PITTSBURGH GAZETTE

TUESDAY MORNING JULY 26, 1864.

FOR GOVERNOR,
JOSEPH HOWARD PARKER,
OF ALLEGHENY.

FOR LIEUTENANT GOVERNOR,
HENRY D. MOORHEAD,
OF ALLEGHENY.

DEMOCRATIC UNION NOMINATIONS.

FOR CANAL COMMISSIONER,
MOSES FORSYTH, *Of Lancaster County.*

FOR AUDITOR GENERAL,
ALEX. L. McCANDLESS, *Of Franklin County.*

FOR SURVEYOR GENERAL,
CHRISTIAN MYERS, *Of Clarion County.*

Philadelphia, Extra Case—We find in the proceedings in this case on Monday which we omitted in the legislative enumeration of the U. S. Marshal, Wyncoop was objected to by Judge Thompson for contempt in not executing the process of the Supreme Court. Judge Thompson gave a peremptory order that the Marshal should be committed to prison, instead of his person. On Monday morning Judge Thompson gave a peremptory order that the Marshal should be committed to prison, unless he should produce the body of Judge Kane, at that time. The Marshal made a return to the writ of habeas corpus issued by Judge Kane, that he had not the body of Judge Kane in his custody, and that he was not able to produce him. Judge Thompson then issued a writ of habeas corpus to the Governor of the State, commanding him to produce the body of Judge Kane before the Court. For his contempt in not executing the process of the Supreme Court, the Marshal was committed to the Sheriff to which that officer takes him home to his own house, and keeps him there under guard. The Marshal has been released on bail, and the majority of the United States Judges appear to favor the opinion that the Marshal is not guilty of contempt.

Habeas Corpus.—The habeas corpus case of Mr. Ellmaker, which was argued before Judge Thompson, was decided on Monday morning. The Judge refused to grant the writ, on the ground that the Court had no jurisdiction in the case. The Judge, however, in having stated considerable reasons for his decision, which are highly creditable to his legal acumen, and which will be read with interest by the profession. The case was that of a person who had been arrested by the Provost Marshal of this district, and was held to bail in the sum of $1,000 to answer the charge of treason. Mr. Ellmaker applied to the Court for a writ of habeas corpus, which was refused, and he was remanded to the custody of the Provost Marshal. The principal point of the case was, whether the Court had the power to issue a writ of habeas corpus to a person held to bail in a criminal case. The Judge decided that he had no power to issue the writ, and that the proper course was for the party to apply to the Court before which he was bound to appear, to be discharged on bail. Mr. Ellmaker's counsel argued that the Court had the power to issue the writ, and that the party was entitled to be discharged on bail. The Judge, however, decided that he had no power to issue the writ, and that the party must apply to the Court before which he was bound to appear, to be discharged on bail. Mr. Ellmaker's counsel argued that the Court had the power to issue the writ, and that the party was entitled to be discharged on bail. The Judge, however, decided that he had no power to issue the writ, and that the party must apply to the Court before which he was bound to appear, to be discharged on bail.

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