Pittsburgh Gazette.

SATURDAY MORNING.....OCT. 10, 1863.

CITY AFFAIRS.

THE OFFICIAL PAPER OF THE CITY.

Court Proceedings.

The Grand Jury returned the following true bills yesterday afternoon:

Com. vs. Sarah Leslie; keeping a bawdy house.

Com. vs. John Richenbaugh, John Wells, Robert Essler, John Newmyer and Thomas Williams; riot.

Com. vs. John Richenbaugh and others; aggravated assault and battery.

Com. vs. Conrad Shaaff; assault and battery with intent to commit a rape.

Com. vs. Henry and Hannah Rachel; assault and battery.

Com. vs. Mary Graham, 6th Ward; selling liquors, &c.

Com. vs. Sarah McLaughlin, 6th Ward; selling liquors, &c.

Com. vs. Mary Sullivan, 6th Ward; selling liquors, &c.

Com. vs. Margaret Kelly, 6th Ward; selling liquors, &c.

Com. vs. James Bothwell, 6th Ward; selling liquors, &c.

Com. vs. John Kemp; felonious assault and battery.

Com. vs. John McBride; felonious assault and battery.

Com. vs. Rachel Hip; larceny.

The following cases are for assault and battery:

Com. vs. James Kane; Com. vs. Albert Whitfield and Wm. Whitfield; Com. vs. Michael McMorrow; Com. vs. James Hasling; Com. vs. James Kane; Com. vs. Henry Prior; Com. vs. Mary McDonald; Com. vs. Marcus Dimney; Com. vs. Henry T. Prior; Com. vs. John McBride.

The following bills were ignored:

Com. vs. Alfred Goffey; felonious assault and battery; Com. vs. Jas. Donaldson, Harvey Donaldson, Jno. McCarthy, Hugh Durning; aggravated assault and battery.

Com. vs. Jas. Donaldson, Harvey Donaldson, Hugh Durning; larceny.

Com. vs. Wm. Sample, Chas. Taylor, Wm. McIntyre, Jas. McKelly; larceny.

Com. vs. Robt. T. Palmer, Robt. W. Campbell; gambling, &c.

Com. vs. Jas. Fury, Chas. Fury, Martin Conner, Michael Carey; larceny.

Com. vs. Jesse Wiley; larceny.

In the case of the Com. vs. Jas. Reilly and Jas. Reilly (two little boys) for malicious mischief in throwing dirt into a neighbor's spring, the jury rendered a verdict of not guilty, and that prosecutor and defendant each pay half the costs.

In the case of the Com. vs. Mary Wilkinson and Bella Roney (young women) for larceny of a breast pin, under-clothes, etc., the defendants plead guilty. Sentence deferred.

In the cases of the Com. vs. Henry Trout and the Com. vs. John Trout and Harry Trout for aggravated assault and battery, the jury returned a verdict of not guilty—the defendants and prosecutor in each case to pay one-half the costs.

In the case of the Com. vs. John Moore for assault and battery, the jury rendered a verdict of not guilty.

The case of the Com. vs. Geo. W. Backofen, for assault and battery (throwing an inkstand at Dr. Venn) was tried. Jury out.

Bishop Hopkins.

Among the anomalies of these stirring times is the discussion of political and economical matters in their religious aspects—an innovation which the American sensitiveness on the subject of "Church and State" never before permitted. And the curious phase of the matter is that this new element in political discussion is introduced by the very men who have been most sensitive on the subject. A speech from a Clay book by Bishop Hopkins is published, with his consent and approval, as a political tract. As editors are required to serve as the reminders of their readers of forgotten facts, there is one significant endorsement of Bishop Hopkins which we have note. The State of Western Virginia is *de facto* without a Bishop, though the Bishop of Virginia, Dr. Johns, claims jurisdiction. Certain of the Episcopal clergy in the new State, in correspondence with Dr. Johns, desired him to designate some person who could perform the Episcopal duties to which the Bishop of Virginia cannot now attend. Dr. Johns, in answer, enjoins them by all means, if they call on any northern prelate, to latinize Bishop Hopkins! And we doubt not, if any of the litigating traitor citizens of Western Virginia were to write to Jeff. Davis, lamenting their want of law, J. D. would refer them to the immortal self-constituted committee who have called out Bishop Hopkins. If they wanted a Judge, he would send to Judge Woodward. These gentlemen would administer law and Gospel after the most approved Richmond precedents and readings. But whether we in Pennsylvania desire such teachers in religion and politics, or such an administrator of the executive functions of the commonwealth, is a question which on Monday of next week will be decided emphatically in the negative.

Important Dispatch.

The following telegrams were received last evening by the Sanitary Committee:

LOUISVILLE, Oct. 9, 1863.

The Medical Department has obtained the full number of surgeons needed for the present emergency.

Three of our agents, captured and paroled, arrived at Nashville last night. They report thirty-nine wagon loads of our stores burned by the rebels. Geo. H. Stuart, Secretary of the U. S. Sanitary Commission for the Western Department.

