THE DAILY POST.

JAMES P. BARR,
EDITOR AND PROPRIETOR.

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OFFICIAL PAPER OF THE CITY.

CITY MATTERS.

Important Decision—The Nature of a Receivership.

Some weeks since, in the District Court of our county, the case of James Robinson vs. the Ohio and Pennsylvania Railroad Company, was argued upon a rule to show cause why the levy, condemnation, &c., should not be set aside, John H. Hampton, Esq., for and Hon. Chas. Shaler against the rule. Mr. Hampton made a forcible argument in favor of the rule and, after citing numerous authorities, was followed by Mr. Shaler, who also read some law to the Court, *per contra*. On Saturday last Judge Williams delivered the following opinion in the case. The main point decided is one of vital interest to railroad men and others, viz:—Property in the hands of a receiver, appointed by a Court of Chancery, is not liable to seizure and sale under execution on a judgment at law.

WILLIAMS, A. J.—This is a rule to show cause why the levy, condemnation and all subsequent proceedings thereon should not be set aside.

The facts material to the determination of the question raised by this rule are as follows:

On the 2d of May, 1856, James Robinson, the plaintiff, instituted an action of assumpsit in this Court against the Ohio and Pennsylvania Railroad Company, and on the 20th of October, 1857, obtained an award in his favor against the said Company for the sum of $6,728; upon which a writ of *fi fa* to November term, 1860, was issued, and on the 16th of October, 1860, by virtue of said execution, a levy was made on a lot of ground situate on the north side of Fifth street, in the Third Ward of the City of Pittsburgh, having a three story brick building erected thereon, which was condemned by the Sheriff's inquest on the 27th of December, 1860, and thereupon a writ of *vend ex* was issued to January Term, 1861, for the sale thereof.

The property levied on was purchased by the O. & P. R R. Co., for the purpose of establishing therein a General Office for the transaction of its business, and at the date of the institution of the plaintiff's action was occupied as the Principal Office of the Company, with the exception of the cellar and first floor, which had been previously leased to Robinson & Co., for a carpet store, and who are still the lessees thereof.

By articles of agreement bearing date the 6th of May, 1856, ratified by the Ohio and Indiana Railroad Company, June 24th, 1856, by the Fort Wayne and Chicago Railroad Company, June 26th, 1856, and by the Ohio and Pennsylvania Railroad Company, the 2d of July, 1856, the said companies, in pursuance of Acts of Assembly of the several states by which they were incorporated, were consolidated under the name and style of the Pittsburgh, Fort Wayne and Chicago Railroad Company, and the title to the property levied on (inter alia) thereby became vested in the said Pittsburgh, Fort Wayne and Chicago Railroad Company, subject to the debts, liabilities, and duties of the Ohio and Pennsylvania Railroad Company to the same extent as if said debts, liabilities and duties had been contracted by the said Pittsburgh, Fort Wayne and Chicago Railroad Company. Upon the ratification of the agreement for the consolidation of the several Companies aforesaid, the Pittsburgh, Fort Wayne and Chicago Railroad Company took possession of the property levied on and occupied the same, with the exception of the part leased to Robinson & Co., as its Principal Office, and continued to occupy the same until the 18th of January, 1860, when Wm. B. Ogden, who had been appointed receiver of said Pittsburgh, Fort Wayne and Chicago Railroad Company by the Circuit Court of the U. S. for the Northern District of Ohio, and also by the Circuit Court of the U. S. for the Western District of Pennsylvania, in certain proceedings in equity in said Courts against said Company at the suit of certain creditors thereof, took possession of the lot and building levied on, together with all the other property, real and personal, belonging to said Company, and at the date of the levy in this case had, and still has, the custody and possession of said property as receiver as aforesaid, and occupies the same as a Principal Office for the transaction of the Company's business.

Is this property liable to be seized and sold on plaintiff's execution while it is the custody of the receiver? Under the proviso in the consolidating acts the plaintiff's judgment must be regarded and treated as a judgment against the Pittsburgh, Fort Wayne and Chicago Railroad Company, and his right to seize and sell the property levied on is the same as it would be if his judgment and execution were directly against this Company. Is the property then liable to seizure and sale on a judgment and execution of this Court while it is in the possession of the receiver appointed by the Circuit Court?

