# The Daily Post.

PITTSBURGH, FRIDAY, DECEMBER 23, 1864.



ADVERTISING RATES.

Standing matter per square, (40 words,)

Yearly.
One square one week.....$5,00
Two insertions.....1,25 One month.....$7,50
Three insertions.....1,50 Six months.....11,25
Four insertions.....1,75 Three months.....12,75
Five insertions.....2,00 Six months.....20,75
One week.....2,50 Nine months.....22,00
Two weeks.....3,50
One square changeable once a week 1 year $30,00

DAILY POST.

Single subscriptions by mail, $9,00 per year; delivered in the city, at 20 cents per week.

WEEKLY POST.

Single subscriptions.....$2,00
Five copies, each.....1,75
Ten copies, each.....1,50
Twenty copies, each, (and one to getter up,) 1,25
Forty " " " " 1,10
A hundred " " " " 1,00

JAS. P. BARR,
Editor and Proprietor.



MORNING POST
Steam Printing Establishment

BARR & MYERS, Proprietors.

ARE DISTINGUISHED FOR

PLAIN AND FANCY JOB PRINTING

Executed in the best style.

SPECIAL ATTENTION PAID TO

RAILROAD, MERCANTILE AND LEGAL PRINTING.

Our facilities for doing

Posters, Programmes, &c.,

For Exhibitions and Concerts cannot be surpassed in the city.



MEDICAL.

HERNIA OR RUPTURE.

Hernia or Rupture cured.
Hernia or Rupture cured.
Hernia or Rupture cured.
Hernia or Rupture cured.
Hernia or Rupture cured.
Hernia or Rupture cured.
Hernia or Rupture cured.
Rupture or Hernia cured.
Rupture or Hernia cured.
Rupture or Hernia cured.
Rupture or Hernia cured.
Rupture or Hernia cured.
Rupture or Hernia cured.
Rupture or Hernia cured.

Marsh's Radical Cure Truss.
Ritter's Patent Truss.
Fitch's Supporter Truss.

Elastic Supporters for Women, Body Braces, for the cure of Prolapsus Uteri, Piles, Abdominal and Spinal Weaknesses.

Dr. S. S. Fitch's Silver Plated Supporter.

Piles Drops, for the support and cure of Piles.

Elastic Stockings, for weak and varicose veins.

Elastic Knee Caps, for weak knee joints.

Ankle Supporters, for weak knee joints.

Suspensory Bandages.

Self-Injecting Syringes, size every kind of Syringe.

Dr. KEYSER has also a Truss which will radically cure Hernia or Rupture.

Office at his Drug Store, No. 140 WOOD STREET, sign of the Golden Mortar. Persons writing for Trusses should send the number of inches around the body immediately over the rupture.

DR. KEYSER will give his personal attention to the application of Trusses in adults and children and he is satisfied that, with an experience of twenty years, he will be enabled to give satisfaction.

Self-Injecting Syringes.
Self-Injecting Syringes.
Self-Injecting Syringes.
Self-Injecting Syringes.
Of every
Sold at DR. KEYSER'S, 140 Wood street.
Suspensory Bandages,
Suspensory Bandages,
Suspensory Bandages,
Suspensory Bandages,
A dozen different
A dozen different
A dozen different kinds
A dozen different kinds
At DR. KEYSER'S, 140 Wood street.
n30-lydaw

PILES OF TWENTY YEARS STANDING CURED.

*Below will be found a certificate from the one of most respectable citizens of Wilkins township in regard to Dr. Keyser's Lindsay Blood Searcher. The Doctor's certificates are within reach, and no one need be deceived in regard to his preparations.*

