Pittsburgh Gazette.

S. RIDDLE & CO.,

EDITORS AND PROPRIETORS.

TUESDAY MORNING.....NOV. 10, 1863.

The Injunction Again.

Well, it is just as we expected and predicted. While MEADE and his gallant army are pushing the rebels across the Rappahannock and the Rapidan, the gallant triumvirate of non-combatant copperheads—WOODWARD and LOWRIE, with their associate THOMPSON—have been operating a diversion by a fire in the rear, and declaring that the act of Congress which was intended to reinforce that army is unconstitional. WOODWARD was to speak after the election, and he has spoken. And LOWRIE, too, has flung his Parthian arrow back, as he is about to gather up the reins for his last precipitate flight from public place and public view, followed as he will be by the hoots and hisses of the people who have dismissed him, and can now afford to laugh to scorn his impotent attempt to cripple the army of the nation, and deliver it and usover to the tender mercies of his Southern masters. And THOMPSON, too,—unpoetic sognomen—comparatively unknown to fame, but sympathizing with his fellows and ambitious to shine in the same constellation among the bigger luminaries—twangs his infant bow, and sends a puny arrow in the same direction. While STRONG and READ—the two remaining members of the Bench—the former a Democrat, and the latter of the Republican school of politics—are both dissenting.

This result is in precise accordance with our prognostications, and we are not sorry that it has not disappointed them. Happily the time has passed when these men could help JEFF. DAVIS, or injure any body but themselves by their opinion. In the now drooping fortunes of the Confederacy, with their own concealed purposes entirely foiled by the results of the late elections, they will only draw upon themselves the scorn of all good men, and forfeit the little respect which was still paid to them in the eastern part of this State. When they were denounced here for their infamous tyranny and entire disregard of all principle and authority in the cases of the railroad bonds, the complaints of our people were unheeded beyond the mountains. There is always, however, an avenger on the track of a great wrong, and as Providence has made the slave holder himself the destroyer of his own idol, so the same Providence has left it to these men to convict themselves in the fullness of time of their entire unworthiness of the high trusts which were so foolishly confided to them by an honest and loyal people.

—We shall of course return to this subject by and by.

The Good News.

The news from the Army of the Potomac is of the right kind at length. Just as we had read the first dispatches which appear in our telegraphic colums to-day, a Washington letter, written on Saturday, came to hand, containing the following paragraph:

"The army of the Potomac, is at last, again in motion. Its route is not definitely known, but it is known that the goal this time sought for is not the chain of defences around Washington—but Richmond."

So many assurances of this long looked-for movement had reached us during the past months, that even our excellent correspondent's *one more* would have hardly appeared worth adding to the record of previous *disappointments*, has it stood for a day unsupported by the subsequent developements which have taken place. In common with a large portion of the press and the public, we have been anxiously looking for this movement of the army of the Potomac, for some time past, as an essential part of the action of the campaign, in order that nearly all the rebel army in Virginia might not be concentrated on GRANT or BURNSIDE, while a few companies of guerrilla cavalry, a show of campfires, or earthworks with quaker guns frowning terribly therefrom, might possibly be all the army and all the obstacles really confronting the cautious and unenterprising General commanding the army of the Potomac.

Whatever may be the resources of the rebels in Virginia, certainly there is every reason to rejoice that this movement of MEADE will now prevent any attempt to direct them against our armies in East Tennessee, and that thus we have the promise of reaping the general harvest of victory, by concentrated action over the whole field of operations.

The Difference.

While the people of the loyal States are subscribing to the Government loan by millions daily, the want of confidence in the rebel Government is so great that the Government is obliged to think of the expedient of forced loans to enable it to raise the means for keeping itself in existence. The despotism in the South has become so absolute that they talk now of seizing upon the money or property of the citizens to carry on the war, as they have long since done upon the citizens to supply the losses in their armies. The condition of the rebel treasury must be desperate, indeed, when this system of forced loans—practised only in such countries as Mexico—is considered the only relief. The expenses of the rebel Government are put down at four hundred millions a year, on a specie basis, or about one thousand millions on the actual basis of depreciated paper. This is an enormous tax upon the industry of the country and to be borne by a population not more than one-third that of the loyal States.

THE REBEL PRISONERS at Camp Douglas, Chicago, have made several attempts to escape lately, by means of large underground "tunnels." These tunnels were about four feet high and two and a half feet wide, the sides and roof perfectly lined with boards and planks. The total length of the main tunnel was about seventy-five feet. There were four branches, used for storing away the dirt, hiding tools and clothes, and in one was a nice bed of hay where the tired workmen could rest. One of these branches was large enough to accommodate the man who sawed and fitted the plank, so that all the work could be done underground, to avoid noise and defy suspicion and curiosity. Upon the discovery of their scheme the prisoners attempted to force the guard, but were beaten back, several receiving serious wounds.

The Union General Committee of the city and county of New York, met on Friday evening, and nominated Orison Blunt as the successor of George Opdyke, in the Mayoralty. They also nominated candidates for other city offices.

