Amusements.

PITTSBURGH THEATRE.
Lessee and Manager.....WM. HENDERSON
Treasurer.....H. OVERINGTON.
Second night of the re-engagement of the popular artiste, Miss CHARLOTTE THOMPSON, who will appear in the new character, written expressly for her, entitled Donna Inez
THIS EVENING will be presented the beautiful new play in five acts, entitled
CLOUDS WITH SILVER LINING.
Donna Inez.....Miss Charlotte Thompson
Ferdinand.....Mr. Chippendale
Conrad.....C. Loveday
Diego.....J. Garris
Overture.....Orchestra
To conclude with
THE LOTTERY TICKET.
Wormwood.....J. Nelson
Susan.....Annie Ward

Auction Sales.

VERY CHOICE BOOKS AT AUCTION.—On Saturday and Monday evenings, November 7th and 9th, at Masonic Hall Auction House, 55 Fifth street; a new lot just received. In the collection may be found: Hogarth's Works, 2 vols. one-half calf; Goldsmith's Animal Kingdom, 2 vols. turkey, 20 plates; The Horse of America, by Frank Forrest, 2 vols. plates; Ure's Dictionary of the Arts and Sciences, 2 vols. 1,800 plates; Washington Irving's Complete Works 22 vols; The Works of George Washington, by Sparks, 12 volumes; Life of Benjamin Franklin, 10 volumes; Napier's Peninsula War 6 vols; Clark's Commentaries, complete 4 vols; Leigh Hunt's works 4 vols. one-half calf; Hazlett's works, 5 vols; Hume's England 6 vols; Marryat's Novels, 12 vols. The Statesman's Manual, 4 vols. plates; Bancroft's History of the United States, 8 vols; Addison's Spectator, 8 vols, very fine edition; the complete works of Shakspeare, Byron, Burns, Moore, Dick, Redfield, Hutcheson, Chambers, &c., &c. Also, fine Family Bibles, Photograph Albums, Letter and Note paper, Gold Pens, &c. Sale positive.
T. A. McCLELLAND, Auctioneer.
PRATT & BROTHER, Salesmen. no7

Meetings, Notices, &c.

NOTICE TO STOCKHOLDERS.—A special meeting of the Stockholders of the Pittsburgh & Connellsville Railroad company will be held at the office of the company in the city of Pittsburgh, at 11 o'clock a. m. on THURSDAY, the 12th day of November, A. D. 1863, for the purpose of accepting or rejecting the following named Acts and Supplements, passed by the General Assembly of the Commonwealth of Pennsylvania, at its last session, to wit: "An act to repeal the ninth section of an act authorizing the laying out of a State Road from the Borough of Orwigsburg, Schuylkill county, to intersect a public road leading from Easton to Mauch Chunk, and for other purposes" approved the first day of April, 1863. A supplement to an act to incorporate the Pittsburgh & Connellsville Railroad Company," approved the fifth day of April, A. D. 1863. Also, "A supplement to an act to incorporate the Safe Harbor and Susquehanna Turnpike Road Company," approved the 18th day of April, A. D. 1863.
THOS. S. BLAIR,
CHARLES P. MAGILL,
JOHN A. CAUGHEY,
J. B. MARSTON,
W. M. TAYLOR,
A. WILLIAMS,
H. BURGWIN,
J. H. DILWORTH,
DANL. R. DAVIDSON,
W. S. HAYNES,
Directors of Pittsburgh & Conn. R. R. Co.
Pittsburgh, Oct. 27, 1863. octo-td

OFFICE WESTERN INSURANCE COMPANY,
Pittsburgh, October 29, 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 10 a. m. and 2 p. m.
oct31-td F. M. HORTON, Sec'y.

OFFICE OF OAK AND FRANKLINS R. WAY CO.,
Pittsburgh, November 3, 1863.
THE ANNUAL ELECTION FOR DIRECTORS of this company will be held at the office of Messrs. D. W. & J. S. Bell, 141 Fourth street, on MONDAY, November 9th, between the hours of one and two p. m.
no6-td ADAM REINEMAN, Pres't.

FLANNELS, BARRD AND COUNTRY BLANKETS, THE ONLY STOCK IN THE CITY AT
C. HANSON LOVE & CO.'S,
74 & 76 MARKET STREET,
Dress Goods, Shawls, Cloaks,
AND BALMORALS,
A beautiful stock and very cheap, at
C. HANSON LOVE & CO.,
74 & 76 MARKET STREET.
n14

NEW WINTER GOODS.