In view of these facts, the Pittsburgh Sanitary Committee would withdraw the call recently made for surgeons, and would urgently appeal to the generous citizens of this city and of Western Pennsylvania for donations of hospital clothing and food.

By furnishing supplies for the wounded with promptness to points like Chattanooga, where the greatest need exists, the Sanitary Commission, of course, insure the same risk of loss by capture that the Government does, and therefore it is our power's a duty to repair the deficiency by further contributions. During the active operations on an extensive scale, exceeded, say, already in progress throughout Tennessee, many brave men must fall, and the question comes directly to us, shall not timely provision be made to relieve their sufferings?

Stores will be sent forward to Nashville by the Pittsburg Sanitary Committee, in charge of a special agent, early next week. Any donations sent to No. 59 Fourth street, will be promptly forwarded to points where most needed.

THE SHADOW OF ASHNDTAN.—This is the title of a new novel by Mrs. Henry Wood, which has just been published by Messrs. T. B. Peterson & Brothers, of Philadelphia, from the manuscript and advance proof-sheets purchased from the author, so that it appears here eight weeks before the completion of its publication in Colburn's New Monthly Magazine, in London—where it has been publishing for nearly two years past, and during all the time exciting the most intense interest. Such exploration of its chapters of stilettoed-worn narrative and effectively sketched scenes of action, in the highly-wrought life-drama which it presents, as we have yet made, satisfies us that it is destined to rank among the very best of Mrs. Wood's stories; if, indeed, in some respects, it may not claim absolute pre-eminence. We cannot doubt that within a few days its characters and incidents will have become familiar to all our novel-reading friends, and that during the coming winter it will be dramatized, and in that form attain a popularity equal to that of "East Lynne." A "Railway Edition," in one large volume octavo, paper covers, an edition in cloth, and an edition in two volumes, are published. For sale by W. A. Gildenfanney, 45 Fifth street.

SHOCKING ACCIDENT.—Dudley Vallandigham meeting at Youngstown, Ohio a few days ago, two brothers named George and Peter Kyright, of Cornfield, were horribly injured by the premature discharge of a gun. The left hand of one of the men was entirely blown off, while the right hand of the other was badly mangled. The arm of the former was amputated above the wrist, while the latter had three fingers taken off by the surgeon. They are both poor men, and being thus crippled for life a liberal fund was raised for their benefit.

JERRY LUCK, aged eighty-five years, left this neighborhood in Lancaster township, Lancaster county, on the 17th of September, and has not since been heard from. He was very feeble, and not of sound mind.

Union Meeting at Wilkins' Hall.

A large and enthusiastic meeting was held at Wilkins' Hall last night. Hon. Thomas M. Howe acted as President; J. H. Sewell and Thomas Steel, as Vice Presidents. Excellent and telling speeches were made by Judge Sharwood, of Texas; Gen. Jim. Lane, of Kansas, and Gov. Randall, of Wisconsin.

Judge M. W. Delahay, recently appointed to a judgship in Kansas, was introduced and made a few remarks. He stated that he had been a life-long intimate and confidential friend of President Lincoln. From this confidential and intimate acquaintance, he was satisfied that no one was authorized to speak for Mr. Lincoln on any of the political issues of the day. While the President was absorbed in the arduous duties of restoring the country, it did seem to Judge D. as an act of injustice for any one to attempt to speak for him on the outside questions of the day. No one knew better how and when to speak than Mr. Lincoln, and when he had anything to say he would speak for himself, and the people would, no doubt, sustain him.

Gen. Sigel at Concert Hall.

Concert Hall was densely crowded last evening, by our German citizens, who were anxious to see Major General Sigel, and hear him discuss the questions of the day, in their own language. The seats had been removed from the hall, and the doors were thrown open for all who chose to enter. The hall was soon filled up. There were quite a number of ladies present, for whom seats were furnished on the gallery. The meeting was organized by the appointment of the following officers:

President—Rev. J. G. Kredel. Vice Presidents—Charles Rebele, Peter Kolbecker, J. Portsoll, J. G. Backofen, E. Panderich, J. Gangwisch, Carpar Gatz, Henry Anschutz, Nicholas Voeghly, Jr. Secretaries—Adolphus Hellman and Sigismund Leow.

General Sigel was then introduced by the President, and was greeted with great enthusiasm. He delivered a very lengthy speech, which was well received by the audience.

The General left the city last night, at midnight, for Erie, where he will speak to-day. On Monday he will visit Cleveland, and address the citizens of that place.

SPARRING AFFAIR.—During the Copperhead convention at Indiana, Pa., on Tuesday last, a shoemaker named Kaffman, a violent Copperhead, quarreled with a Union man named Stuckal, and called him a very hard name, whereupon he was knocked down. Kaffman then drew a knife and stabbed Stuckal in the abdomen, for which he was arrested and lodged in jail.