THE VALUE of Irish goods exported the present year into the United States is £1,135,772, and came in four hundred and eighteen vessels.

THERE are forty-two sovereigns in Europe. In this country there are thirty millions, and very few without a crown.

IRISH power loom linen (coarse) is now produced at eleven cents a yard.

THE CONSCRIPTION ACT.

The Constitutionality of the Act Affirmed—Dissenting Opinion of Justice Strong.

On the outside of this morning's paper we publish the opinion of Chief Justice Lowrie, of the Supreme Court, deciding the Conscription Act unconstitutional—a decision concurred in by Judges Woodward and Thompson. Below we give the dissenting opinion of Judge Strong:

Knceader vs. Lane, Barrett, Wells and Ashmand. Smith vs. Lane, Barrett, Wells and Young. Nickells vs. Lehman, Marsdis, Murphy and Scanlan.

In the Supreme Court of Pennsylvania, in equity. Motion for an injunction.

STRONG J.—The complainants having been enrolled and drafted, under the provisions of the act of Congress of March 3d 1863, entitled "an act for enrolling and calling out the national forces, and for other purposes," have presented their bills in this court against the persons who constitute the board of enrollment, and against the enrolling officers, praying that they may be injoined against proceeding under the act of Congress, with the requisition, enrollment and draft of citizens of the commonwealth, and of persons of foreign birth, who have declared their intention to become citizens under and in pursuance of the laws, to perform compulsory military duty in the service of the United States, and particularly that the defendants may be enjoined from all proceedings against the persons of the complainants, under pretence of executing the said law of the United States. The bills having been filed, motions are now made for preliminary injunctions, until final hearing. These motions have been argued only on the part of the complainants. We have therefore before us nothing but the bills and the special affidavits of the complainants.

It is to be noticed that neither the bills, nor the accompanying affidavits aver that the complainants are not subject to enrollment and draft, into the military service of the United Staten, under the act of Congress, if the act be valid, nor is it asserted that they have been improperly or fraudulently drawn. It is not alleged that the defendants have done anything, or that they propose to do anything not warranted or required by the words and spirit of the enactment. The complainants rests wholly upon the assertion that the act of Congress is unconstitutional, and, therefore, void. It is denied that there is any power in the federal government to compel the military service of a citizen by direct action upon him, and it is insisted that Congress can only constitutionally raise armies in no other way than by voluntary enlistments.

The necessity of vesting in the federal government power to raise, support and employ a military force was plain to the framers of the Constitution, as well as to the people of the States by whom it was ratified. This is manifested by many provisions of that instrument, as well as by its general purpose, declared to be for "common defence." Indeed such a power is necessary to preserve the existence of any independent government, and none has ever existed without it. It was, therefore, expressly ordained in the eighth article, that the Congress of the United States should have power to "provide for calling forth the militia to execute the laws of the union, suppress insurrections, and repel invasions." It was also ordained that they should have power to provide for organizing, arming and disciplining the militia, and for governing such part of them as may be employed in the service of the United States, reserving to the States respectively, the appointment of the officers and the authority of training the militia according to the discipline prescribed by Congress. Nor is this all. It is obvious that if the grant of power to have a military force had stopped here, it would not have answered all the purposes for which the Government was formed. It was intended to frame a government that should make a new member in the family of nations. To this end, within a limited sphere, every attribute of sovereignty was given. To it was delegated the absolute and unlimited power of making treaties with other nations, a power explicitly denied to the States. This unrestricted power of making treaties involved the possibility of offensive and defensive alliances. Under such treaties the new government might be required to send armies beyond the limits of its territorial jurisdiction. And, in fact, at the time when the constitution was formed, a treaty of alliance offensive and defensive was in existence between the old confederacy and the Government of France. Yet more. Apart from the obligations assumed by treaty, it was well known that there are many cases, where the rights of a nation, and its citizens, cannot be protected, or vindicated within its own boundaries. But the power conferred upon Congress over the militia is insufficient to enable the fulfillment of the demands of such treaties, or to protect the rights of the government, or its citizens, in those cases in which protection must be sought beyond the territorial limits of the country. The power to call the militia into the service of the Federal Government is limited by express terms. It reaches only three cases. The call may be made "to execute the laws of the Union, to suppress insurrections, and to repel invasions," and for no other such. The militia cannot be summoned for the invasion of a country without the limits of the United States. They cannot be employed, therefore, to execute treaties of offensive alliance, nor in any case where military power is needed abroad, to enforce rights necessarily sought in foreign lands. This must have been understood by the framers of the constitution, and it was for such reasons, doubtless, that other powers to raise and maintain a military force were conferred upon Congress, in addition to those which were given over the militia. By the same section of the eighth article of the constitution, it was ordained, in words of the largest meaning, that Congress should have power to "raise and support armies," a power not to be confounded with that given over the militia of the country. Unlike that, it was unrestricted, unless it be considered a restriction that appropriations of money to the use of raising and supporting armies were forbidden for a longer term than two years. In one sense this was a practical restriction. Without appropriations no army can be maintained, and the limited period for which appropriations can be made, enables the people to pass judgment upon the maintenance and even existence of the army every two years, and in every new Congress. But in the clause conferring authority to raise armies, no limitation is imposed other than this indirect one, either upon the magnitude of the force which Congress is empowered to raise, or upon the uses for which it may be employed, or upon the mode in which the army may be raised. If there be any restriction upon the mode of exercising the power, it must be found elsewhere than in the clause of the Constitution that conferred it. And, if a restricted mode of exercise was intended, it is remarkable that it was not expressed, when limitations were so carefully imposed upon the power given to call for the militia, and, more especially, when, as it appears from the prohibition of appropriations for the army for a longer time than two years, the subject of limiting the power was directly before the minds of the authors of the Constitution.