WE WOULD CALL THE ATTENTION of buyers at large of
WINTER GOODS,
All the newest styles of fancy and staple
CASSIMERES AND COATINGS,
With a large and choice selection of
SILK AND CASHMERE VESTINGS,
W. H. M'GEE & CO.,
143 FEDERAL STREET,
Corner Market Square, Allegheny City, Pa.

FALL AND WINTER DRY GOODS
OF
All Descriptions Now Opening
AT
M. MENTZER'S,
94 MARKET STREET,
BLACK AND FANCY SILKS
FRENCH MERINOS.
REPP MERINOS.
POPLINS.
SCOTCH PLAIDS.
BALMORAL SKIRTS,
FLANNELS.
COUNTRY BLANKETS,
SHAWLS AND CLOAKS.
M. MENTZER,
oc28-3m-eod 94 Market st.

PHOTOGRAPH ALBUMS.

ALBUMS FOR	10	CARDS.	
"	20	"	
"	30	"	
"	50	"	
"	60	"	
"	80	"	
"	100	"	
"	150	"	
"	200	"	

Low prices at
PITTOCK'S ALBUM DEPOT,
oc29 Opposite Postoffice.

5 BBLS. ORANGES, 25 boxes Lemons, just received and for sale by KEYSER & BROS.,
no6 126 and 128 Wood st.

DAILY POST.

TUESDAY, NOVEMBER 10, 1863.

S. M. PETTENGILL & CO.,
No. 37 Park Row, New York, and 6 State street, Boston, are our agents for the **Daily and Weekly Post** in those cities, and are authorised to take Advertisements and Subscriptions for us at our *Lowest Rates.*

ON AND AFTER THE 1st OF NOVEMBER 1863, all subscriptions to the Daily Post must be paid in advance. Those knowing themselves to be in arrears will please call and settle without further delay.

THE DAILY AND WEEKLY POST can hereafter be procured at the News Depots of J. W. Pittock and Frank Case, Fifth street, with or without wrappers. Daily 3 cents; Weekly 5 cents.

LOCAL INTELLIGENCE.

Supreme Court of Penna.

Act Of Congress of 3d March, 1863, commonly called the "Conscription Law," declared unconstitutional.

HENRY S. KNEEDLER vs. DAVID M. LANE, *et al*
FRANCIS B. SMITH vs. Same.
WM. F. NICKELS vs Same.

Three bills in equity. Application in each case for special injunction.

WOODWARD, J.—On the 3d day of March, 1863, the Congress of the United States passed an Act for enrolling and calling out the National forces, and for other purposes," which is commonly called the Conscription law. The plaintiffs, who are citizens of Pennsylvania, have set forth the Act fully in their bills, and they complain that they have been drafted into the military service of the Government in pursuance of said enactment, but that the same is unconstitutional and void, and that the defendants, who are engaged in executing the Act, have violated the rights and are about to invade the personal liberty of the plaintiffs, and thereupon they invoke the equitable interposition of this Court to enjoin the defendants against a farther execution of the said Act.

For the jurisdiction of this Court to set aside an act of Congress as unconstitutional, and to grant the relief prayed for, I refer myself to the views of the Chief Justice in the opinion he has just delivered in these cases, and I come at once to the constitutional question.

The Act begins with a preamble which recites the existing insurrection and rebellion against the authority of the United States, the duty of the Government to suppress insurrection and rebellion, to guarantee to each State a republican form of government, and to preserve the public tranquility, and declares that for these high purposes a military force is indispensable, "to raise and support which all persons ought willingly to contribute," and that no service is more praiseworthy and honorable than the maintainance of the Constitution and Union: and then goes on to provide for the enrolling 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-one and forty-five years, and these able bodied citizens and foreigners, with certain exceptions afterward enumerated, are declared "*the national forces,*" and made liable to perform military duty when called out by the President. The Act divides the country into military districts, corresponding with the congressional districts, provides for provost marshals and enrolling boards, and regulates the details of such drafts as the President shall order to be made from the national forces so enrolled. The payment of $300 excuses any drafted person, so that it is in effect, a law providing for a compulsory draft or conscription of such citizens as are unwilling or unable to purchase exemption at the stipulated price. It is the first instance, in our history, of legislation forcing a great public burthen on the poor. Our State legislation which exempts men who are not worth more than $300, from paying their own debts, is in striking contrast with this conscription law, which delivers upon such men the burthen which belongs to the whole "national forces," and to which "all persons ought willingly to contribute." This, however, is an objection to the spirit of the enactment rather than to its constitutionality.