THE JOHNSTOWN EXCURSION.—The excursion to Johnstown, to-day, bids fair to equal, in point of numbers, the late "raid" into Westmoreland county. The delegates will meet this morning, at Wilkin's Hall, at half past seven o'clock, and march in a body to the depot. The train will leave the station at eight o'clock precisely. Tickets can be obtained at the hall.

SUPPER TO GEN. SIGEL.—The friends of Gen. Sigel gave him a complimentary supper last night, at the Athenæum on Liberty street. About a hundred persons were present, and passed the time very pleasantly until near one o'clock, when the General left, to take the train going West. The General goes to Cleveland and Erie.

THE PICTORIALS.—Mr. J. W. Pittock, Fifth street, opposite the Post-office, has received *Frank Leslie* and the *Illustrated News*, together with all the latest literary papers and periodicals. Indeed, Pittock is always "up to time," and his customers can always find the *latest* on his shelves.

THE GHOST was produced in good style, at the theatre, last evening—the new mirror adding much to the effectiveness of the illusion. There was a large audience present, and every one seemed well pleased. The piece will be produced again this evening.

JOHN EVANS, an aged citizen of Lancaster, fell down on the street, opposite his residence, on Thursday last, in a fit of apoplexy. He was sixty-five years of age, and had previously enjoyed good health.

BUNTING FLAGS of all sizes, also Silk Flags for *Regiments*, at Pittock's Flag Manufactory, opposite Postoffice.

PHOTOGRAPH ALBUMS, at Pittock's, opposite Postoffice.

POCKET KNIVES, at Pittock's, opposite Postoffice.

POCKET KNIVES AND WALLETS, at Pittock's, opposite Postoffice.

SPECIAL LOCAL NOTICES.

GROVER AND BAKER'S SEWING MACHINES, for family and manufacturing purposes, are the best in use.

A. P. GRAFONY, General Agent.
No. 18, Fifth street.

THOMAS PARRY, Plain and Ornamental Slate Roofer, and dealer in Pennsylvania and Vermont slate of the best quality at low rates. Office at Alex. Laughlin's, near the Water Works, Pittsburgh, Pa. sep28m

JUST RETURNED FROM THE EAST.—The undersigned would respectfully call the attention of their friends, and the public in General, to their Fall and Winter stock of Goods. They consist of all the very latest styles of Cloths, Cassimeres and Vestings, English Reximo Beavers, Trico and Pilot Cloth and Overcoatings. Also, a large assortment of French Cloths. Gentlemen will find the very finest quality, all of which is selected from the latest importations, and will be made in the most fashionable manner, and at a price lower than any other merchant tailoring establishment in the city. Give us an early call.

SAMUEL GRAHAM & CO.,
Merchant Tailors, No. 54 Market st.
SAMUEL GRAHAM, GEO. MCCANDLESS.

FOR FALL AND WINTER WEAR.—The summer is past, and by the morning's frost, we begin to apprehend, that fall and winter will be pretty upon us, and we must provide ourselves with the material to keep us comfortable. A nice fall suit, or a good and well-made overcoat are the very thing, and we do not know of any place where our readers would suit themselves better than at Messrs. W. H. McGee & Co.'s clothing establishment, corner of Federal street and Diamond Square, Allegheny. They have also received a complete assortment of gentlemen's furnishing goods, and a great variety of new patterns for waistcoating, &c.

PERFECTLY SATISFACTORY.—Rev. Jas. Hoyt, Pastor First Presbyterian Church, Orange, N. J., writes: "I have used MRS. S. A. Allen's Zylobalsamum or World's Hair Dressing with very great benefit in my family. Its cleansing and healing properties, removing dandruff, and giving the hair a natural and healthy tone and softness, surpass those of any preparation known to me."

Sold by Druggists everywhere. Depot, 193 Greenwich street, New York.

JUST RECEIVED AND READY FOR SALE—The fine assortment of Fall and Winter Clothing, lately received by Messrs. John Weler & Co., Merchant Tailors, No. 126 Federal street, Allegheny. The stock of clothing consists of the finest variety of gents' pantaloons, vests, coats and overcoats. The style of patterns are tasteful and fashionable. We would invite all of our readers to give the above gentlemen a call.

THE horrors of war can be greatly mitigated by that sovereign remedy, Holloway's Ointment, as it will cure any wound, however desperate, if it be well rubbed around the wounded parts, and they may be kept thoroughly covered with it. A pot of ointment should be in every man's knapsack. Only 25 cents per pot. 237.

WATCHES, JEWELRY, &c.—J. M. Roberts, No. 17 Fifth street, is now opening the most choice stock of fine Gold and Silver Watches, Jewelry, Silver ware and Fancy Goods ever displayed in this city, and is selling them at remarkably low prices.

OMNIBUS and carriage calls will be taken at the Omnibus office, No. 410 Penn street, day or night. All orders left at the above place will be promptly attended to. All calls must be paid in advance.

YOUR DOLLARS, four dollars.
Your dollars, four dollars.
Dental Institute, Dental Institute.
Best cheap Dentistry, best cheap Dentistry.
No machine work, no machine work.
S. Rice, Dentist, 355 Penn street, attend to all business of his profession.

