURED AT FURT HERDMAN.

ARKANSAS POST, Jan. 11, 1883.—The steamers John J. Roe, Nebraska; and Sam Gaty, arrived at St. Louis on the 23d inst., with nearly 5,000 prisoners of war aboard. This mumber comprises 4,760 captured at Arkansas Post, 52 sailors from the steamer Ponchartrain, and 38 men captured at Vicksburg; the sailors and the Vicksburg-prisoners not being on the list which we present helder. list which we present below.

The 4,760 prisoners from Arkansas Post comprise only those able for duty, there being, 500 sick and wounded on the steamers Dr Vernen, Istan, D. A. January, and City of Louisiana. The following list contains the names of all the prisoners captured at Arkansas Post with the exceptions show a panel contains the names of all the prisoners captured at Arkansas Post, with the exception above named. Major W. D. Sanger, inspector general of the 16th Army Corps, has charge of these prisoners. He came up from Cairo on Thursday evening by railroad, and brought with him General Churchill and staff, all of whom are now in the Gratiot-street prison at St. Louis.

The prisoners on the Nebraska and Sam Gaty were guarded by the 34th Iowa Regiment, Colonel Clarke. Those on the John J. Roe were guarded by five companies of the 13th Illinois Regiment, in command of Maj. Kirby, of the 3th Missouri. What disposition will be made of this large number of prisoners we have not been informed. "THE ROSTER?

T. J. Churchill, brigadier general.

B. S. Johnson, captain, A. A. G. and chief of staff.

J. K. P. Campbell, major, A. C. S.

C. H. Smith, major, chief surg., or medi director.

J. J. Gains, captain, chief of artillery.

A. J. Little, captain, chief signal officer.

J. M. Rose, 1st lieut., chief ordnance officer.

A. H. Savier, 1st lieut. H. Sevier, 1st lieut., A. D. C. Farr, captain, Vol. A. D. C. D. Smith, 1st lieut., Vol. A. D. C. McGuire, "acting" lieut., private secretary.

E. McGuire, "acting" fieur, private secretary.

R. Fitzhugh, captain, chief engineer.

B. F. Blackburn, captain, inspector general.

S. J. Richardson, captain, detached from Texas cay.

Roger Q. Mills, colonel, 10th Texas.

James R. Taylor, colonel, 17th Texas, dismounted

cayalry.

J. C. Gillispy, colonel, 25th Texas.

E. Portlock, Jr.; colonel, 24th Arkansas.

G. Deshler; brigade commander. G. Deshier, origade commander.
— Garland, " " "
John T. Coit, It. col. 18th Texas, dismounted cavalry.
W. M. Newland, lieut. col., 25th Texas.
A. S. Hutchinson, lieut. col., 19th Arkansas.
S. C. Brasher, major, 10th Texas.
Valerius C. Sanders, major, 15th Texas, dismounted cavalry.

bat, it is difficult to conceive. But this alone is not the saddest aspect in which his conduct presents itself. This aspect is distinctly set forth in the third specification of the second charge. Col. Marshall states that from the cheerings and peculiar yells of the enemy heard on the evening of the 29th, he and every man of his command believed that Gen. Pope's army was being driven from the field. Gen. Morrell also says that from the sound of the artillery, the battle seemed to be receding, which indicated that it was going against the Federal forces. The accused, in his note to Generals McDowell and King, speaking of the enemy, says: "As they appear to have driven our forces back, the firing of the enemy having advanced and ours retired, I have determined to withdraw to Manassas;" and in further justification of this step, he adds: "They have gathered artillery and cavalry and infantry, and the advancing masses of dust show the enemy coming in force." In the afternoon, then, of the 29th, it is clear that the conviction was entertained by the accused and his officers that our forces were being driven before the enemy—a conviction, which, in tones above the roar of the artillery, should have appealed to his soldier's heart to rush to the rescue. But, heedless of the summons, he turned, not towards, but away, from his struggling companions in arms, in the direction of Manassas.

Must we seek an explanation of this want of symmetric forces.

Jonathan R. McDonald, quartermaster, captain, 10th Texas.
E. S. Wheeler, surgeon, 25th Texas.
P. H. Warren, assistant surgeon, 24th Arkanas.
J. Z. Perdue, assistant surgeon, 24th Arkanass.
M. A. Woodson, assistant surgeon, 21st Texas.
G. W. Taylor, assistant surgeon, 21st Texas.
J. R. Pickerts, assistant surgeon, 25th Texas.
H. B. Harvey, A. O. S. and lieutenant, 6th Texas.
John Y. Rankin, A. C. S., captain, 25th Texas. WHAT IS ARKANSAS POST?

of the summons, he turned, not towards, but away, from his struggling companions in arms, in the direction of Manassas.