The description of persons to be enrolled, able bodied citizens between twenty and forty five years of age, is substantially the description of the militia as defined in our Pennsylvania statutes and probably in the statutes of all the States. The national forces, then, mean the militia of the States—certainly include the militia of Pennsylvania. This expression, "national forces," is modern language, when so applied. It is not found in our constitutions, either State or Federal, and if used in commentaries on the constitution, and in history, it will generally be found applied to our land and naval forces in actual service—to what may be called our standing army. It is a total misnomer when applied to the militia, for the militia is a State institution. The General Government has no militia. The State militia, always highly esteemed as one of the bulwarks of our liberties, are recognized in the federal constitution, and it is not in the power of Congress to obliterate them or to merge them in "national forces."

Unless there is more magic in a name than has ever been supposed, this conscript law was intended to act upon the State militia, and our question is, therefore, whether Congress has power to impress or draft the militia of the State. I cannot perceive what objection can be taken to this statement of the question, for surely it will not be argued that calling the militia national forces, makes them something else than the militia. It Congress did not mean to draft the militia under this law, where did they expect to find the national forces? "All able bodied white male citizens between the ages of twenty one and forty five years, residing in this State, and not exempted by the laws of the United States," with certain specified exceptions, constitute our State militia. Will it be said that the conscript law was not intended to operate on these? I think it will not. Then if it does touch, and was framed and designed to draft this very class of citizens, no possible objection can be taken to the above statement of the question we have to decide.

I, therefore, repeat the question with great confidence in its accuracy, has Congress the constitutional power to impress or draft into the military service of the United States, the militia men of Pennsylvania?

This question has to be answered by the Constitution of the United States, because that instrument, framed by deputies of the people of the States and ratified and put into effect by the States themselves in their respective corporate capacities, delegates to Congress all the powers that body can exercise. These delegations are either express or such implications as are essential to the execution of expressly delegated powers.

There are but three provisions in the Constitution of the United States that can be appealed to in support of this legislation. In our ordinary editions they stand numbered as clauses 13, 16 and 17 of the VIII section of Act 1, of the Constitution.

"13. Congress shall have power to raise and support armies, but no appropriations of money to that use shall be for a longer term than two years.

"16. Congress shall have power to provide for calling forth the militia to execute the laws of the Union, to suppress insurrections and repel invasions.

"17. Congress shall 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."

"To raise armies" in these are large words what does it mean. There could be no limitation upon the number or size of the armies to be raised for all possible contingencies could not be foreseen, but our question has no reference to numbers or size, but to the *mode* of raising armies. The framers of the Constitution, and the States who adopted it, derived their ideas of government principally from the examples of Great Britian—certainly not from any of the more imperial and despotic governments of the earth. What they meant to make was a more free Constitution than that of Great Britian—taking that as a model in some things—but enlarging the basis of popular rights in all respects that would be consistent with order and stability. They knew that the British army had generally been recruited by voluntary enlistments, stimulated by wages and bounties, and that the few instances of impressment and forced conscriptions on land forces, had met with the disfavor of the English nation and had led to preventive statutes. In 1704 and again in 1707 conscription bills were attempted in Parliament but laid aside as unconstitutional. During the American revolution a statute, [illegible] permitting [illegible] disorderly [illegible] ful [illegible] cient [illegible] was passed, as far as [illegible] when [illegible] was plained. Assuredly the framers of our Constitution did not intend to subject the people of the States to a system of conscription, which was applied in the mother country only to paupers and vagabonds. On the contrary I infer, that the power conferred on Congress was the power to raise armies by the ordinary English mode of voluntary enlistments.

The people were justly jealous of standing armies. Hence they took away most of the war power from the Executive, where, under monarchical governments, it usually resides, and rested it in the legislative department, in one branch of which the States have equal representation, and in the other branch of which the people of the States are directly represented according to their numbers. To these representatives of the States and the people, this power of originating war was committed, but even in their hands it was restrained by the limitation of biennial appropriations for the support of the armies they might raise. Of course, no army could be raised or supported which did not command popular approbation, and it was rightly considered that voluntary enlistments would never be wanting to recruit the ranks of such an army. The war power, existing only for the protection of the people, and left in their hands as much possible of being their own protection, and, therefore, not to be given away in enlistments. They would be easily enough induced to the risks of every kind demanded necessary to their safety. Under the theory of the constitution placed in this war power, like all such governmental powers, directly upon the people, it is [illegible] governed.