Judge Lowrie and the Writ of Habeas Corpus.

The discussion of Judge Lowrie in the case of Eliy McLain, in which he claimed the right under a writ of *habeas corpus*, to discharge a soldier and prisoner in custody of the United States, is so full of mischief, and is written in such a spirit of Jacobinism, demagoguism, and partisanism, that I am astonished it has attracted so little attention. In this spirit he has overruled the Supreme Court of Michigan and overdone the authority of the Supreme Court of the United States in the case of Ableman vs. Booth, 21. How. Rep. 506. So much was to be expected from the man and the circumstances. Having deserted the Whigs because they had no office adequate to his ambition, he is now in the midst of a revolution seeking a renewal of a fifteen years' lease of office, by pandering to a party, which requires him to go to the verge of treason. He who drove Judge Black from the Bench by his superciliousness and intolerance, and of whom that distinguished judge has said "he would sacrifice the greatest estate in the commonwealth on a transcendental abstraction"—who, like a madman with fire brand in hand, for a score of years, has run as much through the law, firing, upturning, and confusing everything in his raid, is the proper man for the times and the work.

With the decision of Judge Lowrie, following the bloody anti-draft mobs of New York, and a similar decision by a judicial representative of the keepers of seventy-five thousand prostitutes and thirty-five thousand professional thieves, made in a similar spirit in the same city. With Gov. Seymour inciting rebellion; and a host of petty state judges—one of whom, Judge Crow, of Fayette, now under indictment in the District Court of the United States, for persuading soldiers to desert under a promise to discharge them under *habeas corpus*—aiding Judge Lowrie in depleting the army. The President has been compelled to choose between suspending the writ of habeas corpus, and suffering them to disorganize the army, disrupt the Union, and destroy the republic. He has prevented them from achieving the renown of the incendiary of the Temple of Ephesus.

In the case of Ableman vs. Booth, Booth had been arrested for aiding in the rescue of a fugitive slave, from the custody of a marshal of the United States. He was discharged under *habeas corpus*, by a State Judge of Wisconsin. He was afterwards indicted and convicted in the District Court of the United States, and was again discharged under *habeas corpus* by the State court. Both cases were taken up to the Supreme Court of the United States, and its unanimous opinion was delivered by Judge Taney, reversing the proceedings in both cases.

In the case before Judge Lowrie, the U. S. Provost Marshal, in answer to the *habeas corpus*, returned that he held McLain under the authority of the United States, he being a drafted soldier and deserter. Judge Lowrie decided the return to be insufficient, and entered a rule on the Marshal to show cause why an attachment should not issue against him. Before the return day of the rule, the President had suspended the writ of *habeas corpus*, and Judge Lowrie, instead of discharging the rule, continued the case until after the election, and until time had elapsed long enough to enable him to ascertain the result. What he will do, depends upon the returns of that election.

In accommodating his judicial action to the exigency of the times and his personal interests, he has overruled a decision of the Supreme Court of Michigan, in three short sentences, has overborne the judgment of the Supreme Court of the United States, with the *nonchalance* of a buffalo bull breaking through a cobweb. That judgment, he says, "decides only that a prisoner cannot be taken out of the *judicial department* of the Federal Government, by means of a *habeas corpus* issued by a State court," and if the Chief Justice meant to decide more, all beyond is *obiter dictum*, and no authority to restrain the buffaloian legal acquirements of his honor.

The Supreme Court placed its judgement on as much narrow ground. The Constitution of the United States compelled them to put it on the ground that the Government of the United States was a separate, distinct sovereignty, within the limit prescribed to it by the Constitution. That within those limits it had the right, through its own courts, to enforce that sovereignty, and no State, Judge, or Court, had a right to interfere. That though the State and General Governments covered the same territory, yet the State Government had no more authority to enforce its process within the sovereignty of the United States, than one State had to send and enforce its process within another independent State occupying a distinct and separate territory. And in order to prevent a conflict of jurisdiction and consequent violence and bloodshed growing out of attempts of the State authorities to interfere, as Judge Lowrie has done, the framers of the Constitution of the United States conferred on the General government, the right to enforce its *own authority by its own Judges* without interference by the States.

In support of these positions the following passages from the opinion of Chief Justice Taney are cited:

"It was felt by the statesmen who framed the Constitution, that it was necessary that many of the rights of sovereignty, which the States then possessed, should be ceded to the General Government, and that in the sphere of action assigned to it, it should be supreme and strong enough to execute its own laws *by its own tribunals* without interruption from a State or State authorities."

Here is no such distinctions as Judge Lowrie has mined out. It is the General Government, not the *judicial department*, which is supreme. Its courts are its agents to enforce its laws without the aid or hostile interference of State Judges. And in giving its reason for the existence of this supremacy of the General Government, thus violated by the State of Wisconsin, the Supreme Court said nothing *obiter dictum*. It sustained the rights of the General Government on the grounds upon which the Constitution compelled it to put them. It spilt no hair in order to defeat the claim of the State of Wisconsin. It spoke not for the "judicial department," but for the government of which the court was the legal representatives in this behalf.