Must we seek an explanation of this want of sympathy with the brave men who were doing battle that day in the feelings, as shown by his despatches, which, unhappily, possessed him in reference to the army of Virginia and its commanding general? That Army, as he seems to have been aware, was sent forth not to capture Richmond or to occupy the South, but simply to harass and bffiae the march of the overwhelming masses of the enemy, while the Army of the Potomac was being extricated from the perils that surrounded it on the peninsula—a service which should not have provoked a sneer from the accused. It cannot be improper to add, what the record will sustain me in saying, that, so far as light The "Arkansas Post" taken by our troops is an old French village. Instead of being situated on a "high bluff," it is scarcely two feet above high water mark. It has neither court house nor jail, and its inhabitants consists of five families, in that number of houses; one of which is a tolerably respectable two-story brick, with stone front, and seven years ago was known as the "Real Estate Bank of Ar-kansas." The town is on the north bank of the Arkansas river, sixty-five miles from its mouth. THE WAR IN MISSOURI.

Herewith I enclose you for publication an official communication, just received from Colonel Penick, 5th Cavalry, M. S. M., commanding at Independence, that the community may understand and know the kind of foe we have to contend with in Mis-

border.

How very pleasant the reflection that in the endurance of all the hardships imposed by our rulers in their attempts to conciliate traitors, upon the loyal inhabitants, that it is a necessity, to enable them hereafter to live in harmony with such demons as those who have perpetrated these outrages. The devils in hell, by comparison, would show as bright angels of light by the side of such men.

Respectfully,

Brigadier General, M. S. M. In reference to the first, the testimony is full and earnest as to his former services and character for faithfulness and efficiency as an officer. The law admits such proof in criminal prosecutions, because a presumption of innocence arises from former good conduct, as evidenced by general reputation. The presumption, however, is held to be entitled to little weight, except in doubtful cases. Where it comes into conflict with evidence that is both positive and reliable, it at once gives way.

In regard to the second, Colonel Ruggles testified that at the close of a conversation on 2d September, at Fairfax Court House, between General Pope and the accused, the General expressed himself satisfied with his conduct, referring, as the witness believed, to the transactions on which the present charges are based. Colonel Ruggles admits, however, that he was not a party to the conversation; that he heard it only in scraps, and endeavored not to hear it at all. Gen. Pope, on the other hand, deposed that he was not satisfied, and could not have been, and that the expression heard by Colonel Ruggles related to explanations made by the accused as to certain disparaging telegrams which he was understood to have sent to General Burnside. In view of the relation of these two officers to the conversation, the court, of course, could not hesitate to accept the version of General Pope as the true one. Event General Pope HEADQUARTERS 5TH CAVALRY M. S. M.

Headquarters 5th Cawadry M. S. M.

Independence, Mo., January 11.

F General: Private Johnson, of the artillery company, was brought in dead to day. He is the fifth one murdered last week; four from the artillery and one from the militia. If you could see their mangled bodies you would not wonder why it is that I write you that guerillas' wives should be forced out of the country. They were all wounded, and killed afterwards in the most horrible manner that flends could devise; all were shot in the head, and several of their faces are terribly cut to pieces with boot heels. Powder was exploded in one man's ear, and both ears cut off close to his head. Whether this inhuman act was committed while he was alive or not, I have no means of knowing. To see human beings treated as my men have been by outlaws, is more than I can bear.

Ten of these men, armed as they are, with their wives and children to act as spies, are equal to twenty-five of mine. Guerillas are threatening Union women in the county. I am arresting the wives and sisters of some of the most notorious ones to prevent them from carrying their threats into execution. They have also levied an assessment upon the loyal men of the county, and are collecting it very fast. There are many complaints on the subject, as some of those assessed claim to be Southern sympathizers. Some of the Union men have asked me if the order suspending your assessment applies to the one spoken of above. I tell them I do not know, to ask J. Brown Hovey.

Yours truly,

W. R. PENICK,

Col. 5th Cavalry M. S. M.

Gen. Ben. Loan, Jefferson City, Mo.