The case of Wiswall vs. Sampson 14, How. U. S. 52, is decisive of this question. It was there ruled that where real estate is in the custody of a receiver, appointed by the Court of Chancery, a sale of the property under an execution issued by virtue of a judgment at law, is illegal and void, and passes no title to the purchaser. A mortgagee of judgment creditor having a prior lien on the property, if desirous of enforcing it against the estate after it has been taken into the care and custody of the Court by the appointment of a receiver, must first obtain leave of the Court for this purpose, and the Court will permit him to be examined *pro interesse suo* and direct a master to inquire into the circumstances, whether his judgment is an existing unsatisfied demand, or as to the priority of the lien, &c., and take care that the fund be applied accordingly. Where the law gives priority of lien it will be protected and preserved in Chancery. The plaintiff, therefore, if his judgment is a prior lien on the property, is not without remedy, as the case cited clearly shows. It may be that a sale on his writ would occasion no interference with the possession of the receiver, and no contempt of the authority of the Court by which he was appointed, but this Court, having the control of its own process, ought not to permit it to be used for an illegal and void purpose, and the rule must, therefore, be made absolute.

This view of the law renders it unnecessary to consider the question presented by the facts of this case, viz: Whether under that provision of the defendants' charter, which makes it the Company's duty to establish a Principal Office at some point on the line of the road, the property purchased and occupied by the Company as a Principal Office for the transaction of its business, though not on the immediate line of its road, but convenient thereto, is liable to be seized and sold on plaintiff's execution? Perhaps it would not be difficult to show that there is the same reason for holding the Principal Office of a Railroad Company exempt from levy and sale on execution as there is for the exemption of the rolling stock and other equipments of its road. But it is not necessary to discuss this question.

Rule absolute.

WORSE.—Welsh, who was stabbed in the affray of Monday evening, has grown worse, and at last accounts was in a high fever and spitting blood profusely. In view of the uncertainty of his recovery the hearing of Young, his assailant, fixed for yesterday, had been postponed.

DAVID H. VREECH, of Uniontown recently appointed First Lieutenant in the U. S. Army, has been detailed to Allentown, Pa., on recruiting duty.

INQUEST ON AN INFANT FOUND IN A CESS POOL.—Coroner Bostwick yesterday held an inquest upon the body of an infant found on Thursday in a cess-pool attached to the Scott House. Suspicion was attached to a girl, who had come from Butler county, and had taken up her abode there as a domestic. She had been ill a short time before, but when questioned as to the maternity of the child she denied all knowledge of it. Coroner Bostwick was summoned to investigate the affair, and Dr. McCook made a post mortem examination of the body. He found that the child had not matured, and gave it as his opinion that it was still-born. Upon interrogating the girl, she admitted that she had given birth to the child, and that finding it dead she secreted the body to save her reputation. The jury found that the child was still-born and the girl was released.

SHIPMENTS TO THE ARMY.—The shipments of army stores over the Pennsylvania Central and Cumberland Valley Railroads are daily of great value. Ordnance and food are thus forwarded to the seat of war in Western Virginia, and to the troops at Martinsburg and Winchester. Bread forms no inconsiderable item, while pork, biscuit and crackers are sent in great quantities. Cars of live horned cattle pass over daily. Arms and military equipments are sent, as also clothing, the demand being continual, and no fabric being sufficiently strong to endure, for any length of time, the trials to which it is subjected by exposure to the weather in active military duty.

WASHINGTON COUNTY CROPS.—The Washington *Reporter and Tribune* says: "As far as we are able to learn, the wheat harvest is now about completed in this locality, and we are assured that the crop is the best that has been garnered in Washington county for the last ten years. The breadth of surface sown is much greater than last year, for the reason that the frost of 1859 rendered it extremely difficult to procure seed for last year's crop. Our oats crop will hardly be an average one, owing to the dry weather in June. The recent rains are bringing the corn forward rapidly, and should the balance of the season prove favorable, we may look for a good crop.

DID'NT SUBSCRIBE FOR RIFLED CANNON.—In a letter to the *Chronicle*, written from London, Rev T B. Lyman denies having contributed $200 to the fund raised by loyal Americans in Paris to purchase a battery of rifled cannon for the government. He says that he must have been confounded with another person of nearly the same name, now traveling in Europe. His letter concludes thus: "I hope my good friends in Pittsburgh will not suppose for a moment that I have so far forgotten what properly belongs to my office and position as to allow myself to be mixed up either with "Sharpe's rifles" or with "rifled cannon."