This part of the Constitution, like every other, must be held to mean what its framers, and the people who adopted it, intended it should mean. We are not at liberty to read it in any other sense. We cannot insert restrictions upon power given in unlimited terms, any more than we can strike out restrictions imposed.

There is sometimes great confusion of ideas in the consideration of questions arising under the Constitution of the United States, caused by misapprehension of a well-recognized and oft-repeated principle. It is said, and truly said, that the Federal Government is one of limited powers. It has no other than such as are expressly given to it, and such as (in the language of the Constitution itself,) "are necessary and proper for carrying into execution" the powers expressly given. By the tenth article of the amendments it is ordained that the powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people. Of course there can be no presumption in favor of the existence of a power sought to be exercised by Congress. It must be found in the Constitution. But this principle is misapplied when it is used, as is some times the case, to restrict the right to exercise a power expressly given. It is of value when the inquiry is whether a power has been conferred, but of no avail to strip a power given in general terms, of any of its attributes. The powers of the Federal Government are limited in number, not in their nature. A power vested in Congress is as ample, as it would be if possessed by any other Legislature, none the less because held by the Federal Government. It is not enlarged or diminished by the character of its possessor. Congress has power to borrow money. Is it any less than the power of a State to borrow money? Because the Federal Government has not all the powers which a State Government has, will it be contended that it cannot borrow money, or regulate commerce, or fix a standard of weights and measures, in the same way, by the same means, and to the same extent, as any State might have done, had no Federal Constitution ever been formed? If not, and surely this will not be contended, why is not the Federal power to raise armies as large, and as unfettered in the mode in which it may be exercised, as was the power to raise armies possessed by the States before 1787, and possessed by them now, in time of war? If they were not restricted to voluntary enlistments in procuring a military force, upon what principle can Congress be? In Gibbons vs. Ogden, 9 Wheaton, 196, the Supreme Court of the United States laid down the principle that all the powers vested by the Constitution in Congress are complete in themselves, and may be exercised to their utmost extent, and that there are no limitations upon them, other than such as are prescribed in the Constitution.

It is not difficult to ascertain what must have been intended by the founders of the government when they conferred upon Congress the power to "raise armies." At the time when the Constitution was formed, and when it was submitted to the people for adoption, the mode of raising armies by coercion, by enrolment, classification and draft, as well as by voluntary enlistment, was well known, practised in other countries, and familiar to the people of the different States. In 1756, but a short time before the revolutionary war, a British statute had enacted that all persons without employment might be seized and coerced into the military service of the kingdom. The act may be found at length in Ruffhead's British Statutes at large, vol. 7, page 625. Another act of a similar character was passed in 1757, British Statutes at large, vol. 8, page 11. Both were enacted under the administration of William Pitt, afterwards Lord Chatham, reputed to have been one of the staunchest friends of English liberties. They were founded upon a principle always recognized in the Roman Empire, and asserted by all modern civilized governments, that every able bodied man capable of bearing arms, owes personal military service to the government which protects him. Lord Chatham's acts were harsh and unequal in their operations, much more so than the act of Congress now assailed. They reached only a select portion of the able bodied men in the community, and they opened wide a door for favoritism and other abuses. For these reasons, they must have been the more prominently before the eyes of the framers of the federal constitution, when they were providing safeguards to liberty, and checks to arbitrary power. Yet in full view of such enactments they conferred upon Congress an unqualified power to raise armies. And, still more than this, coercion into military service by classification and draft from the able-bodied men of the country was to them a well known mode of raising armies in the different States which confederated to carry on the Revolutionary war. It was equally well known to the people who ordained and established the Constitution, expressly "in order to form a more perfect union, establish justice, ensure domestic tranquility, provide for the common defense, and secure the blessings of liberty for themselves and their posterity." It is an historical fact that during the later stages of the war, the armies of the country were raised not alone by voluntary enlistment, but also by coercion, and that the liberties and independence sought to be secured by the Constitution, were gained by soldiers made such, not by their own voluntary choice, but by compulsory draft. Chief Justice Marshall, himself a soldier of the Revolution, than whom no one was better acquainted with revolutionary history, in his life of Washington (vol. 4, page 241) when describing the mode in which the armies of the Government were raised, makes the following statement: "In general the assemblies of the States followed the example of Congress, and apportioned on the several counties within the States the quota to be furnished by each. This division of the State was again to be sub-divided into classes, and each class was to furnish a man by contributions or taxes imposed on itself. In some instances a draft was to be used in the last resort." This mode of recruiting the army by draft, in revolutionary times, is also mentioned in Ramsey's Life of Washington, (vol. 2, page 246,) where it is said "When voluntary enlistments fell short of the proposed numbers, the deficiencies were, by the laws of the several States, to be made up by drafts, or lots from the militia." Thus it is manifest that when the members of the Convention proposed to confer upon Congress the power to raise armies, in unqualified terms, and when the people of the United States adopted the Constitution, they had in full view compulsory drafts from the population of the country, as a known and authorized mode of raising them. The memory of the revolution was then recent. It was universally known that it had been found impossible to raise sufficient armies by voluntary enlistment, and that compulsory draft had been resorted to. If, then, in construing the Constitution we are to seek for, and be guided by the intentions of its authors, there is no room for doubt. Had any limitation upon the mode of raising armies been intended, it must have been expressed. It could not have been left to be gathered from doubtful conjecture. It is incredible that when the power was given in words of the largest signification, it was meant to restrict its exercise to a solitary mode—that of voluntary enlistment, when it was known that enlistments had been tried and found ineffective, and that coercion had been found necessary. The members of the convention were citizens of the several States, each a sovereign, and each having power to raise a military force by draft, a power which more than one of them had exercised. Now by the Constitution, the authority to raise such a force was to be taken from the States partially, and delegated to the new government about to be formed. No State was to be allowed to keep troops in time of peace. The whole power of raising and supporting armies, except in time of war, was to be conferred upon Congress. Necessarily with it was given the means of carrying it into full effect.