A true copy:

H. W. Severence, Lieut, and A. D. C.

A true copy:
H. W. Severence, Lieut. and A. D. C. Lo Major General Curtis:

General Brown is very decidedly improving. He sits up, reads the newspapers, and enjoys his cigar almost as well as before the battle. General Herron is slowly improving, but is con-fined to his room most of the time. S. H. MELCHER, Medical Director. GEN. CURTIS COMPLIMENTS GEN. BROWN AND THE PEOPLE OF SPRINGFIELD. HEADQUARTERS, St. Louis, January 12, 4 P. M., 1863.

souri will cherish your memory.
S. R. CURTIS, Major General. REPORTED DEATH OF THE REBEL GEN. McBRIDE. It is reported in Lebanon, by persons who re-ently returned from Arkansas, that the rebel Briga-lier General McBride is dead... It is said that he died at Ozark, Arkansas. RUMORED CAPTURE OF MARMADUKE.

regarded as needing confirmation. PRINTERS IN THE BATTLE OF HARTS-VILLE, MISSOURI. From the Springfield Missourian, Jan. 15.] Seven resident printers of this place participated, in the battle of the 8th. They all belonged to the enrolled militia, and, we are proud to say, acquitted themselves in a manner honorable both to the craft and the enrolled militia.

Corp. Boren, of the Journal, was wounded in the head at the companyment of the corp. Boren, of the Journal, was wounded in the head at the commencement of the engagement. Maj. Graves, of the same office, was mortally wounded, while performing his duty, long before the battle ended. Capt. W. P. Davis, regimental quartermaster, assisted in rallying and encouraging the men in the early part of the day, and had several narrow. Four printers from the Missourian office were engaged in the conflict from its commencement to its termination, and had the good fortune not toget hurt. Sergeants William Gott and A. G. Patterson merit special mention for their gallantry. The former was one of the leaders in the charge on the snew. nemy. Four non-resident printers, on duty here, also Four non-resident printers, on they here, and took part in the engagement, and proved to be "true grit," and came off without a scratch.

At the breaking out of the rebellion, Springfield had four printing offices, three of which were Union. Three of our resident printers are in the United States service, two of them being lieutenants in the Eighth Cavalry. Eighth Cavalry.

RUSSELL AND THE GERMAN.-Russell, in RUSSEIL: AND THE GERMAN.—Russell, in his diary, gives the following account of a reception he got at the hands of a German soldier: "On the 1st of September a dirty German soldier called out from the parapet of an earthwork, over the Long Bridge, 'Pull Run Russell,' and at the same time cooked his piece and levelled it. Russell immediately rode around into the fort; the fellow still presenting his firelock, and asked him what he meant, at the same time calling for the sergeant of the guard, who came at once, and at his request arrested the man, who recovered arms and said, 'It was a chooke;' I want to freeken Bull Run Russell.' As the man's rifle, was capped and loaded, and on full choake; I want to freeken Bull Run Russell. As the man's rifle; was capped and loaded, and on full cock, Russell did not see the fun of the proceeding so clearly, and urged an investigation into his con-duct, which he did not, however, think it necessary to pursue."

THREE CENTS

Another Successful Expedition up the Another Succession Expedition up the White River-Capture of Des Arc, St. Charles, and Duval's Bluff-Our Vessels 300 Miles m. the River-Rebel Officers Captured at Arkansas Post-Progress of the War in M (ssouri–Rumored Capture of General Mar, naduke–Death of General MeBride—The B, tttle at Hartsville, Mo—Printers Engaged—General Brown getting Well, &c. Washingreen, Jan. 24.—The Secretary of the

CAIRO, Jan. 23.

cavalry.
A. H. Phillips, Jr., major, 5th Texas.
W. R. Hardy, major, 24th Arkansas.
D. H. Hamilton, major, 19th Arkansas.
J. A. Willingham, adjutant, 10th Texas.
Michael Rennard, adjutant, 15th Texas, dismounted

cavalry.
G. L. White, adjutant, 24th Arkansas.
S. J. Garland, adjutant, 6th Texas.
P. D. Griffin, adjutant, 21st Texas.
Nicholas H. Darnell, adjutant, 18th Texas; dismounted cavalry. James A. Shaw, adjutant, 17th Texas, dismounted cavalry. W. H. Dupuy, adjutant, Crawford's Arkensas Battalion.