SECESSION FLAG CUT DOWN.—On Sabbath morning last, a secession flag was found flying from a hickory pole of about forty feet in height, at the cross roads, on the New Castle and Great Western Road, in Clay township, Butler county. It was discovered by Mr. James A. Campbell early in the morning, and cut down before the sun shone upon it. Mr. Campbell offers five dollars to the owner or owners of the flag, if he or they will call on him for it. And the citizens of the immediate neighborhood offer fifty dollars to the party or parties if they will come forward and attempt to raise it at the same place in daylight.

ORDNANCE PROVED.—On Thursday, another lot of heavy ordnance was taken up to the new proving ground at Tarentum, and tested, under the supervision of Captain McNutt, of the Arsenal. The lot tested on Thursday consisted of eight eight-inch (64 pr.) columbiads; four eight-inch (64 pr.) siege howitzers; six ten-inch (128 pr.) siege mortars, and one nine-inch Dahlgren gun. The columbiads were all of the Rodman—hollow cast—pattern, and, as in every previous instance, stood the test without injury, or perceptible enlargement of the bore.

THE telegraph line between Pittsburgh and Franklin, via. Butler, is now nearly completed and will be in operation in from two to three weeks. We would direct attention to an advertisement for an office for this end of the line in our columns this morning. The construction of this line is an individual enterprise, and the energy displayed in its construction (it being only two months since the Legislature authorized its erection by a special act) reflects the highest credit on the enterprising projector.

PRESENTATION.—A sword was presented yesterday (Friday) at Camp Wright to Lieut. E. J. Keenan, of the Washington Blues, by his Greensburg friends. The presentation speech was made by Hon. Jacob. Turney, in eloquent and patriotic terms, and received by Mr Keenan in a brief but touching language. Lieut. Keenan is in for the war and if opportunity offers will give a good account of himself.

SILVER PLATED WARE AT AUCTION.—This will be a rare opportunity to buy handsome tea sets, castors, ice pitchers and bowls, gobles, trays, salt stands, &c. The stock is direct from a large manufactory, whose trade has been with the South, and are now compelled to sell their goods at auction, in order to meet their liabilities. Sale without reserve.

DEMOCRATIC NOMINATIONS.—The Democrats of Fayette county have nominated the following ticket: President Judge, James Lindsey, of Greene county; Associate Judges, William Hatfield, Alexander Crow; Assembly, Daniel Kaine; Treasurer, John Tiernan; Commissioner, John Shipley; Poor House Director Robert McDowell, Jr; Auditor, John R. Bunker.

MAKING CANNON FROM READING IRON.—The Philadelphia *Ledger* says: "Messrs. Mathews & Moore are now engaged in casting two 8 inch Columbiads, at their Foundry on Bush Hill, out of Reading iron, for the purpose of testing its quality for cannon. The iron is close grain and very strong, and it is supposed that a superior article can be made from it."

THE ERIE REGIMENT.—This regiment has completed its arrangements for departure to-day, previous to disbanding. They leave Camp Wright at half past four this morning and leave for Erie by the Cleveland and Pittsburgh Railroad at six o'clock. They will reach Erie this evening, when they will probably receive an ovation.

TO YOUNG MEN OUT OF EMPLOYMENT.—The present is a favorable time for pursuing a course of study in the Iron City College, where are regularly taught by the list of teachers book-keeping, penmanship, mathematics, and all other branches desired. Now is the time, young men, to prepare for the revival of business.

DROWNED.—On Thursday the body of James Dunlevy was found in the Monongahela river, at the borough of Elizabeth. An inquest was held and the jury returned a verdict of "accidental drowning while under the influence of liquor." Deceased was a young man and leaves a wife and two children.

PASSED THROUGH.—Company F, of the United States Infantry, Capt. G. L. Willard, passed through here on Wednesday night, for Washington city. They were recently stationed at Jefferson Barracks, and are said to be one of the finest companies in the service.

MIND YOUR OWN BUSINESS.—The world renowned Cheap John, of Philadelphia and of No. 61, 5th Street, will deliver an interesting lecture on the above subject, at Lafayette Hall, Wood street, Sunday afternoon, commencing at 3 o'clock. Admission free.