The theory was [illegible] free and fair election [illegible] the fundamental principle of the constitution. It the patronage and power of the government shall never be employed to control popular [illegible] representatives of the people, [illegible] their respective [illegible] which may be raised [illegible] mand public confidence [illegible] necessary for raising armies [illegible] laws and other expenditures [illegible] may become necessary [illegible] the banks. But governmental [illegible] with popular elections will [illegible] constitutional [illegible] national argument can be same such a possibility.

Supposing that [illegible] ways to be [illegible] the halls of Congress. I mean, and it is [illegible] injustice to them [illegible] the exemption that any war honestly waged for constitutional objects will not always have such sympathy and support from the people as will secure all necessary enlistments. Equally subject to their intelligence is to suppose that they meant to confer on their servants the power to impress them into a war which they could not approve.

When these considerations we add the ability of a great country, like ours, to stimulate and reward enlistments, both at home and abroad, by bounties, pensions and homesteads, as well as by political patronage in countless forms, we see how little necessity or warrant there is for implying a grant of the imperial power of conscription.

There is nothing in the history of the constitution, nor in those excellent contemporaneous papers, called the Federalist, to justify the opinion that this vast power lies wrapped up in the few plain words of the 13th clause, which the sub-quent clauses, concerning the militia, absolutely forbid.

If the very improbable case be supposable, that enlistments into the federal armies might become so numerous in a particular State as seriously to impair its own proper military power, it is not much more improbable that the States meant to confer upon the General Government the power to deprive them, at its own pleasure, altogether of the militia, by forced levies? Yet this might easily happen if the power of conscription be conceded to Congress. There are no limitations expressed—nothing to compel Congress to observe quotas and proportions as among the several States—nothing to prevent their raising armies wholly from one State, taking every able bodied citizen out of it to the end angering if not utter undoing of all its domestic interests.

And besides, if we concede this dangerous power to the language of the 13th clause, we destroy the force and effect of the words of the 16th and 17th clauses. We make the instrument self destructive, which is violative of all canons of construction. Congress shall have power to provide for calling forth the militia in the manner and subject to the limitations prescribed in clauses 16 and 17, and therefore, I argue Congress has not the power to draft them. Is an express rule of the Constitution to give way to an implication? If the 13th clause confers power to draft the militia, the words of the 16th and 17th clauses are the idlest that were ever written. But if the 13th conferred all the power to enlist volunteers, then the subsequent clauses become very intelligible—stand well with the 13th, and add essentially to the martial faculties of the Federal Government. Look at those clauses. The militia are to be called forth to execute the laws of the Union, suppress insurrections and repel invasions, to be organized, armed and disciplined by the State, but according to the laws of Congress, and such part of them as may be employed in the service of the United States are to be governed by the President, but officered by the respective States. Now this Conscription Law recites an "existing insurrection and rebellion" as the ground and reason not for calling forth the militia under the above provisions but for *drafting* them into the military service of the United States. The very case has occurred in which the Constitution says the militia shall be called out under State officers, but Congress says they shall be drafted, in contempt of State authority. Gen Washington and the men of his day, did not so read the Constitution, when in suppressing the whisky insurrection in this State, they paid the most scrupulous regard to the rights and powers of the State. Under pressure of a foreign war, a Conscript Bill was reported in Congress in 1814, but it did not pass, and if it had, it would have been no precedent for this law, because we are dealing with an insurrection, and insurrections are specially provided for in the Constitution. If to support a foreign war, Congress may draft the militia, which I do not admit, the power of draft to suppress a domestic war is not to be inferred since another mode of suppressing insurrections is expressly provided. When a State is called on for its quota of militia, it may determine, by lot, who of the whole number of its enrolled militia, shall answer the call, and thus State drafts are quite regular, but a Congressional draft *to suppress insurrection*, is an innovation that has no warrant in the history or text of the Constitution. Either such a law, or the Constitution, must be set aside. They cannot stand together.