J. M. Barker, quartermaster, Sappers and Miners.
H. C. Smith, quartermaster, captain, 19th Arkansas,
Dan. A. Connor, quartermaster, 21st Texas.
Jonathan R. McDonald, quartermaster, captain, 10th

HEADQUARTERS, CENTRAL DIVISION, MISSOURI, JEFFERSON CITY, Jan. 29, 1863. To the Editor of The Press:

accused. It cannot be improper to add, what the record will sustain me in saying, that, so far as light is shed upon the subject by the testimony, the Army of Virginia appears to have nobly performed the arduous and perilous work committed to its hands. Its campaign was brief, but marked by signal vigor and shility, and animated by a spirit which, shrinking from neither toil nor exposure nor danger, bravely struck the enemy whenever and wherever he could be found.

The accused presents two general grounds of defence, which apply to all the accusations against him. They are—first, his general reputation for zeal and loyalty; and, secondly, the expression of satisfaction with his conduct which General Pope is alleged to have made at Fairfax Court-house on the 2d September.

In reference to the first, the testimony is full and souri, and whether peace rules supreme within her

In reference to the first, the testimony is full and

CONDITION OF GEN. BROWN. Springfield, Mo., Jan. 18, 1863.

January 12, 4 P. M., 1863.

To Brig. Gen. E. B. Brown:

Despatch of the 11th, via Sedalia, received. Your gallant and successful defence of Springfield has added to the glory of the Sth of January. The troops and people of Springfield, who participated in your efforts, have given imperishable proof of their devotion to our cause and country, and the State of Missouri will cherish your memory.

At headquarters of the Department of the Southwest, at St. Louis, a despatch had been received to the purport that part of General Herron's forces in the Southwest had succeded in apturing Marmaduke and a portion of his command, by intercepting their retreatinto Arkansas. The statement is, however, reparded as needing confirmation

To the getter-up of a Club of ten or twenty, an extra copy of the Paper will be given.

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(PUBLISHED WEEKLY.)

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ARMY OF THE POTOMAC. Account of the Recent Movement-The Storm-The March through the Mud-The Return to Camp, &c.
HEADQUARTERS, BANK'S FORD, RAPPAHANNOOK, Friday morning, Jan. 23.-From Thursday, Jan. 16, the army was under orders to be ready to march at an hour's notice. Tuesday, the 20th was the brezking-up day. On that day the roads were in tip-top order; the weather cold and clear. The men were so glad to move that they pulled down their log-houses and other shelfers. tet fire to the chimners, barrels, &c., through the camp, though orders were issued not to do so. One

THE FORDS. For some days previously to the movement of the army, extensive recommissances had been carried on; the country was mapped, the fords were car-fally selected, roads opened, and brush cleared away on the bluffs commanding the river, its fords, and the shore opposite. All this was done setretly and in the hight. in the night.

The points selected for crossing fay about seven miles above Fredericksburg, near Banker Ford and the old United States Fords. The crossing was to be made at three places. Here the river, by an abrupt bend, formed an ox-low first on the rebel side, and then another still river abruptly on this side, making a huge letter S; and, bending away to the south, gave us a very favorable place for an emilading fire upon any concentration of troops on the opposite side. The high banks on this side, covered with a thick growth of fir bushes, enabled us to place our batteries is concealed and contrainding positions.

THE SFORM.

brigade set fire to the guard-house, and had a regu-lar fire scene over the conflagration, making much

I'll SPORUS.

At 9 o'clock, on Tuesdiv night, inst after the bugle had sounded for "out lights," a terrible storm burst upon our heads. It was a northeaster; rainfell in forrents, and the wind blew a whole gale. It was impossible to keep up first, we lay all night far the raire, and woke up for a march, Wednesday morning, at early daylight.

The March Through The Mud.

The rise was terrible. It was still raising and storming the northeast gale did not, in fact, break up till Friday morning. At every winn or rise in the read a wagen or caisson was seen sticking fact, and houses and mules were down in the mire and chable to fise. The roads, which had been hard and good but a little while before, were a sticky slop. In every gully batteries, caissons, supply wagens, and mules sank up to their bellies in the mid; soldiers on the march flowndered about, sinking to the knees at almost every step. It was impossible to draw an empty wagen through this decadful mud. The whole army was stuck fast.

I rode along the side of the road, marking my way to the front. I bund the mea turning off the main road to seek less worn and sizely bypatis at every opportunity, but with no success. The brush was nearly as bad as the main road.