Again, says the Court:

"No State can authorize one of its judges or Courts to exercise judicial powers by *habeas corpus*, or otherwise, within the jurisdiction of another and independent government. And although the State of Wisconsin is sovereign within its territorial limits to a certain extent, yet that sovereignty is limited and restricted by the Constitution of the United States. And the powers of the General Government and of the State, although both exist and are exercised within the same territorial limits, are yet separate and distinct sovereignties, acting separately and independently of each other within their respective spheres. And the sphere of action appropriated to the United States is as far beyond the reach of the judicial process issued by a State judge or a State Court, as if *the line of division was traced by land marks and monuments visible to the eye*."

Having thus laid down the general principles of the case, the Court proceeds to state the mode of their operation. It says:

"We do not question the authority of a State Court or Judge, who is authorised by the laws of the State, to issue the writ of *habeas corpus*—to issue it in any case where the party is imprisoned within its territorial limits, provided it does not appear when the application is made, that the person imprisoned is in custody *under the authority of the United States*. The Court, or Judge, has a right to inquire in this mode of proceeding, for what cause, and by what authority the prisoner is confined within the limits of the State sovereignty. And it is the duty of the marshal, or other person, having the custody of the prisoner, to make known to the Court or Judge, by a proper return, the authority by which he holds him in custody. This right to inquire by process of *habeas corpus*, and the duty of the officer to make the return, grow necessarily out of the complex character of our Government, and the existence of two distinct and separate sovereignties within the same territorial space, each of them restricted in its powers, and each within the sphere of action prescribed by the Constitution of the United States, independent of the other. But after the return is made, and the State Court or Judge is judicially apprised that the party is in custody *under the authority of the United States*, they can proceed no farther. They then know that the prisoner is within the dominion and jurisdiction of another Government, and that neither the writ of *habeas corpus*, nor any other process issued under State authority, *can pass over the line of division between the two sovereignties*. He is then within the dominion and exclusive jurisdiction of the United States. If he has committed an offence against their laws, their tribunals alone can punish him. If he is wrongfully imprisoned, their judicial tribunals can release him and afford him redress. And although, as we have said, it is the duty of the marshal or other person holding him, to make known by a proper return, the authority under which he detains him, it is at the same time, imperatively his duty to obey the process of the United States, to hold the prisoner in custody under it, and to refuse obedience to the mandate or process of any other government. And consequently it is his duty not to take the prisoner, nor to suffer him to be taken before a State judge or court, upon a *habeas corpus* issued under State authority. No State judge or court, after they are judicially informed *that the party is imprisoned under the authority of the United States*, has any right to interfere with him, or require him to be brought before them. And if the authority of a State, in the form of judicial process or otherwise should attempt to control the Marshal or other *authorized agent* of the United States, in any respect, in the custody of the prisoner, it would be his duty to resent it, and to call to his aid any force that may be necessary to maintain the authority of law against illegal interference. No judicial process, whatever form it may assume, can have *any lawful authority outside of the limits of the jurisdiction of the court or judge* by whom it *is issued*, and any attempt to enforce it, beyond those boundaries, is nothing less than lawless violence."

Restating the leading points ruled by the Court—that the general government is an independent sovereignty within the sphere prescribed to it—that it is within that sphere as far beyond the reach of the judicial process of a State, as if it were a separate distinct territory, over whose lines no State process dare intrude—that it should be strong enough to execute *its own laws by its own tribunals*, let us bring Judge Lowrie's principles and practices to the test of the principles enunciated above.

The defendant in the Ableman and Booth case was in the custody of the United States Marshal. So was McLain. Booth was held under a warrant of a District Judge of the United States. McLain was in custody of the marshal as a drafted United States soldier and a deserter from the army of the United States. The one in the judicial, the other in the military branch of the Executive Department. The one was imprisoned by the judicial and the other by the War Department. Judge Lowrie admits that the Ableman case decides that a prisoner cannot be taken out of the Judicial Department of the Federal Government. How dare he under the principles above stated, take a prisoner out of its executive or war department? He was judicially informed that McLain was a soldier, drafted under a law of Congress, and a deserter—clearly and distinctly within the sovereignty of the United States. How dare he cross the lines of its exclusive territorial limits, with his writ of *habeas corpus*, and drag the soldier out of the army? He has one way only to explain. He was running the Copperhead machine, for the benefit of his party, himself and the rebels.

Probably no man who ever occupied a judicial station has penned such ecstatic specimens of sublimated, transcendental, incomprehensible nonsense, or has made such thundering, scattering "ten strikes" in the body of the law. Charity might therefore impute his vagaries to intellectual perversity, if it were not for the ear-marks of intentional wrong peering out through this opinion.