MORE TROOPS.—Another cavalry company has formed at Uniontown, Pa., for service in Western Virginia. It is officered as follows: Captain—Isaac P. Kerr; First Lieutenant—Archbald Kerr; Second Lieutenant—W. H. Murphy.

THE PENNSYLVANIA RAILROAD BRIDGE.—The new bridge across the Schuylkill, near Gray's Ferry, will, contrary to previous expectation, be finished at the end of October. It will require 3600 cubic yards of granite from Cape Ann, Massachusetts and Maine. The granite procurable in this State is of softer quality, and apt to be acted on by water. The bridge has three spans, 180 feet apart. Hemlock piles are driven twenty feet in the bed of the river, under the piers. The depth of the water in the centre is twenty-two feet at high tide, and sixteen feet at low tide.—The iron work for the bridge, 576 feet in length, is being prepared at Altoona. A commencement at erecting it will be made before the first of September next. In addition to the river arches, there will be 250 feet of arching over Sutherland avenue, and 80 feet on the opposite side, making a total length to the bridge of 856 feet. The low ground on the west side necessitates 1200 feet of tressel work. On the east side is a high bank which renders such work unnecessary. Six foundations for piers, of eleven feet deep, have been dug on this side. The bridge will cost about $150,000 Mr John A. Wilson, the engineer of this work, is a graduate of the Rensalaer Institute, at Troy, New York, is a Pennsylvanian, and has been in the employ of the Pennsylvania Railroad Company for three years The present very creditable effort is his first bridge, and will doubtless add greatly to his reputation. Mr. Stephen A Macauley, master mason of the Philadelphia Division Pennsylvania Railroad, is superintending the mason work of this new bridge, with forty-eight men under his orders. Adding these to men employed by the contractors, the whole force at work is now about one hundred men.

DISCHARGED.—A special despatch to the *World*, from Bunker Hill, says: "Samuel J Rea, the correspondent of the Associated Press, has been honorably discharged, and has joined the advance column of the army, under special permit from General Patterson, who gave as the reason of his arrest that Mr. Rea's knowledge of military affairs, and of the topography of the valley, rendered his dispatches calculated to give information that it was desirable to withhold from the public. The army having moved, he is now given the largest liberty."

THE "Union party" project in Butler county seems to be a failure, as several of the candidates nominated on the 4th inst. come out in cards declining the nominations and favoring party organizations.

THE COURT OF QUARTER SESSIONS will meet this morning, when the motion for a new trial in the Cunningham case will be passed upon.

IN PHILADELPHIA, on Wednesday, 27c was bid for Allegheny county 6s and none offered at less than 85c.

COUNTERFEITS.—Counterfeit two dollar bills on the Union Bank of New Jersey, are in circulation. Look out for them.

DENTISTRY.—Dr. C. Sill, No. 246 Penn street, attends to all branches of the Dental profession.

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Pittsburgh, Pa., March 1st, 1861.

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THE WAR.

HIGHLY IMPORTANT NEWS.

Progress of Gen. M'Dowell.

Battle at Bull's Run!

OUR TROOPS RETIRE.

Only One Thousand Engaged!!!

THE KILLED AND WOUNDED.

MOVEMENTS OF THE MILITARY.

WASHINGTON CITY ITEMS.

&c., &c., &c., &c., &c.

CENTREVILLE, July 18.—The first engagement of any character in Eastern Virginia, during this campaign, took place at Bull's Run, four miles south of Centreville, this afternoon.

General Tylor's division, encampted last night a few miles east of Centreville, this morning proceeded towards that point. Centreville was passed in safety, and the troops turned from the Little river turnpike road to the Manassas road. On the road, information was received that a masked battery was on the left of the road ahead, and Colonel Richardson, in command of the 4th brigade, was ordered to reconnoitre while the remainder of the division remained in the vicinity of Centreville. Colonel Richardson proceeded, with three companies of the Massachusetts 1st, being the Kelsey county Fusiliers and the National Guards. They passed across an open ravine, and again entered the road which was densely surrounded by woods, when they were received by a fire from the left, killing a number of the advance. They gallantly sustained their position, and covered their retreat with a brass cannon of Sherman's battery, the horses having been completely disabled by the fire, until relieved by the Michigan Second and New York Twelfth, when they fell back.