And happily, no ill consequences can flow from adhering to the Constitution, for the standing army of the federal government, recruited by enlistments in the ordinary way, with the State militia, called forth according to the Constitution, are a force quite sufficient to subdue any rebellion that is capable of being subdued by force of arms. Such a formidable force, wisely wielded, in connection with a paternal and patriotic administration of all other constitutional powers, will never fail to put down refractory malcontents, and preserve peace and good order among the American people. This conscript law, therefore, not sanctioned by the Constitution, is not adapted to the exigencies of the times, nor likely to have success as a war measure.

In its political bearings, even more than in its military aspects, it is subversive of the Constitution and of the rights of citizens that depend upon State authority. A few thoughts will make this plain. It is impossible to study our State and federal Constitutions, without seeing how manifestly the one was designed to guard and maintain the personal and social rights of the citizen—the other to take care of his external relations.

Nurture, education, property, home, wife, and children, servants, administration of goods and chattles after death, and a grave yard in which to sleep the sleep of death, these are among the objects of State solicitude, for the protection of which the State provides civil authorities and back of them, the *posse comitatus* and the military to make the civil administration effectual. Now, it the principle be admitted that Congress may take away the State militia, who does not see that the ultimate and final security of every man's domestic and personal rights is endangered. To the extent delegated in the Constitution nobody questions the right of Congress to control the State militia, but if to the extent to which this enactment goes, the States will be reduced to the condition of mere counties of a great commonwealth, and the citizen of the State must look to the Federal Government for the enforcement of all his domestic rights as well as for the regulation of his external relations.

The citizen of the States need protection from foreign foes and Indian tribes—peaceful intercourse and commerce with all the world—a standard of values and of weights and measures that shall be common to all the States, and a postal system that shall be co-extensive with inter-state trade and commerce. To adjust and maintain these external relations of the citizen, are high duties which the Constitution has committed to the Federal Government, and has furnished it with all necessary civil functionaries, and with power to levy and collect taxes from the people of the States, to raise and support armies, to provide a navy, and to call forth the militia to execute the laws.

Thus is the American citizen amply provided for in the Constitution, and he is written with jealousy on all his rights in social and domestic and foreign life, as the war power of the general government is the ultimate security for his external safety, the militia is ultimate security for his internal or domestic rights.

Could the State Government strike at the war power of the Federal Government without [illegible] rights? In view of the extreme rebellion, no man would hesitate how to answer this question, and it would be equally apparent that when the General Government usurps a power [illegible] the State militia which was [illegible] every man's domestic rights [illegible] those which touch him most [illegible] equally endangered.

The great [illegible] Conscript law is, that it is founded [illegible] an assumption that Congress may take away, not the State rights of the citizen, but the security and foundation of his State rights. And how long is civil liberty expected to last, after the security and civil liberty are destroyed? The Constitution of the United States commits the liberties of the citizen in part to the federal Government, but expressly reserved to the States, and the people of the States all it did not delegate. It gave the General Government a standing army, but left to the States their militia. Its purposes in all this balancing of powers were wise and good, but this legislation disregards these distinctions, and upturns the whole system of government when it converts the State militia into "national forces" and claims to use and govern them as such.

Times of rebellion above all others, are the times when we should stick to our fundamental law lest we drift into anarchy on one hand, or into despotism on the other. The great sin of the present rebellion consists in violating the Constitution whereby every man's civil rights are exposed to sacrifice. Unless the government be kept on the foundation of the Constitution, we imitate the sin of the rebels, and thereby encourage them, while we weaken and dishearten the friends of constitutional order and government. The plaintiffs in these bills have good right, I think, as citizens of Pennsylvania to complain of the act in question, not only on the grounds I have indicated, but on another to which I will briefly allude.

The 12th section provides that the drafted person shall receive ten day's notice of the rendezvous at which he is to report for duty, and the 13th section enacts "that if he fails to report himself in pursuance of such notice without furnishing a substitute or paying the required sum therefor, he shall be deemed a deserter, and shall be arrested by the provost marshal, and sent to the nearest military post for trial by court-martial." The only qualification to which this provision is subject, is that upon proper showing that he is not able to do military duty the board of enrolment may relieve him from the draft.

One of the complainants, Kneedler, has set forth the notice that was served on him in pursuance of this section, and by which he was informed that unless he appeared on a certain day, he would be "deemed a deserter, and be subject to the penalty prescribed therefor, by the rules and articles of war." I believe the penalty of desertion by the military code is any corporeal punishment a court-martial may choose to inflict, even to that of being put to death.