In professing to analyze the judgment of the Supreme Court of Michigan, he quotes that part in which the judge said, "there was enough in the case to show that the commissioner in *good faith* claims to hold the relator *under Federal authority*—that the authority is not a mere pretext, but that the commissioner and the authorities under whom he acts, are *honestly* endeavoring to carry into effect the requirements of the act of Congress of 1863, and of the Federal Executive, in a matter vital to the safety of the Union." And here is Judge Lowrie's answer: "Here again, I must confess my inability to perceive how such conclusion follows from the premises. The *sincerity* of the acts of the Federal officers does not seem to prove the *exclusive jurisdiction* of the Federal courts." Did canting demagogueism on the stump, ever stoop so low? The claim of exclusive jurisdiction by the Federal courts rests upon the party being *held under Federal authority*. So said the Michigan Judge. But because he added that the claim was in good faith—the want of which is fatal to every plea—Judge Lowrie cannot see that the *sincerity* of the officers gave the court exclusive jurisdiction. He has shown that he, at least, is not honest. This is only a specimen of the whole opinion. The odor of the machine is upon it, from beginning to end.

But why is Judge Lowrie so anxious to raise the Federal Sovereignty, and obtrude State authority within its territory? Is it the influence of the delusion of State rights and secession, which has deluged the country in blood, and which after having rent Mexico into fragments for twenty years, has tempted a foreign despot to cement a Union, by an Emperor and a throne.

And now let us hear no more of Mr. Chief Justice Lowrie's coat about undue suspicion of State courts—of the mutual trust between the State and Federal Governments, and its moral influence, in preventing conflicts between them—and weakening the moral bond so that mere legal force cannot hold the State together.

The framers of the government of the United States trusted to no such agency, for peace. They defined with scrupulous exactness, the boundaries between the sovereignties. "The supremacy thus conferred on this government," says Chief Justice Taney, "could not peacefully be maintained, unless it was clothed with judicial power equally paramount in authority to carry it into execution, for if left to the courts of justice of the several States, conflicting decisions would unavoidably take place, and the local tribunals could hardly be expected to be always free from local influence. And the constitution and laws and treaties of the United States, and the powers granted to the Federal Government, would receive different interpretations in different States, and the Government of the United States would world become one thing in one State, and another thing in another."

Here again the States right secession delusions of the rebel conspirators protrudes. The States are to be held together by moral suasion." Coercion is unconstitutional, impolitic, unwise. In the political department rebellion is to be opposed by granting to the insurgents all they demand. The vicious profligate and turbulent are to be petted by lay down their arms. The *beau ideal* of their political fancy is a government in which the peaceful and orderly can have property, only by submission—in short a government of ruffians and cut-throats. And this is the actual condition of things, under the operation of Judge Lowrie's principles, at the South. But thanks to the superior intelligence of the rebel conspirators, Judge Lowrie's principles, judicial principles, can demoralize the people or the judicial department of the Government. In spite of his Jacobinism, the laws will be rigidly enforced—the weak protected—the lawless restrained.

Judge Lowrie thinks, because he has been sworn to support the Constitution of the United States, it necessarily implies an oblitation to try his judicial accumen upon it. Burgesses of country towns and lawyers are sworn in like manner. But does it authorize them, too, to wrestle for judicial authority over it, with the Supreme Court of the United States? The oath is administered to keep the taker in due obedience and subordination. It may be very kind in the Judge to relieve the United States' Judges of a part of their burdens, as the wolf offered to assist the shepherd in guarding his fold. But it is likely that, considering the antecedents of the proposed herdsman, they would prefer to bear all the burden themselves.

Nothing but a sharply defined line of division between the State and Federal Governments, rigidly and sternly enforced by the superior sovereignty, can prevent conflicting decisions—hostile process necessarily ending in force, bloodshed and revolution. It is essential to the peace of the country that men of Judge Lowrie's perverse passions and principles, should be driven into the extreme of private life. He can only be trusted where he has no power to be mischievous.

FRO PAVIRIA.

MARRIED:

MARQUIS—LOGAN.—At Wood town, Allegheny city, Tuesday, Oct. 8th, by the Rev. W. D. Howard D. D., Rev. DAVID O. MARQUIS, of Decatur, Illinois, to ANNA M. KENNEDY, daughter of John T. Logan.

DIED:

DRAVO.—At 8 o'clock this morning, FRANCIS ROUAD DRAVO, in the 56th year of his age.

Funeral to take place on SATURDAY MORNING, Oct. 10th, at 10 o'clock, from his late residence, No. 87 Liberty street.

LOST CERTIFICATE.—Whereas the certificate of ten shares of stock of the Bank of Pittsburgh, number 554, issued November 17th, 1859, to Maria Herr, deceased, has been mislaid or lost, notice is hereby given that unless the said certificate is recovered before the expiration of ten weeks from this date application will be made to the Bank to issue a duplicate certificate of the stock.

W. H. KINCAID,
Administrator of the Estate of Maria Herr.
September 11, 1863. sep12tf

150 DOZEN MUSQUITO NETS for sale by McCLELLAND'S, 68 Fifth street. sep

THE LATEST NEWS

BY TELEGRAPH.

OUR SPECIAL DISPATCHES.