The federal forces then took a position on the top of a hill, where two rifled guns were planted in front, supported by Capt. Brackett's company B, and second cavalry with a line of infantry, composed of the Michigan Second and New York Twelfth. Some distance in the rear a steady fire was kept up on both sides in this position.

The rebels had two batteries of eight pieces in a position commanding the road. They used their guns well, except they fired sometimes too high, but were gallantly faced by our troops. They did not reply to our regular fire for half an hour, during which time they were receiving large reinforcements.

In the meantime, Richardson's brigade reconnoitered the woods. While we were again thus advancing, we were met by a raking fire. Our guns were again put in position, and poured grape and cannister among the enemy until the supply was exhausted. These guns were commanded by Capt. Ayers. Gen. Tyler commanded in person and acted gallantly. Capt. Ayers, of the artillery, lost one man killed, three wounded, and several of his pieces disabled. The New York 12th suffered next to the Massachusetts 1st.

Among the killed are Lieut. Smith, of Co. G, Massachusetts 1st; Edwin Field and Sergeant Fore..., of the Boston Fusiliers. Lieut. Lorin, of Brackett's cavalry, is among the wounded. Also, Oliver E. Simpson, Massachusetts first chaplin, and many of the Connecticut

The total loss on our side is estimated at thirty killed and forty wounded.

At half-past four Gen. Tyler ordered the troops to retire, it being necessary to relieve Capt. Brackett's cavalry, which had done the most effective service.

The day was exceedingly hot, and horses thirsting for water, which could be obtained at Centreville only. There was only about a thousand of our force at any one time engaged. The rebel force is estimated at 4,000.

Col. Wilcox's division, including the Zouaves, moved from Fairfax station to-night, to flank the enemy. The battery will undoubtedly be taken to-morrow — This battery is thought to be one of a line of batteries from Acotink Creek to Manassas.

BOSTON, July 19.—The captain of the schooner Lapwing at Holmes' Hole, reports that he was told by the officers of the Sow and Pigs light ship that a brig and pilot boat were captured yesterday off Nomans Land, by a privateer.

PRIVATE DISEASES—

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never fail to cure the worst form of Venereal Diseases, Impurities and Scrofulous Affections. Also, all diseases arising from a hereditary taint, which manifests itself in the form of a tetter, psoriasis, and a great many forms of skin diseases, the origin of which the patient is entirely ignorant. To persons so afflicted, Dr. Brown offers hopes of a sure and speedy recovery.

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THE VERY LATEST.

Latest from Bull's Run.

Undecided Battle.

Forty of the Federal Troops Killed and Wounded.

Battle at Pope Creek—20 Killed and Wounded.

PROCLAMATION TO THE CITIZENS OF NORTH MISSOURI.

ITEMS FROM CALIFORNIA.

CONGRESSIONAL PROCEEDINGS.

&c., &c., &c., &c., &c.

WASHINGTON, July 19, 1861.—SENATE.—Mr. Clark, of N. H., reported a bill to pay the widow of the late Senator Douglas the sum due him—being some one hundred and fifty dollars.

Mr. Wilson, of Mass., reported a House bill for the relief of the soldiers and musicians of Fort Sumter, which was passed. Also, a bill relating to forwarding the letters of soldiers. Passed Also, a bill for the relief of the Ohio and other volunteers. It provides for their payment from the time they were actually in the service until they took the oath Passed. Also, a joint resolution in relation to the bonds of Paymasters in the army. Referred to the Committee on Judiciary.

Mr. Fessenden, of Me., reported from the Committee on Finance a Legislative, Executive and Judicial appropriation bill. The bill was considered and passed.

The Civil Appropriation bill was taken up and passed.

The special order for consideration of the resolution approving of the acts of the President was taken up.

Mr. Bayard, of Del., proceeded to speak in opposition to the resolution. He reviewed the course of events. He had last year tried to save the country by conciliation and compromise from the horrors of civil war. He loved the Union as much as any man, and was ready to make any sacrifice, even to that of life, in order to save the Union, but the cry now is war and unconditional submission without any talk of peace.

After Mr. Bayard had finished his remarks, Mr. Latham, of Cal., got the floor and the resolution was postponed till to-morrow.

Mr. Thompson, of N. J., offered a joint resolution that a board of examiners be appointed to examine Stevens' battery at Hoboken. Referred to the Committee on Naval Affairs.