Can a citizen be made a deserter before he is become a soldier? Has Congress the constitutional power to authorize provost marshals, after drawing the name of a freeman from a wheel and serving him with a ten day's notice, to seize and drag him before a court martial for trial under military law? This question touches the foundations of personal liberty.

In June, 1215, the Barons of England and their retainers, "a numerous host encamped upon the grassy plain of Runnymede," wrung from King John that great Charter which declared, among other securities of the rights and liberties of Englishmen, that "no freeman shall be arrested, or imprisoned, or deprived of his freehold, or his liberties, or free customs, or be outlawed or exiled, or in any manner harmed, nor will we (the King) proceed against him, nor *send anyone against him by force of arms* unless according to the sentence of his peers (which includes trial by jury) or the common law of England." Here was laid the strong foundation of the liberties of the race to which we belong. And yet not here, for Magna Charta *created* no rights but only re-asserted those which existed long before at common law. It was for the main purpose of [illegible] declaring what [illegible] the fundamental principles of government of England. Far back of Magna Charta, in the customs and maxims of our Saxon ancestry, those principles of liberty lay scattered which were gathered together in that immortal document, which four hundred years afterwards were again reasserted in two other great declaratory Statutes, "The Petition of Right" and "The Bill of Rights," and which were transplanted into our Declaration of Independence, the bill of rights in our State Constitution and the Amendments to our Federal Constitution, and which have thus become the heritage of these plaintiffs. Says the 5th Article of the Amendments: "No person shall be held to answer for a capital or otherwise infamous crime unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces or in the militia when in actual service in time of war or public danger." What is the scope of this exception? The land or naval forces mean the regular military organization of the Government—the standing army and navy—into which citizens are introduced by military education from boyhood or by enlistments, and become, by their own consent, subject to the military code and liable to be tried and punished without any of the former safeguards of the common law. In like manner the militia when duly called "into actual service" are subject to the rules and articles of war, all their civil law rights of personal freedom being in the night it will be repeated for the last time, as other attractions are called for, and Miss Thompson's short stay will prevent the repetition of any piece more than once. So we must avail ourselves of this only opportunity.

BUSINESS NOTICES.

STEEL EATING SALOON, 47 FIFTH STREET, WM. RUECKEISEN, PROPRIETOR.—Fresh Shell Oysters, Tripe and Can Oysters constantly on hand. Meals at all hours, from 7 o'clock a. m., till 12 o'clock p. m. The best refreshments can only be found by calling at 47 Fifth street.

GROVER & BAKER'S SEWING MACHINES, for family manufacturing purposes are the best in use.
A. FUCHANEY, General Agent.
18 Fifth street Pittsburgh, Pa.

COMMERCIAL.

PITTSBURGH GENERAL MARKET.

OFFICE OF THE DAILY POST,
TUESDAY, November 10, 1863.

Business—Was not very active yesterday—this however, is a common occurrence in what what is called blue Monday. The weather was raw and disagreeable with an occasional snow storm. Produce of all kinds were in good request at full prices, in fact for most descriptions. The following are the transactions since our last:

Ashes—Were made sales of 6 tons Pearls at 4¾c. some holders are demanding ¼ more for the latter article.

Flour—The market yesterday exhibited an increasing feeling. Among the sales were Extra Family, 150 bbls at $6.00@6 75; Extra—sales of 100 bbls at $6 70@6 75.

Hay—The market was firm, with sales of 13 loads, by retail, at $34@35 ⅌ ton. Baled firmer at 75c, and sales of 75 bales Western at 74c.

Apples—The demand was fair, with sales of 75 bbls at $2 75@3.00, New York state at $3.

Salt—Market firm with sales of 100 bbls at $2.00 2 cases Kanawha table salt at $3 50 ⅌ case.

Grain—Wheat firm. Sales 1,500 bush red at $1 25; white, 20 does $1 30@1 35; ⅌ quality. Corn firm. Sales of 2000 bush in depot, at $1 0. Oats—sales 1,700 bush, first hand at 73c; 200 from store at 80. Rye—none in the market. Barley—sales of 100 bush from wagons—selling at $1 50 ⅌ bu.

Butter—Sales of 600 lbs fresh roll at 22@24c packed—that is 24.