I agree that Congress is not at liberty to employ means for the execution of any powers delegated to it, that are prohibited by the spirit of the Constitution, or that are inconsistent with the reserved rights of the States, or the inalienable rights of a citizen. The means used must be lawful means. But I have not been shown, and I am unable to perceive that compelling military service in the armies of the United States, not by arbitrary conscription, but, as this act of Congress directs, by enrollment of all the able bodied male citizens of the United States, and persons of foreign birth who have declared their intention to become citizens, between the ages of twenty and forty-five, (with some few exceptions,) and by draft by lot from those enrolled, infringes upon any reserved rights of the States, or interferes with any constitutional right of a private citizen. If personal service may be compelled—if it is common duty, this is certainly the fairest and most equal mode of distributing the public burden.

It was urged in the argument that coercion of personal service in the armies is an invasion of the right of civil liberty. The argument was urged in strange forgetfulness of what civil liberty is. In every free government the citizen, or subject, surrenders a portion of his absolute rights in order that the remainder may be protected and preserved. There can be no government at all, where the subject retains unrestrained liberty to act as he pleases, and is under no obligation to the State. That is undoubtedly the best government, which imposes the fewest restraints, while it secures ample protection to all under it. But no government has ever existed, none can exist without a right to the personal military services of all its able bodied men. The right to civil liberty in this country never included a right to exemption from such service. Before the Federal Constitution was formed, the citizens of the different States owed it to the governments under which they lived, and it was exacted. The militia systems of the States then asserted it, and they have continued to assert it ever since. They assert it now. No one doubts the power of a State to compel its militia into personal service, and no one has ever contended that such compulsion invades any right of civil liberty. On the contrary, it is conceded that the right to civil liberty is subject to such power in the State governments, and the history of the period immediately antecedent to the adoption of the Federal Constitution shows that it was then admitted. Is civil liberty now a different thing from what it was when the Constitution was formed? It is better protected by the provisions of the Constitution, but are the obligations of a citizen to the government any less now than they were then? This cannot be maintained. If then, coercion into military service was no invasion of the rights of civil liberty enjoyed by the people of the States, before the Federal Constitution had any existence, it cannot be now.

Again, it is insisted that if the power given to Congress to raise and support armies be construed to warrant the compulsion of citizens into military service, it must with equal reason be held to authorize arbitrary seizures of property for the support of the army. The force of the objection is not apparent. Confessedly the army must be raised by legal means. By such means it must also be supported. It has already been shown that enrolment and draft are not illegal; that to make them illegal, a prohibition must be found in the letter or in the spirit of the Constitution. Arbitrary seizures of private property for the support of the army are illegal and prohibited. Not only does the Constitution point out the mode in which provision shall be made for the support of the army, but in numerous provisions, it protects the people against deprivation of property without compensation and due course of law. Exemption from such seizures was always an asserted and generally an admitted right, while exemption from liability to being compelled to the performance of military service was, as has been seen, never claimed. There are, therefore, limitations upon the means which may be used for the support of the army, while none are imposed upon the means of raising it.