GENERAL HOOKER IN THE MVD. THE MARCH THROUGH THE MUD. GENERAL MOOKER IN THE MUD.

When light within about two miles of the river I came upon a scene of confusion worse then I had seen before! In a deep gully, and on the hill-side, where the road ascended, were stuck fast in the mire where the road ascended, were stuck last in the mire more than a dozen caissons, guns, ammunition and forage wagons; and one of the great headquarter wagons. Teamsters were cursing and cracking their whips, horses and makes were floundering in the mire, strings of soldiers were dragging at long ropes fastened to each side of the wagons, to help them forward; and I fancied that the whole, men, wagons, and wage soldiers are all were craited that the fastened to each side of the wagons, to help them forward; and I fancied that the whole; men, wagons, guns, muler, soldiers and all, were gradually disappearing from sight in the mud.

As I picked my way along I saw a horseman covered with mud from cap to stirrup, whom I took to be an orderly, and a very filthy one at that. He was ordering a teamster to unhitch his mules and take them to the front, to help another team out which barred the way. I sat and watched the operation for a while, and listened to the orders, which began to bring a little hope of extrication to this bemired train. Presently I got a glimpse of the supposed orderly's face; and saw that it was no less a person than General'Hocker. He was dressed in a black water-proof cost, and was plastered with the ochrous mud, so that he was scarcely recognizable. His presence and vigorous orders set matters going again, and while he remained there the'se of mud began to wriggle and move, reminding one of the general movement on a plate of molasses covered with flies, when, by reasen of some general alarm, the flies make a unanimous struggle to get away. Slocum, Stoneman, Griffin, Sykes, Humphreys, Franklin, Burnside, were all in the front; all doing their best to get the wagons through, and all covered with mud. All day loar it was one contributed and

Sleeum, Stoneman, Griffin, Sykes, Humphreys, Franklin, Burnside, were all in the front; all doing their best to get the wagons through, and all covered with mud. All day long it was one continued and exhausting struggle with the mud—an enemy worse than the rebels. Wednesday night the tired troops lay down in their blanksts.

It rained all, night, Next morning (Thursday) it was determined to concentrate the pontoons at Banks' Ford. Near this ford the river banks are high, and form a table-land or ridge, up to which the guns and pontoons were dragged, all next day, by the united labor of men and horses. There the ground was somewhat more firm.

But it was now seen that the approaches out to the river were impracticable. The mud in these freshly-cut roads was too deep. The fords were not attainable. The river was too much swollen; but horses, wagons, and guns, could not be taken down to the water.

However, the roads were pretty well cleared of wagons and other impediments, on Thursday, everything being dragged up to the higher ground, and on that night the men camped in the woods near by and all around. Here the sturdy woodsmen went in with their axes, and generally made a clearing; their huge fires began to shine out, and something like comfort began to prevait in this ocean of mud. Rebel camp fires were visible during the night on the other side of the river.

The work of moving the pontoons had been stopped, and they rested on a high, bluff a hundred rods back from the river. Thursday it began to be rumored that we were to return and give up the attempt. On that night Generals Burnside and Hooker returned, and the cavalry and light artillery were ordered back.

This (Friday) morning Gen. Sumner's grand division, which had been holding itself ready to march

This (Friday) morning Gen. Sumner's grand division, which had been holding itself ready to march during the whole time, received orders to unpack and again encamp. They had not left their camp grounds, but still remained in front of Fredericksburg.

THE RETURN TO CAMP. This morning the stragglers are gathering up, and the stray batteries and wagons are filling in, while brigade after brigade is preparing for the return. As I quit camp all is busy. Before this is published the major portion of the army will again be in camp before Fredericksburg.—N. Y. Evening Post.

ARMY OF THE CUMBERLAND.