FROM WASHINGTON.

Special Dispatch to the Pittsburgh Gazette.

WASHINGTON, Oct. 9, 1863.

SECRETARY CHASE GOING HOME TO VOTE AGAINST VALLANDIGHAM.

Secretary Chase is making a hurried visit home to vote against Vallandigham. He leaves this evening and will be in Cincinnati on Monday.

GEN. WADSWORTH GOING TO NEW ORLEANS.

Gen. Wadsworth has started for New Orleans, via St. Louis, with two of his three sons, already in the war. He takes the third and youngest, 16 years old with him.

ARRIVAL OF SICK AND WOUNDED.

The report that 13,000 Union prisoners are on their way from Richmond, as exchanged, is untrue. A few hundred sick and wounded have just arrived from the army of the Potomac.

COLONEL WYNDHAM.

Col. Percy Wyndham has asked for a Court of Inquiry, since being suddenly relieved from duty.

WHY SURGEONS ARE NOT NOW EXCHANGED.

The stoppage of exchanges of surgeons is in consequence of the rebel's retention of one named Dr. Rucker, on the pretense that there were charges against him. Rebel surgeons were of course retained as hostages for him, and the rebels retaliated.

PUBLIC BUSINESS STILL GOES ON.

The absence of clerks who wish to vote in Ohio and Pennsylvania has not affected public business, as the copperheads charge, in the slightest. Their fellows from other States do double work.

NATIONAL BANKS.

The following list of national banks which had received certificates up to October 8th, is official numbers: One Maine, capital $100,000; two New Hampshire, $305,000; three Massachusetts, $300,000; three Connecticut, $600,000; fourteen New York, $1,810,000; one New Jersey, $125,000; sixteen Pennsylvania, $1,621,500; one District of Columbia, $300,000; four Illinois, $250,000; sixteen Indiana, $1,571,600; four Iowa, $260,000; three Michigan, $325,000; thirty Ohio, $4,458,500; two Missouri, $200,000; three Wisconsin, $375,000. Total—one hundred and three banks; capital $12,625,500.

THE GUROWSKI CASE.

Gurowski's case commenced, but was not finished, to-day. His lawyer (Bradley) had some difficulty at the start in proving the publication upon him.

WOUNDED PRISONERS.

Some 1,200 wounded prisoners have, within a few days, been delivered by the rebels at City Point.

THE PRESIDENT'S REPLY TO THE MISSOURI AND KANSAS DELEGATIONS.

The President has finished his reply to the Missouri and Kansas delegations, and it is now being copied and will probably be given to Chairman Drake to-morrow. There is no knowledge as to its conclusions. The Kansas men hope that their petition to be set off as a separate Department will be granted. There is little reason to expect the removal of Gen. Schofield, but his opponents hope that the President will issue such imperative orders to him and Gamble, as shall lead to a rupture. The President has promised that the Missouri election this fall shall be carried on with firmness and freedom.

FIGHTING NEAR HARPER'S FERRY.

There is fighting again at and near Harper's Ferry, this time on but a small scale.

INBODEN NEAR WINCHESTER.

Imboden has a camp near Winchester, with 250 men, from which he operates.

A SLIGHT SKIRMISH.

On Monday there was a skirmish between a scouting party from Capt. Mean's company, the Maryland Home Guards, and a company of Imboden's men, resulting in the rebels of the former, with one killed, three wounded and ten or twelve prisoners.

On Tuesday the rebels picketed the road within two miles of Harper's Ferry.

On Wednesday night the garrison of Harper's Ferry being alarmed sallied out, and Capt. Somer's company of cavalry fell into an ambuscade. The Captain and ten men were killed and an equal number wounded, and the rest captured. Before the rest of the cavalry could catch them, the rebels had all escaped.

Gen. Banks' Department.

NEW YORK, Oct. 9.—A correspondence of the Associated Press, dated New Orleans, Sept. 59th, says the headquarters of the 19th Army Corps, under Gen. Franklin, and a part of the 12th Army Corps, under Gen. C. C. Washburn, are at Camp Bisland, fifty miles from Brashear city. They have met no enemy as yet. Foraging parties have gathered up large quantities of mules, horses and cattle, but the plantations are generally deserted.

The advance of the army was delayed on account of obstructions in Bayou Teche. There obstructions are blown up, and the Bayou is now open for steamers to New Iberia.

On the 23d, a raid was made on the telegraph office, situate opposite Donaldsonville, by a band of guerrillas. Fourteen men of the New York 14th Cavalry, and the telegraph operator, Mr. Allen, of Illinois, were captured. In consequence of this raid an expedition was set in motion to clear the country in that neighborhood. This expedition left Carrollton on the night of the 26th, by steamboat, about 1,000 men strong, under Brig. Gen. Burbridge. He remonstrated the whole country to the arm of the Amite river without meeting the enemy, and returned to Carrollton, on the 28th, without casualty.