Again, it is said this act of Congress is a violation of the constitution, because it makes a drafted man punishable as a deserter before he is mustered into service. The contrary was declared by Chief Justice Marshall, when delivering the judgment of the Supreme Court of the United States in Houston vs Moore, 5 Wheaton. Under the act of 1795, the drafted men were not declared to be subject to military law until mustered into service. This is the act of which Judge Story speaks in his commentaries. But in the opinion of Judge Marshall, Congress might have declared them in service from the time of the draft, precisely what this act of Congress does. Judge Marshall's opinion, of course, explodes this objection.

The argument most pressed, in support of the alleged unconstitutionality of the act of Congress is that it interferes with the reserved rights of the States over their own militia. It is said the draft takes a portion of those who owe militia service to the States, and thus diminishes the power of the States to project themselves. The States, it is claimed, retain the principal power over the militia, and therefore the power given to Congress to raise armies must be so construed, as not to destroy or impair that power of the states. If, say the complainants, Congress may draft into their armies, and compel the service of a portion of the State militia, they may take the whole, and thus the entire power of the States over them may be annulled, for want of any subject upon which it can act. I have stated the argument quite as strongly as it was presented. It is more plausible than sound. It assumes the very matter which is the question in debate. It ignores the fact that Congress has *also* power over those who constitute the militia. The militia of the States is also that of the general government. It is the able-bodied population capable of bearing arms, whether organized or not. Over it certain powers are given to Congress, and others are reserved to the States. Besides the power of calling it forth, for certain defined uses, Congress may provide for its organization, arming and discipline, as well as for governing such portion as may be employed in its service. It is the material and the only material contemplated by the constitution, out of which the armies of the federal government are to be raised. Whether gathered by voluntary enlistment, or enlistment, they are equally taken out of those who form a part of the militia of the States. Taking a given number by draft no more conflicts with the reserved power of the States, than does taking the same number of men in pursuance of their own contract. No citizen can deprive a State of her rights without her consent. None could, therefore, voluntarily enlist, if taking a militia man into military service in the army of the United States is in conflict with any State rights over the militia. Those rights, whatever they may be, it is obvious cannot be affected by the mode of taking. It is clear that the States hold their power over the militia, subordinate to the power of Congress to raise armies out of the population that constitutes it. Were it not so, the delegation of the power to Congress would have been an empty gift. Armies can be raised from no other source. Enlistments in other lands are generally prohibited by foreign enlistment acts, and even where they are not, they may, under the law of nations, involve a breach of neutrality. Justly, therefore, may it be said the objection now under consideration begs the question in debate. It assumes a right in the State which has no existence, to-wit: a right to hold all the population that constitutes its militia men exempt from from being taken, in any way, into the armies of the United States. When it is said, if any portion of the militia may be coerced into such military service, the whole may, it is but a repetition of the common but very weak argument against the existence of a power because it may possibly be abused. It might, with equal force be urged against the existence of any power in either the State or General Governments. It applies as well to a denial of power to raise armies by voluntary enlistment. It is as conceivable that high motives of patriotism, or inducements held out by the Federal Government might draw into its military service the entire able-bodied population of a State, as that the whole might be drafted. We are not to deny the existence of a power because it may possibly be unwisely exercised, nor are we to presume that abuses will take place. Especially are we not at liberty to do so in this case, in view of the fact that the General Government is under Constitutional obligations to provide for the common defense of the country, and to guarantee to each State a republican form of government. That would be, to impose a duty, and deny the power to perform it.

These are all the objections, deserving of notice, that have been used against the power of Congress to compel the complainants into military service in the army. I know of no others of any importance. They utterly fail to show that there is anything in either the letter or the spirit of the constitution to restrict the power to "raise armies," given generally, to any particular mode of exercise. For the reasons given, then, I think the provisions of the act of Congress, under which these complainants have been enrolled and drafted, must be held to be such as it is within the constitutional power of Congress to enact. It follows that nothing has been done, or is proposed to be done by the defendants, that is contrary to law, or prejudicial to the rights of the complainants.

An attempt was made on the argument to maintain that those provisions of the act of Congress which allow a drafted man to commute by the payment of $300 are in violation of the constitution. But this is outside of the cases before us. By these provisions the complainants are not injuriously affected, and the bills do not complain of anything done, or proposed to be done under them. It is the compulsory service which the plaintiffs resist; they do not complain that there is a mode provided of ridding themselves of it. It is to be conceded Congress cannot provide for commutation of military service, by the payment of a stipulated sum of money, or cannot do it in the way adopted in this enactment, the concession in no manner affects the directions given for compulsion into service. Let it be that the provision for commutation is unauthorized, those for enrolment and draft are such as Congress had power to enact. It is well settled that part of a statute may be unconstitutional, and the remainder in force. I by no means, however, mean to be understood as conceding that any part of this act is unconstitutional. I think it might easily be shown that every part of it is a legitimate exercise of the power vested in Congress, but I decline to discuss the question, because it is not raised by the cases before us.