Groceries—Sugar—Sales prime cubes at 14; fair do at 13¾; common do crushed and powdered at 13@13¼; 10 bbls C. Coffee, at 16¾; 12 do "B" Coffee, at 16; refined yellow at 12¾. Molasses firm—10 bbls, new orleans at 65; syrups—30 bbls molden at 65; Lovering's, at 55 ⅌ gallon.

Whisky—The demand was moderate—sales of 25 bbls city refined at 58; ⅌ gallon.

Fish—Mackerel: 25 bbls No. 3, large at 19 50; 104 No 3, medium at $7 25; 10 do No 2 at $11 Herring—10 do sold at $6 50.

Coffee—The market was firm with a good demand. We note sales of 30 sacks Rio at 31½@34

PITTSBURGH OIL TRADE.

TUESDAY, Nov. 10, 1863.

There was an improvement in the demand yesterday. As we stated in our last when prices reach the bottom a reaction must necessarily take place—buyers were more disposed to operate. The reports from the East were more favorable—it looks as if we were going to have some large operations to report before the close of the week, the receipts are, however, on the increase. Refined—The inquiry yesterday was large. Sales of 300 bbls, free at 50c, later in the day some dealers were demanding 51@53c. Bond ranged 4@42. Crude—The demand is on the increase. The rates were purely nominal in the absence of actual sales we quote 3½ cations. Rendunm—There was some enquiry for this article, with sales of 310 bbls at 13 60@13 75

MARKETS BY TELEGRAPH.

New York Market.

NEW YORK, Nov. 9.—Flour dull and drooping; sales at 16 10@8 15 for extra State, and $7 15@7 30 for Round hoop Ohio. Wheat dull. Corn in fair demand and quite firm at $ 08@1 08½. Oats dull and 1c lower; sales at 84@85. Lard steady at 11½@11¾. Whisky a shade firmer at 72c. Gold 46.

Philadelphia Market.

PHILADELPHIA, Nov. 9.—Flour quiet, superfine, $6 75. Wheat firm; red, $1 50@1 55; white, $2. Corn active, advancing 4c; sales, $1 07; mixed and white, $1 0c. Molasses 8.m Whisky 61½@67.

RIVER MATTERS.

THE RIVER.—Last evening at twilight there were also four feet by the pier marks. The weather during the day was cool with occasional snow storms. The prospect for a rise does not look very flattering.

ARRIVALS AND DEPARTURES.

ARRIVED.
Franklin, Bennett, Brownsville.
Gallatin, Clarke, Brownsville.
Jas. Reese, Peebles, Elizabeth.
DEPARTED.
Gallatin, Clarke, Brownsville.
Franklin, Bennett, Brownsville.
Jas. Reese, Peebles, Elizabeth.

JOSEPH MEYER..... ANTHONY MEYER
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BY TELEGRAPH,

TO THE DAILY POST.

From Gen. Meade's Army.

Further Particulars of the Fight at Rappahannock Station.

Sedgwick's Advance at Brandy Station.

General Kilpatrick Occupies the City and Heights of Fredericksburg.

&c., &c., &c.

NEW YORK, November 9.—Specials to the *World*, dated Washington, 8th, say:—Advices from your special correspondent to-night from the front states that the advance of the entire army has progressed most satisfactorily to-day. It has crossed the Rappahannock again, but found no enemy in force sufficient to risk any general engagement. The present indications do not render a general engagement probable.

The *Herald* has the following: HEADQUARTERS ARMY OF POTOMAC, November 8.—4 P. M.—I learn that our army is well over the river, and that Sedgwick's advance has reached Brandy Station. No report of fighting has been received. This will be a week of hot work.

WASHINGTON, November 8.—The news from the front is to the effect that General Kilpatrick occupied the city and heights of Fredericksburg yesterday, and was in position to hold them until the infantry could reach him. It is probable the army has already joined him, and has now entrenched itself on the south bank of the Rappahannock.

The train conveyed the wounded from the battle of Kelly's Ford yesterday to the number of one hundred and fifty, who arrived here at ten o'clock to-night. There were no ambulances to transport the wounded men to hospitals, and it may be several hours before they will be placed where they can receive surgical attention. The prisoners are expected to arrive during the night.