Lieut. Hart, of the 4th Wisconsin, in command of a squad of 40 cavalry, marched from Baton Rouge on the 28th, as far as the Amite river. He captured 14 prisoners. Among them were the notorious Col. Hunter and Capt. Perry, guerrillas.

It is known that Gen. Logan (rebel) is on the east side of the Mississippi river, seven or eight miles below Morganzie Bend, with 3,500 men and four pieces of artillery, and is supposed to be marching to Liberty, Miss. where a rebel force is concentrating.

Successful Expedition.—From Chattanooga.

WASHINGTON, Oct. 9.—The following dispatch has been recieved at Headquarters from Fortress Monroe:

To Maj. Gen. H. W. Halleck:—I have the honor to report that the expedition sent out on Sunday under Gen. Wistar, to break up or capture the Guerillas and boats' crews organised by the enemy in Mathews county, has returned, having in the main accomplished its object.

Four rebel Naval officers, 35 men and 25 head of cattle belonging to the Confederates, together with horses, mules and arms, are the result.

It is ascertained that nine of Gen. Rosecrans' very latest dispatches which are to the evening of the 5th, inst. does not mention anything relative to the situation in Chattanooga. All of them refer entirely to military details. The other dispatches however, recently received by the Government, speaking of events in that quarter are from General Meigs.

Affairs at Port Royal.

NEW YORK, Oct. 9.—The transport Curlew, from Charleston Bar on the morning of the 6th, left Port Royal on the 4th.

The Patapsco and Passaic are at Port Royal.

Gen. Gillmore is hard at work, but the navy is quiet.

The Baltimore *American's* correspondent, dated on the evening of the 5th, states that all is quiet beyond occasional firing from the rebel forts. Gillmore's preparations are nearly completed, and active operations will soon be commenced.

FROM TENNESSEE.

Special Dispatch to the Pittsburgh Gazette.

CHATTANOOGA, TENN., Oct. 8, 1863.

All is quiet. A few shots passed to-day, but no damage was done. D. S.

Design of the Rebel Raid in Rosecrans' Rear—Gen. Hooker's position, &c.,

NEW YORK, Oct. 9.—A Washington correspondent of the *Commercial*, states that the recent rebel advance in Rosecrans' rear proves to be an extensive reconnoissance to discover what forces were moving to the support of our army.

It did not have in view, (at least such were the results) any serious interruption of communication, which the rebels knew would bring on an engagement that would end in serious defeat to them—a fact fully realized before their object was accomplished. What little intelligence was gained by the rebels, it is not proper to state here.

By this time the Rebel cavalry will be back south of the Tennessee river and from the preparations to keep open communication with Chattanooga, it is not believed that they will run the risk of penetrating so far within our lines.

Gen. Hooker who, as was published a few days since as being at Nashville, has left that place, but not to the command of Burnsides' forces, as lately intimated. His position is entirely separate and independent.

On the whole, the officials here seem to be well pleased with the situation of Rosecrans' army.

The day is now past for the Rebels to crown Chickamauga with what possibly might have been a legitimate success. East Tennessee is forever free.

The Five-Twenty Loan.

PHILADELPHIA, Oct. 9.—Jay Cooke, subscription agent, reports the sale of $1,725,700 five-twenties on Friday, and the sales for the week will probably reach ten millions of dollars. The large European orders which are daily arriving render it of the highest importance to those who contemplate using their bonds as an investment, or as a basis for banking, that orders should be promptly forwarded and filled. The Eastern cities and towns are subscribing largely in this view and for the purposes above stated, and it is hoped that the West will also respond as generously as in the early part of the year active and effective agents are about to canvass the several Western States, to explain the organization and working of the national banking associations, many of which are in contemplation, and only await the thorough understanding of the process. Mr. Cooke's pamphlet directs the system of every difficulty, as all questions which might arise are plainly answered and full explanations given. The first edition is already exhausted and the second is in press and will be ready for distribution in a few days.

PHILADELPHIA, Oct. 9.—The subscription agent reports the sale of $1,775,705 five-twenties to-day. Deliveries of bonds are made up to the 5th inst.

The Indiscriminate Slaughter of Warsaw Citizens Contradicted—Skirmish with the Rebels.

ST. LOUIS, Oct. 9.—Information received to-day contradicts the report of yesterday, about the indiscriminate slaughter of the citizens of Warsaw by the rebels. The number murdered is now said to be but twelve, while many think even this an exaggeration. It is impossible to get a true statement either of the lives lost or property destroyed. The town has always been strongly secesh, and it is not probable that any great amount of damage has been done.

The latest information places the rebels about twelve miles from Syracuse, on the Cole Camp road, where it is presumed they will camp to-night. Their number is estimated at 1,500 with two pieces of artillery. Major Foster had a skirmish with their rear guard yesterday, capturing three prisoners. The military authorities are using every means to protect the people.

Prize Fight in San Francisco.

SAN FRANCISCO, Oct. 8.—Two steamboat passengers sailed on Tuesday, from this city to witness a prize fight between two men named Dwyer and Walker. The fight came off on Thursday night. After fighting one hour and twenty minutes,