Operations of the Rebel Cavalry on the River-Shooting of Col. Stokes, &c. NASHVILLE, Jan. 24.—A fleet of steamers left here yesterday afternoon, and last night, when opposite Bettstown, they were fired into by the rebels with three field pieces posted on a bluff. The gunboat St. Clair engaged the enemy, who were driven to the woods. The fleet has arrived safely at Clarksville. Colonel Wm. B. Stokes, of the First Tennessee Cavalry, in a personal difficulty yesterday at Murfreesboro, was shot by Captain Fleming, of the same

has disappeared. Another Address from F. W. Hughes-Pennsylvania Again Recommended to Unite with the South.

regiment, and seriously wounded. Captain Fleming

To my Democratic Friends in Pennsylvania:

The sympathy enlisted in my behalf, because of the Abolition persecution through which I have passed, and my known views in regard to the future of our afflicted and misgoverned country, has evoked expressions of regret for my defeat in the recent contest for United States Senator. Let me assure you that you have but little occasion for any regret on that account, but great cause for congratulation that a gentleman of such surpassing ability and sound constitutional and State-rights views as the Hon. Charles R. Buckalew has been selected. I have had comparatively little other feeling or anxiety on the subject of my election than that, perchance, I might, in the position sought, be the humble instrument; under Providence, in serving my native State and our common country. To my Democratic Friends in Pennsylvania: under Providence, in serving my native State and our common country.

I believe that God has engraven, on the face of this Western continent, so legibly that all should read it, that the territory from the mouth of the Mississippi to the head waters of its tributaries, as well as such as flank this space and afford outlets to the Atlantic and Pacific oceans, must be forever governed so as to confer on every part free commercial intercourse throughout the whole, and unobstructed navigation of its inland waters. So, too, such country should always be provided with means for common defence and "to promote the general welfare."

The Union as it was, and the Constitution as it

for common defence and "to promote the general welfare."
The Union as it was, and the Constitution as it would best accomplish all this, if Abolitionism would permit.
While our national glorg would be best promoted by the preservation of our present political relations with the New England States, yet if they will insist upon the destruction of the Union by the subjugation of the Swithern States or by their separation from them, I am ready to yield to the latter rather than to the former of such alternatives. The New England States constitute the seat where the doctrine of secession was first asserted; they are the hotbed in which has been propagated all the heresies that have produced national discord; they are our rivals in commerce and manufactures, and the sacrifice of submitting to their separation from us would be much less than that of our separation from the Great South and West. It is impossible for the Western States ever to permit the control of the mouth of the Mississippi to be lodged in the hands of an independent Government. Their destiny is inexorably linked with a free transit through the great inland navigable waters that river and its tributaries afford. The future prosperity of Pennsylvania is alike dependent on her connection with the great West.

Without professing to speak or to know the views of Mr. Buckalew on these points, yet my confidence in his devoted patriotism and comprehensive statesmanship, gives me assurance that he does not essentially differ from those above stated. I know that he condemns the Constitution and Union-destroying policy of the Abolitionists. I am quite confident he agrees with me that the measures and policy now di-

policy of the Abolitionists. I am ourte confident i policy of the Adoltionists. I am quite confident ne agrees with me that the measures and policy now directed by Abraham Lincoln, more than any other, have brought us to our impending rain. He has the ability to present in the Senate of the United States the solemn protest of Pennsylvania against those measures and policy, and I trust the courage and energy to see that such protest is not in vain.

Thore is yet abundant work for the true men of Pennsylvania to do, to protect her true interests and maintain the identity of her political and natural bonds. To this good work I shall, as heretofore, devote my humble efforts.

Pottsville, Jan. 14th, 1863.

MUSICAL AND DRAMATIC. - Miss Laura Keene and combination ope asd; at

"Old Heads and Young Hearts."

the Howard Athenaum, Boston, on the 19th inst., in

- Mr. George Vandenhoff commenced a series of "Readings" at Willard's Hall, Washingtran on the 19th inst. — Mr. E. L. Davenport, the popular American actor, assisted by Mrs. E. L. Davenport, gave. some select "Readings" at the Brook 1419, Athenæum. on the 19th inst. -The Bateman combination commenced at Niblo's Garden, New York, on the 19th inst., in the new play of "Leah, the Forsake, with Miss Bate, man as *Leah*. - Mr. and Mrs. Barney W Mams, commence an engagement at Washington, A. C., this evening. -Mr. and Mrs. F. B. Coraway are playing at the Metropolitan, Buffalo. - Blondin leaves England in February to, fulfil a series of continental engagements.

—J. Wilkes Booth's engagement at the Boston Museum has been youy successful.

— The most processes French dramatists who de-parted this life, in 1862, are: Do Coursy, Gustave Vacz, the Senior Barriere, Camberousse, Laurencon, and Partout. - The Austrian ladies have published a circular at Vienna, reiterating their determination to countenance no theatre where actresses appear on the stage with-crinoline.