After an Executive session the Senate adjourned.

HOUSE.—Mr. Crittenden asked leave to submit the resolutions declaring that the present civil war has been forced on us by disunionists of the Southern States now in rebellion against the government; that in this National emergency, Congress banishing all feeling of passion and resentment, will recollect only their duty to their country; that the war is not waged for conquest or subjugation, or for interfering with the rights or established instructions of those States, but to maintain the supremacy of the constitution with equality of rights under it unimpaired; that as soon as these objects shall be accomplished the war ought to cease.

Mr. Stevens, of Pa., objected to the introduction of the resolutions.

Mr. Upton, of Va., asked leave to introduce a joint resolution appropriating $10,000 to indemnify the loyal citizens of Fairfax county, Va., for the property destroyed.

Mr. Sedgewick, of N. Y., from the Committee on Naval Affairs, reported back to the Senate bill which passed, appropriating $3,000,000 to enable the Secretary of the Navy to purchase or charter vessels to be armed as a temporary increase of the navy during the present rebellion, Mr. Sedgewick reported back the joint resolutions for the relief of widows and orphans of the lost on the sloop of war Levant. Passed.

Mr. Stevens, of Pa., said the Committee on Ways and Means had no bills to report at present. The House business was far in advance of the Senate, therefore, he moved when the House adjourns it adjourn to meet on Monday. Agreed too.

Mr. Sedgewick offered a joint resolution for the appointment of a board to select a site for the Naval Academy.

Mr. Webster remarked that Maryland has declared by 20,000 majority that she stands fast by the Union. He, therefore, trusted that Congress would strike no blow at her, this time by removing the Academy from Annapolis. [On motion of Mr. Holman, the resolution was tabled.

Mr. Aldrich introduced a bill to distrain disloyal citizens from suing in Judicial Courts of the United States. Referred to Judicial Committee.

The House went into Committee of the Whole on the bill providing for a better organization of the military establishment.

The House went into Committee of the Whole on the bill providing for the better organization of the military establishment.

The bill provides for an Assistant Secretary of War, and for an enlarged and more efficient organization of all the Army Bureaus, &c.

The Committe rose and the bill passed.

Among its provisions is the form of an oath to be administered to cadets, requiring them to swear that they will support the Constitution and defend the sovereignty of the United States, and regard this oath of paramount to any oath which may be prescribed by any State, and will obey all the legal orders of their superiors.

Mr. Steele, of New Jersey, presented petitions from the citizens of Huntingdon and Sumerset counties for an immediate Convention of all the States.

Adjourned till Monday.

LOUISVILLE, July 19.—The Charleston *Mercury* of the 15th says that a large frigate, supposed to be the Minnesota, arrived off the bar yesterday. There are now four vessels in sight. The brig Perry occasionally appears in sight.

The Norfolk correspondence of the Richmond *Dispatch* says: We are in possession of facts warranting the belief that we have amongst us a great many scoundrels who sympathize with the North, and would gladly aid in our subjugation.

A desperate fight occurred on the 13th between the Confederate Companies in Norfolk, wherein two were killed.

Cannon are being successfully rifled at Gospot Navy Yard.

CAMP WASHINGTON, near Easton, July 19.—All the absent officers and men, whether on furlough or not, are hereby directed to return to the camp immediately. The 2d and 3d are now under orders to march. (Signed,) WM. B. MANN, Col. Commanding Camp Washington.

FORT KEARNEY, July 13.—The pony express passed at nine o'clock, P. M., last evening.

Business is suspended throughout the State to-day, and our National Anniversary receives the homage of a people devoted to the Union. There never was such a display of flags and so many manifestations of patriotism in all appropriate forms, at any previous anniversary.

Dates from Oregon are received per steamer Pacific to the 1st inst. Three companies of the Fourth Infantry, United States army, arrived by the Pacific.

Colonel Wright has countermanded the order for the removal of Captain Pickett's company of the Ninth Infantry from San Juan Island.

The Van Couver, Washington Territory, *Chronicle*, of the 20th of June has the following: "We have it from undoubted authority that Halliday & Co., at St. Louis, contemplate a tri-weekly communication between St. Louis and San Francisco. They are building small steamers, with exceeding light draft, but possessed of great power to ply on the upper Missouri, between St. Louis and Fort Benton. From that place to Lewiston, at the south of Clear Water, stages will run regularly, and the steamer forwarding freight and passengers will connect the latter place with Van Couver, which is to become the head of the ocean steamships navigation.