Nor while holding the opinions expressed, that no rights of the complainants are unlawfully invaded or threatened, is it necessary to consider the power or propriety of interference by this court, on motion, to enjoin federal officers against the performance of a duty imposed upon them in plain terms by an act of Congress. Upon that subject I express no opinion. I have said enough to show that the complainants are not entitled to the injunctions for which they ask, and I think they should be denied.

PUBLIC NOTICES.

NOTICE.—A meeting of the Brickmakers' Union will be held on THURSDAY EVENING, at 7½ o'clock, in the ALLEGHENY ENGINE HOUSE, Irwin street.

By order of THE PRESIDENT.

no10:2t

OFFICE EUREKA INSURANCE COMPANY, Pittsburgh, October 27th, 1863.

AN ELECTION FOR THIRTEEN DIRECTORS of this Company, to serve for the ensuing year, will be held at its office, in Bagley's Building, Water street, on TUESDAY, November 10th, between the hours of 11 a. m. and 1 p. m.

oc27:td ROBERT FINNEY, Secretary.

OFFICE WESTERN INSURANCE COMPANY, Pittsburgh, October 29th, 1863.

AN ELECTION FOR DIRECTORS of this Company will be held at its office, No. 92 Water street, on TUESDAY, November 10th, 1863, between the hours of 11 a. m. and 3 p. m.

oc30:td F. M. GORDON, Sec'y.

FLAXSEED OIL.—We will sell, say 100 bbls. Parrott & Sons' Flaxseed Oil, if supplied for between this and the 25th inst.

no10 ISAIAH DICKEY & CO.

NEW ADVERTISEMENTS.

ONLY $500 for a valuable lot of ground and three dwelling houses, Nos. 17 and 19 Fourth street, for thirty feet front by 70 deep.

no10 S. CUTHBERT & SONS, 51 Market st.

LOTS IN LAWRENCEVILLE FOR SALE, pleasantly situated on Kwalt street. Prices low. Terms, one-tenth cash; remainder in nine annual payments.

no10 S. CUTHBERT & SONS, 51 Market st.

WANTED—Board and Lodging in a respectable private family, for a boy about 16 years old, within 20 minutes or half an hour's walk from the Post Office. Address BOX 842, Pittsburgh P. O., stating locality and terms. no10:2t

$10 REWARD.—POCKET BOOK LOST, on the Citizens Passenger Railway, on Saturday afternoon, 7th instant, containing from $50 to $60. The above reward will be paid to the person remitting it to THIS OFFICE. no9:3t

WANTED—A MAN OF MEANS AND ENERGY, to open up a house for the manufacture and sale of BAKER'S EXCELSIOR REFRIGERATOR, one of the most useful and popular inventions of the day.

All inquiries cheerfully answered at

no10:1w 18 ST. CLAIR STREET.

HORSE, BUGGY, HARNESS AND JENNY LIND.—On WEDNESDAY MORNING, Nov. 11th, at 11 o'clock, will be sold, at the Commercial Sales Rooms, 54 Fifth street, one Horse, Trotting Buggy and Harness. Also two Jenny Lind Buggies.

DAVIS & McILWAINE, Auct'rs.

BANK OF PITTSBURGH STOCK.—Will be added to the sale of Stocks and Real Estate, THIS (Tuesday) EVENING, Nov. 10th, at 7½ o'clock, at the Commercial Sales Rooms, No. 54 Fifth street:

20 shares Bank of Pittsburgh Stock;

no10 DAVIS & McILWAINE, Auct'rs.

PIANO AND MELODEON.—WEDNESDAY MORNING, Nov. 11th, at 10 o'clock, will be sold, at the Commercial Sales Rooms, No. 54 Fifth street, one very superior rosewood case Melodeon, large size, Mason & Hamlin's make, Boston. Also, one rosewood Piano Stool, and one walnut case Piano, 6½ octave.

no10 DAVIS & McILWAINE, Auct'rs.

DELAWARE GRAPE VINES.—I am prepared to furnish these celebrated Vines, for this Fall, at the following exceedingly low prices:

One year old, strong, well rooted vines,

$20 to $25 per hundred;

$150 to $225 per thousand.

W. T. MOORE, Woods' Run.

Orders left at 72 FEDERAL STREET, Allegheny, will be promptly attended to. no10:2t

HOUSEHOLD FURNITURE.—On TUESDAY AFTERNOON, Nov. 10th at 2 o'clock, will be sold, at the Commercial Sales Rooms, 54 Fifth street, a large quantity of good Household Furniture, comprising fine Mahogany Wardrobes, Hair Seat Mahogany Chairs, Cane Seat Chairs and Rockers, Ingrain Carpets, Spring Seat Lounges, Mahogany Bureau, Turned Bedsteads, Mahogany Hair Seat Divans, Tall Case Clock, Kitchen Cupboard, Dining Room Delf, Glassware, Cooking Stoves, &c.,

no10 DAVIS & McILWAINE, Auct'rs.