DR. GEO. H. KEYSER:—I became afflicted with Piles about twenty years ago, and every year they were growing worse, so as to trouble me very much, so much so at times as to unfit me for work. Sometimes I was so bad that I could do nothing account of them, they came out on me as large as a hickory nut. I had tried a great deal of medicine for them. I used to buy and take whatever I could hear of or read of in circulars and pamphlets that fell in my way, but I could not get cured, sometimes they would do me some good for a little while, but afterwards they would return again as bad as ever. I also applied to two Doctors who visited me at my house and gave me some medicine but it would not do, I could not get well. Over a year ago I got an advertisement of your Lindsay's Blood-Searcher, made by yourself—when you sold it to me you told me one bottle would not cure me, and that my whole system would have to be renewed by the medicine before I got well. I bought one bottle and took it home with me and used it according to your directions. I then called to see you again, when you said I could not expect much benefit from one bottle. I bought it on, one bottle at a time, until I had six bottles. After this quantity had been used, I was entirely well of the Piles, which had tortured me for twenty years. In other respects my health is improved, and I am as well as could be expected for one of my age, being sixty years past. I have been well now for six months, and there is no appearance of a return of the disease. I can do any kind of farming work now without the Piles coming down and hurting me. I can pitch hay, chop wood, lift, or do any kind of work which before used to hurt me. When I found out your Blood-Searcher I kept on taking until I got entirely well. I consider it my duty to make my case known to the country for the benefit of others who may be suffering as I was and do not know the value of your medicine. You may publish this if you like.—I live in Wilkins Township, and will be pleased to satisfy any one of the truth of this certificate if they wish to call on me. ELLIOTT DAVIS.

December 24th, 1863.

☞ *Look out the name of DR. GEORGE H. KEYSER on the cover of the bottle and pasted over the cork; also for his stamp on the United States stamp on the top of the bottle, to prevent being imposed upon by a spurious article which is in the market.*

gde-lydaw



MEDICAL.

MANHOOD.

THIRD EDITION, FIFTY THOUSAND, 96 pages, cloth covers, by

Robert E. Bell, M. D.,

Member of the royal College of Surgeons, London, addressed to youth, the married and those

CONTEMPLATING MARRIAGE.

Sent by mail, post paid, on receipt of ten cents. A careful perusal of this small book has been a boon to the afflicted, and has saved thousands from a life of misery and an untimely grave. It treats on the evils of Youthful Indiscretion, Self-Abuse, Seminal weakness, Emissions, Sexual Diseases, Genital Debility, Loss of Power, Nervousness, Premature Decay, Impotence, &c., &c., which unfits the sufferer from fulfilling the OBLIGATIONS OF MARRIAGE, and illustrates the means of cure by the use of

DR. BELL'S SPECIFIC PILLS,

and other treatment necessary in some cases, and which never fails to cure, and can be relied on. They do not nauseate the stomach, or render the breath offensive, and they can be

USED WITHOUT DETECTION.

They do not interfere with business pursuits, and are a speedy infection. No change of diet is necessary. They are warranted in all cases to be effectual in removing and curing the disease. Upwards of two thousand cases are on record that have been cured by using BELL'S SPECIFIC PILLS, and certificates can be shown from many that have used them.

No Case of Failure ever Occurs.

Upwards of a Hundred Physicians use them extensively in their practice, and they cannot effect cures without them.

IMPORTANT NOTICE,

BELL'S SPECIFIC PILLS

Are the original and only genuine Specific Pills. There are a host of imitators—BEWARE OF THEM.

These are Warranted.

They are adapted for male or female, old or young, and are the only reliable remedy known for the cure of all diseases arising from

YOUTHFUL INDISCRETION.

In all Sexual Diseases, as Gonorrhea, Stricture, Gleet, and in all Urinary and Kidney complaints,

They Act Like a Charm!

Relief is experienced by taking a single box, and from four to six boxes generally effect a cure.

Sold by Druggists generally, in boxes containing six pills, price $1 or six boxes, $5; also in large boxes, containing four of the small, price $3.

If you need the Book, or the Pills, cut out this advertisement for reference; and if you cannot procure them of your druggist, do not be imposed upon by any other remedy, but enclose the money in a letter to the proprietor,

DR. J. BRYAN, BOX 5079,
3d Cedar Street, N. Y.

who will take all risk if properly directed, and will send the Pills, secured from observation, by return mail, post paid.

For sale at JOSEPH FLEMING'S.