Austin Smith, late of U. S. N., who left for this port turned over the office to his successor last week, and departed by the steamer on the 1st, it is believed, to enter the Confederate army. He is a son of ex-Governor Wm. Smith, of Virginia. The day after he left a suit was commenced against him in one of the San Francisco Courts, to recover $14,399 intrusted to him by a man and his wife as their agent. The Sacramento *Union* of to-day, in commenting on this suit, gives the following account of Smith's sentiments as expressed to Mr. Chening, his successor in office: He said in a very excited manner both in tone and gesture: "I owe no allegiance to the U. S. government and to k upon the government as an exploded humbug. I proclaim it publicly that it would be a source of grat fication to me, the proudest act of my life to take back to my native State, Virginia, a few hundred thousand dollars of money, and had I it in my possession, I'll be d——d if I could not do so. But the amount in my possession is so paltry, ($15,000) that it is not an object worthy of me, and I shall turn over to you what little I have, not as an act of honesty on my part, or that I should be entitled to any credit for it, but because the government could make it out of my securities. The North are grabbing public funds, ships of war, arsenals and navy yards, and the South are entitled to a hand in that game of grab, and it is a source of grief to me that it is not in my power to manifest my loyalty to my native State in a substantial manner."

The San Francisco *Times* of to-day has the following additional remarks concerning the same party:

Mr. Smith paid all the demands of his secession friends against the office, and did not pay the claims of loyal men. He refused to deliver a scrap of paper to his successor, and carried all the books at the Navy Agent's office off with him on the steamer. There is nothing to show Mr. Chening how the accounts stand. The affairs are in an inextricable confusion, and it would seem that this had been done with a purpose. It is intimated that orders will be sent to New York by the Pony Express for his arrest. News comes from the Navy Yard that previous to his departure when called upon to pay audited demands he answered, "the United States Government is played out."

ST. LOUIS, July 19.—The following proclamation has just been issued from Brigadier General Pope:

ST CHARLES, MO., July 19.

TO THE PEOPLE OF NORTH MISSOURI;

By virtue of the proper authority, I have assumed command in North Missouri. I appear before you with a force strong enough to maintain the authority of the government, and too strong to be resisted by any means in your possession usual in warfare. Upon your own assurances that you would respect the laws of the United States and preserve the peace, no troops have hitherto been sent to your section of country. The assurance of the last ten days, however, have plainly exhibited that you lack either the power or inclination to fulfil your pledges, and the government has therefore found it necessary to occupy North Missouri with a force powerful enough to impel obedience to the laws.

As soon as it is made manifest that you will respect its authority and put down unlawful combinations against it you will be relieved of the presence of the forces under my command, but not until then. I, therefore, warn all persons taking up arms against the Federal authority, who attempt to commit depredations upon public or private property or who molest unoffending and peaceful citizens that they will be dealt with in a most summary manner, without awaiting civil process.

(Signed,) JOHN POPE,
Brig. Gen. U. S. A. Commanding.

CINCINNATI, July 19.—The Kanawha correspondent of the *Gazette* says, that on the morning of the 18th, Gen Cox ordered the 12th Ohio, two companies of the 21st Ohio, two guns of the Cleveland Artillery and the Ironton Cavalry to reconnoitre for a supposed masked battery, near the mouth of Pope Creek. On reaching the creek four miles from Gen. Cox's head quarters they discovered the enemy 1500 strong, strongly entrenched on Scovey Hill, with a masked battery of two guns. On reaching the creek our men were fired upon from the masked battery and from a log house. Our men, after firing forty rounds, crossed the creek and silenced the battery, but their ammunition give out, and they were compelled to retire.

One gun of the masked battery was remounted and opened fire. Capt Allen and Lieut. Pomeroy, of the 21st Ohio and two others were killed and 17 wounded, and three missing. Col. Norton, of the 21st Ohio was badly wounded and taken prisoner. The rebels were commanded by Col. Tompkins. Col. Woodruff and Lieut Col. Neff, of the 1st Kentucky and Col. Diviliers, of the 11th Ohio, left Gen. Cox's camp on the 17th, and nothing has been heard from them at last accounts. It is supposed they have either been killed or taken prisoners.