COUNTRY RESIDENCE WANTED.—Wanted to purchase, a small FARM, OF 20 TO 30 ACRES, more or less, within 20 miles of Pittsburgh, directly on the line of a railway. Within 6 miles, on a good carriage road, would answer. The house buildings must be good and stylish, with 7 to 10 rooms. Also, the necessary stable and farm buildings. The land must be of good quality and well watered, improved with fruit, &c. Any person having a suitable place will find a purchaser by addressing "H. D. C., *Gazette* Office, Pittsburgh," stating size, location, price, number of rooms, and particulars as to improvements.

N. B.—Would be willing to lease for a term of years, provided the owner was not disposed to sell. no9:1t

FOR SALE.—Two superior Cylinder Boilers, 36 inches diameter, 30 feet long, made of ¼ inch iron, wrought iron heads ⅝ thick. Boilers almost as good as new.

Also, One Portable Engine and Tubular Boiler of six horse power, 5 inch cylinder and 12 inch stroke. The Engine has bored one well almost 700 feet deep, and is admirably adapted to that kind of work, or sawing wood for locomotives.

Also, One Engine, here of from four to eight, 14 inch cylinder, 30 inches stroke; new, with balance valve governor. Well adapted to run a grist mill or small boat.

Enquire at H. M. BOLE'S,

corner Point Alley and Duquesne Way, Pittsburgh.

no10:1m

WEST NEWTON, Nov. 4th, 1863.

G. S. BATES, Esq.—DEAR SIR: We are only in receipt of the means of adjustment of the loss in part of one of our Paper Mills by fire, and take pleasure in saying that your immediate attention in settling the same, as Agent of the Lycoming Insurance Company, is worthy of our highest esteem, and is only equaled by the promptness manifested by your Company in responding to the amount insured. We have had, for many years, seven or eight Policies of Insurance in the Lycoming and other companies, and have it to say, in no company have we had a more favorable rate of insurance, and have now additional reason for recommending our friends to insure in your company.

With high respect, we are yours truly,

S. A. C. P. MARKLE.

☞ The office is located in Lawrenceville.

no9:3t

A CARD.—UNION PACIFIC RAILWAY COMPANY BONDS, EASTERN DIVISION.

(Kansas Branch of the Pacific Railroad.)

As bonds of the above description will probably be offered for sale in the money market, the public is hereby cautioned against purchasing, or in any way negotiating for them, for the undersigned have an existing contract which *prohibits entirely* the sale or use of said bonds; while at the same time the Statute Laws of the State of Kansas give them, under their contract, *a prior lien*, to all mortgages or deeds of trust which can be executed by said Company. Any investment in said bonds, without authority from the undersigned, will be invalid, and will entail a total loss upon the parties who shall venture to purchase them.

ROSS, STREET & CO.,

Contractors for building the Leavenworth, Pawnee and Western Railroad, now called the Union Pacific Railway, Eastern Division.

no9:1w

ALL KINDS OF

BOOTS, SHOES AND GAITERS,

AT

McClelland's Auction House,

55 FIFTH STREET.

no4

VERY CHEAP.—We have on hand, at present, a very large and well selected stock of BOOTS AND SHOES, which was bought before the late advance on goods, and we will give our customers the benefit of low prices. We have the latest and most fashionable styles of Gentlemen's, Ladies', Misses', Boys' and Children's

BOOTS, GAITERS,

BALMORALS, SLIPPERS,

BUFFALO SHOES,

RUBBERS AND GUMS,

Of every size and description. Call and examine. Country merchants will find it to their advantage to give us a call.

JOS. H. BORLAND,

98 MARKET STREET, 2d door from Fifth.

no7

HOT EVERYBODY.

BOUND TO BEAT! WANT NO MORE!

But come to the

FINLEYVILLE STORE,

Where you can buy more for your money than any other place. From this time we are determined to give satisfaction to all who may favor us with a call.

no7:3t FRY & MORRISON.

NEW GOODS!

MISS SHANNON,

No. 112 FEDERAL STREET, Allegheny, has just received a large assortment of

MILLINERY GOODS,

Consisting of BONNETS, HATS, RIBBONS, BONNET PATTERNS, etc., which she will be pleased to show her friends and customers. Call and examine them. no7:1w

UPHOLSTERING, IN ALL ITS BRANCHES.—Having purchased a large stock of goods for cash, we are able to offer great bargains at extremely low prices. A great variety of BLINDS, TABLE AND FLOOR OIL CLOTH, EMBOSSED TABLE COVERS; ADELAIDE, GRASS and MANILLA BORDERED MATS, CARPET BINDINGS, and every variety of goods kept in that line. We invite the attention of the public generally to our well assorted stock. All orders promptly attended to.

Please give us a call, at 172 FEDERAL STREET, Allegheny, (house formerly occupied by Mr. Semple.)

no7:1w BARKER & SIBLO.

NEW BOOKS! NEW BOOKS!

Daring and Suffering. A history of the Great Railroad Adventure in Georgia, by Lieut. William Pittinger. 1 vol.

Beyond the Lines: or, A Yankee Prisoner Loose in Dixie.