*SOLD BY DRUGGISTS GENERALLY.*

NOTICE TO ALL CONCERNED.—Among a certain class of self-important people there is a peculiar feeling of contempt attached to all physicians that advertise and treat the diseases named in this card, (PRIVATE DISEASES,) why this should be, they not no one else can tell. Are they not aware that all physicians treat diseases of every denomination, in fact solicit just the very diseases that are so obnoxious to these very refined parties. I suppose they would not let one of their family go to a party that has devoted years for their benefit, because he advertises the fact, and their family physician says he is a humbug so he can get, the same, if then he has almost deprived the party of his life. He names not the name of any physician that advertises—how else are they to know? Are they not aware that Sir Astley Cooper, Sir Benjamin Brodie, Sir Charles Ball and M. Paul Ricord devoted years in the treatment of these diseases? These men are held up as shining lights in the medical world; I don't assert that all men are worthy that publish, still there are a great number of them that are. I have devoted myself to the study and treatment of PRIVATE DISEASES upwards of 40 years, and without egotism can say I have saved hundreds from years of misery and untimely death. My treatment is confined to the vegetable altogether, as I think it is the best and most certain. It is in my power to bring hundreds of certificates if I thought it necessary to certify to my general success; but my long residence in this city is sufficient proof without adding more. Spermatorrhea and all diseases arising from it are cured in a much shorter time than heretofore. It behooves every young man and woman to be careful in selecting a physician. The different advertisements that are seen in our papers are of no worth, and no benefit will arise from answers than only loss of health and money. Hundreds are cured annually by my new remedies. Address BOX 990, Pittsburgh Postoffice.

jan-lyd



ALBUMS,
ALBUMS,
ALAUMS;

CARD PHOTOGRAPHS.
CARD PHOTOGRAPHS.
CARD PHOTOGRAPHS.

FOLIOS, INKS & STATIONERY,
FOLIOS, INKS & STATIONERY,
FOLIOS, INKS & STATIONERY.

Magazines, Books and Papers,
Magazines, Books and Papers.
Magazines, Books and Papers.

DIARIES FOR 1863,
DIARIES FOR 1865,
DIARIES FOR 1865.

AT PITTOCK'S,

OPPOSITE THE POST OFFICE.

Orders left for Flags promptly attended to.

n11



NORTH CLEAR CREEK

GOLD AND SILVER MINING CO.,

Gilpin County, Colorado Territory.

TRUSTEES:

HON. JOHN A. DIX.
" EDWARD PIERREPONT
" JOSEPH FRANCIS
T. B. BUNTING, A. G. BODFISH, Colorado.

Hon. JOHN A. DIX, President.
JOSEPH FRANCIS, Treasurer.
ERASMUS STERLING, Secretary.
CHARLES F. BLAKE, Counsel.

This Company owns 6,332½ feet of Mining Claims on FIFTY SIX VALUABLE LODES in Colorado, including the "GROUND HOG," "GREGORY NO. 2," "SIMMONS," "CONCORD," and other celebrated developed Gold-bearing Lodes in the best Mining district in Colorado. Also, the "HENDERSON MILL," now running and in excellent order.

Capital Stock $1,000,000.

Working Capital $325,000.

WHOLE NUMBER SHARES 100,000, PAR $10.

A large portion of the Stock has already been taken by private subscription. Books are now at the

OFFICE OF THE COMPANY,

No. 69 Beaver Street, New York,

Where a limited number of shares can be obtained at par.

Copies of the Prospectus may be obtained at the office of the Company.

de15-1md

USE IT,

And be Convinced

OF THE

SUPERIOR EFFICACY

OF

RANKIN'S EXTRACT BUCHU.

Sold by all Druggists, at One Dollar.

no22

REVOLVERS.—A LARGE STOCK of all kinds, constantly on hand and for sale by JAMES BOWN, 139 Wood street.



DRY GOODS, HOSIERY, &C.

GREAT SALE OF

DRY GOODS,

Beginning on

WEDNESDAY, DECEMBER 14th.

And Continuing through the

HOLIDAYS.

47 Pieces Dress Goods

at 31 cents; former price 44 cents.

21 Pieces Scotch Plaids

at 50 cents; former price 75 cents.

One Case Coburg Cloths

at 62½ cents; former price $1,25.

French Merinos

at $1,50; former price 2,25.

All Wool Plaids,

at 75 cents; reduced from $1,25.

Beaver Cloth Cloaks,

at $10,00 and 12,00.