WASHINGTON CITY, July 19.—Hon. John A. McClernand, of the House of Representatives, left General McDowell's headquarters, at Centreville, this morning, at nine o'clock, and brought the official report of the battle at Bull's Run, yesterday. He arrived here this afternoon, and he reports that last night after the firing had ceased, Gen. Schenck's brigade proceeded up the Gainesville road with a view to flank the positions of the three most prominent batteries at the Junction, as well as to intercept the downward passage of any trains with reinforcements from Upper Valley. The Confederates who fought our troops at the Run are supposed to be those who were driven back from various points between Fairfax Court House and Centreville in addition to a reinforcement of five regiments which were brought up from Manassas Junction during the action which continued about five hours.

Despite various rumors of the condition of affairs at the close of yesterday, it may be characterized as a drawn battle, there being no decided result. The confederates nowhere showed themselves during the battle, they being altogether concealed by the woods, ravines and intrenchments, from which they directed their fire.

The members of the House who witnessed the fight, were Messrs. McClernand, Richardson, Lovejoy and Logan, of Ill.; Noell, of Mo.; Dunn, of Ind., and ex-representative Howard, of N. Y. It is Colonel McClernand's belief from what he gathered while at the seat of war, that the Confederates had yesterday upwards of 50,000 men at the Junction.

WASHINGTON, July 19.—A gentleman just from Centreville at six o'clock this morning reports that all was quiet there the night, and no movement of troops to-day. The only alarm during the night was by the firing of pickets. It is ascertained that about twenty were killed and wounded during yesterday's engagement at Bull's Run. The rebels are still in possession of the batteries. It is expected that they will make a stand at that point. Gen. Wilcox's brigade arrived at Centreville from Fairfax station last night. The federal forces lie over to-day to reconnoitre and attack the batteries that are expected to morrow. A negro arrived here from Secessionists, reports that his master, Col. Fontaine, of Warrenton, was killed, together with a large number of rebels. This statement was corroborated by a member from Massachusetts first, who was in the engagement. The list of killed on our side is not yet known.

WASHINGTON CITY, July 19.—At the earnest representation of Senator Wilkinson the war steamer Keystone State left this port for New York to-morrow to convoy the Northern Light from Aspinwall, with over $2,000,000 in specie from California. This duty performed, the Keystone State will resume cruise for the privateer Sumter until she finds and captures her.

The President has transmitted to Congress the official correspondence, containing an invitation from her Britanic Majesty's Government, to appoint a joint commission with reference to the preservation and development of the New Foundland fisheries. He recommends the necessary legislation on the subject.

FORT KEARNEY, July 15.—The pony express passed here at 8:45 p. m.

SAN FRANCISCO, July 3.—The Union Democratic Convention composed of 440 delegates has been in session three days. Nominations were made and the permanent organization was effected by a sound Union platform adopted and eight ballots polled for Governor. The last ballot resulted: For Jno. Conness, 353; Geo. G. Downey, 178; Eugene Casserly, 10; J. W. McKorkle, 61; Jno. Ridwell, 3. necessary to a choice, 323. The balloting will re-commence to-morrow. It is impossible to predict the result. The contest is very bitter. J. C. McKibben will probably be one of the nominees for Congress.

WASHINGTON CITY, July 19.—The report of certain special correspondence that the capture of Manassas Junction was announced in Congress to-day, is simply untrue. The following has just been received at the headquarters of the U. S. A. here:—Beverly, July 19, 1861.—To Col. E. D. Townsend:—One of Gen. Cox's regiment, the 24 Kentucky detached and drove 600 of Wise's men out of Barboursville, Cabell county, on the 16th inst.

(Signed,) G. B. MCCLELLAN,
Major Gen.

"They go right to the Spot."

INSTANT RELIEF! STOP YOUR COUGH!

PURIFY YOUR BREATH!

STRENGTHEN YOUR VOICE!

SPALDING'S

Throat Confections,

ARE

GOOD FOR CLERGYMEN,

GOOD FOR LECTURERS,

GOOD FOR PUBLIC SPEAKERS,

GOOD FOR SINGERS,

GOOD FOR CONSUMPTIVES,

GENTLEMEN CARRY

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