Rev Marsell's New Book—"My Farm of Edgewood." 1 volume.

The Last Time, by Seiss.

Wendell Phillips' Speeches and Lectures.

Our Sunday School, and How we Manage It. A new supply just received.

J. L. READ, 78 Fourth street.

no4

IKE MARVEL'S NEW BOOK—My Farm at Edgewood. A country book..... $1 50

Reveries of a Bachelor. New and beautiful ed.... 1 25

Dream Life. A new and beautiful edition..... 1 25

Philip Van Artevelde. By Henry Taylor..... 1 00

Peter Carradine. By Caroline Chesebro'..... 1 50

Broken Columns. A new novel..... 1 50

Our Old Home. By Hawthorne..... 1 25

Toussaint L'Ouverture of Hayti. A Biography.. 1 25

The Black Man, his Antecedents and his Genius 1 00

The Amber Gods. By Harriett Prescott..... 1 50

Helps's Meditations on Life..... 1 25

Freedom and War. By Henry Ward Beecher.... 1 50

The Ring of Amasis. By E. Bulwer Lytton.... 1 00

The Old Merchants of New York. 2d series.... 1 50

The Dead Shot. A book for Sportsmen..... 1 25

The Great Stone Book of Nature. By Ansted.. 1 25

For sale by KAY & CO., 55 Wood street.

BELTING! BELTING!—Leather and Gum Beltings; also Lace Leather, Rivets, &c., always on hand and for sale at Eastern prices, by

J. & H. PHILLIPS,

no10 Nos. 23 and 25 St. Clair street.

NEW ADVERTISEMENTS.

☞ POSITIVELY FOR TWO NIGHTS ONLY.

ALF. BURNETT,

The world-renowned HUMORIST, will give two of his jovial entertainments at

CONCERT HALL,

On WEDNESDAY and THURSDAY EVENINGS, Nov. 11th and 12th.

The programme consists of a Melange of Mirth, Oratory, Mimicry, Laughable Delineations of Character, Beautiful Poetic Gems, Comic Speeches, Old Men, Young Men, Dutch, Irish, Yankee, French and Ventriloquial Imitations.

Admission, 25 CENTS. Doors open at 6¾, commence at 7¾ o'clock.

no10:3t H. M. STEPHENSON, Agent.

AN ORDINANCE to authorize the Grading of Ridge street.

Sec. 1. *Be it ordained and enacted by the Select and Common Councils of the City of Allegheny, and it is hereby ordained and enacted by the authority of the same,* That the Committee on Streets be and they are hereby authorized and directed to invite and receive proposals for the grading of Ridge street, from Irwin avenue to Chartiers street, in the First Ward, and to contract therefor with the lowest and best bidder or bidders, at their discretion.

Sec. 2. That for the purpose of defraying the cost and expenses of the said improvements, there be, and is hereby levied, a special tax, to be equally assessed upon the several lots bounding and abutting upon the said street respectively, in proportion to the feet front in them respectively comprised, and bounding and abutting as aforesaid.

Sec. 3. That as soon as the cost and expenses of said improvements shall be fully ascertained, it shall be the duty of the Street Commissioner to assess and apportion the same among the several lots bounding and abutting upon said street respectively, according to the rule above indicated, and thereupon proceed to make demand and collect the same, according to the provisions of the Act of the General Assembly of the Commonwealth of Pennsylvania, entitled "An Act defining the manner of collecting the expenses of grading and paving of the streets and alleys of the City of Allegheny, and for other purposes," passed the 20th day of March, 1854.

Sec. 4. That so much of any ordinance as may conflict with, or be supplied by the foregoing, be and the same is hereby repealed.

Ordained and enacted into a law, this the 5th day of November, A. D. 1863.

JAMES MARSHALL,

President of the Select Council.

SYLVESTER BARKER,

President, *pro tem.*, of the Common Council.

Attest:

D. MACFERSON, Clerk of the Select Council.

M. MCGONIGLE, Clerk of the Common Council.

no9:3t

AN ORDINANCE establishing the rate of Wharfage and regulating the landing of Petroleum, Carbon and Coal Oils.

Sec. 1. *Be it ordained and enacted by the Select and Common Councils of the City of Allegheny, and it is hereby ordained and enacted by the authority of the same,* That from and after the passage of this ordinance all Petroleum, Carbon or Coal Oil landed or placed on the Allegheny Wharf, in front of the city, shall be charged at the rate of one cent per barrel, if permitted to remain on said wharf less than forty-eight hours, and one-half cent per barrel for each subsequent twenty-four hours thereafter.

Sec. 2. It shall be unlawful for any person or persons to land in bulk at the wharf any boat or barge containing any kind of oil, at any point opposite the city or above the Suspension or Federal Street Bridge, and any person or persons offending against the provisions of the foregoing shall, upon conviction before the the Mayor or one of the Aldermen of the city, forfeit and pay for the use of the city, a sum not less than $50, nor more than $100; and in case of neglect or refusal to remove the same, an additional fine of $50 shall be im