The *Herald* has the following:

RAPPAHANNOCK STATION, Nov 7.—Maj. Gen. Sedgwick, commanding the right wing of the army, consisting of the 6th and 6th corps, left Warrenton this morning, with orders to proceed to Rappahannock Station and take and hold that position. The march was a rapid one, and a division of the 6th corps, under the command of Brig-Gen. David A. Russell, General Wright being in command of the corps, reached the heights this side of the Rappahannock about 1 o'clock, and drove in the enemy's pickets, while another division of the same corps on Russell's right commenced skirmishing soon after, which also drove the enemy before them.

The 5th corps, under Maj Gen. Sykes, formed their skirmish line on the south of the Orange and Alexandria railroad, striking down towards Norman's Ford. Early division of Ewell's rebel corps occupied the heights on this side of the river—the works on which they had so turned as to make them defensible from that direction. These works were constructed by our forces last summer while we occupied the line of the Rappahannock. The enemy, however, had strengthened them by digging a semi-circle of rifle pits around the front.

Such was the formidable position which Russell's brave boys attacked and carried. Col. Thoroughlins, chief of artillery in Gen. Sedgwick's staff, posted the artillery on the heights about three-fourths of a mile this side of the river, and commenced to shell the works. About three o'clock eighteen guns were engaged in shelling them at this short range. The firing had a beautiful effect, demoralizing that of the enemy; it was, also, very fine.

While this was going on Gen. Russel was busy with his musketry; he pushed his line of skirmishers upon both flanks of the enemy's works until nearly sunset, when his own brigade, composed of the 5th Wisconsin, Col. Allen, 5th Maine, Col Edwards, 6th Maine, Col. Harris, and 12th New York, Col. Upmore, were ordered to charge on the rifle pits upon both banks. Led by Gen. Russell in person, they went steadily and silently onward, fighting as they proceeded, till nearing the works, they fixed bayonets and pitched in with cold steel.

This was too much for the flower of the Southern army and for its much vaunted bravery. After a short hand to hand contest they turned to flee to their pontoons, here they were followed, our boys having already secured the approach to the bridge, and they had no alternative but to surrender or swim for it. Some of them tried the latter, but it was no easy matter, and they yielded. When those on the opposite side found that we held this end of the bridge they set fire to their side of it and destroyed a portion of it.

This closed one of the most brilliant actions of the war. It was fought by the same troops that so gallantly stormed and carried the heights of St. Mary's, at the second battle of Fredericksburg. Although Sedgwick, Wright and Tyler, with their command, were present and active, all agree in awarding the credit of this brilliant achievement to Gen. Russel and his gallant troops.

Gen. Meade has sent Gen. Sedgwick an order congratulating him and his troops upon their success in this preliminary movement. Gen. Lee is supposed to be at Culpepper; Ewell at Brandy Station and Hill between Culpepper and Cedar Mount. We are preparing to cross at daybreak.

RAPPAHANNOCK STATION, Nov. 8, A. M.—From present appearances, yesterday's losses were somewhat under estimated. The killed will be nearly a hundred and upward, and the wounded 800. One hundred rebel wounded were left in our hands. We have 1,500 prisoners, including 103 commissioned officers. There is a heavy fog or rain this morning, which delays the attack. Our batteries are in position, and an attack will be made as soon as the fog rises.

WARRENTON JUNCTION, Nov. 8.—*Noon.*—Upon the lifting of the fog our forces commenced crossing and found little or no opposition. They are pressing forward towards Culpepper. The 2d Division, Third Corps, under Gen. Prince, passed the river last evening at Kelly's Ford, and captured 252 of the 2d and 38th North Carolina regiments. Gen. Prince's boys waded the ford, which was about waist deep, and the prisoners had to wade back.

WASHINGTON, Nov. 9.—Intelligence has been received here, dated Clarksburg, Va., that Gens. Averill and Duffie, commanding separate forces, after several severe engagements on Friday and Saturday last, succeeded in driving the enemy under Stonewall Jackson, for several miles down the valley east of Greenbriar Mountain, into and through the town of Lewisburg in Western Virginia. The first battle was fought on Friday by Gen. Duffie. The rebels were reinforced, but, nevertheless, they were totally routed. On Saturday, under the combined forces of Averill and Duffie, the route was so complete, that the enemy abandoned all his supplies, guns, colors, &c., and fled in dismay, leaving their dead and wounded on the field. Our men behaved splendidly, and the victory was one of the most brilliant of the war. The number killed and wounded on our side is not stated. We hold Lewisburg.

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