Heavy Woolen Shawls,

from 4,00 to 12,00.

Woolen Blankets

at 12,00.

Balmoral Skirts,

at 3,50.

Best Kid Gloves

at 1,75.

Great Bargains

Will be given to those who call

GARDNER & SCHLEITER'S,

92 Market Street.

de13

HANDSOME PRESENTS

FOR THE HOLIDAYS,

Can be secured at

MACRUM & GLYDE'S,

78 Market Street,

Who have now open and yet receive daily expressly for Holiday Sales, a large and beautiful assortment of Goods, both useful and ornamental, comprising Breast-Pins, Ear Drops, Fancy Tuck and Side Combs, Pearl, Steel, Jet and Gilt Belt Buckles, Belts and Belt Ribbons, Cashmere and Silk Scarfs, Head Dresses and Nets, Lace Veils, Lace and Embroidered Collars and Handkerchiefs.

Worked Slippers and Cushions,

WORK BOXES,
LADIES' COMPANIONS,
PORTE-MONNAIES,
SATCHELS,

And a very fine assortment of

PHOTOGRAPH ALBUMS,

Besides our usual full Stock of

HOSIERY,
GLOVES,
TRIMMINGS,
NOTIONS and
SMALL WARES,

At Lowest Cash Prices.

de10



FOR THE

HOLIDAYS.

NEW SHAWLS,

We are now receiving a heavy stock of those

Extra Fine Long Shawls,

Which we will sell at a

Great Reduction

On former prices.

New Cloaks,
Cloths, and
Dress Goods.

HUGUS & HACKE,

Corner Market & Fifth.

de16



CHRISTMAS AND NEW YEARS PRESENTS AT C. HANSON LOVE & CO'S.,

PLAID, WOOLEN LONG AND SQUARE SHAWLS, Beautiful Poplins, Black Silk Shawls, Misses' and Children's Plaid Shawls,
BLANKETS, FLANNELS, DRESS GOODS, CASSIMERES, CLOAKING CLOTHS, OVER COATINGS, Together with a very desirable Stock of all kinds of Goods, Suitable for the Holidays,
To which we would invite particular attention.

74 & 76 Market Street.

de16



PINE APPLE CHEESE.

50 Boxes Choice Pine Apple Cheese, Received this day, and for sale by REYMER & BROS.

sep21



INSURANCE

INDEMNITY AGAINST LOSS BY FIRE.

THE FRANKLIN FIRE INSURANCE COMPANY OF PHILADELPHIA, OFFICE No. 435 and 437 CHESTNUT ST., near Fifth.

STATEMENT of ASSETS, JAN. 1st, 1863. Published Agreeably to an Act of Assembly, being

| | |
|---|---|
| First Mortgages, amply secured | $1,893,282 22 |
| Real Estate (present value $193,312 81,) cost | 102,996 26 |
| Temporary Loans on ample Collateral Securities | 89,135 |
| Stocks, (present value $88,967 72,) cost | 89,788 86 |
| Notes and Bills Receivable | 1,921 00 |
| Cash | 27,919 35 |
| | $2,205,051 68 |

The only profits from premiums which this company can divide by law, are from risks which have been determined.

Insurances made on every description of Property, in Town and Country, at rates as low as are consistent with security.

Since their incorporation, a period of thirty years, they have paid losses by Fire, to an amount exceeding Four Millions of Dollars, thereby affording evidence of the advantages of Insurance, as well as the ability and disposition to meet with promptness all liabilities.

Losses paid during the year 1859, $92,158 35

DIRECTORS.

CHARLES W. RANCHER, THOMAS WAGNER, SAMUEL GRANT, JACOB R. SMITH, GEORGE W. RICHARDS, ROBERDEAL H. LOU, DAVID S. BROWN, ISAAC LEA, EDWARD O. DALE, GEORGE FALZE, CHAS. G. BANCKER, President.
EDWARD O. DALE, Vice President.
Wm. C. Steel, Secretary pro tem.
J. GARRETTE COFFIN, Agent
Northeast cor. Third and Wood sts.

my18

PHILADELPHIA FIREAND LIFE

INSURANCE COMPANY,

149 CHESTNUT STREET,

Opposite the Custom House.

Capital, $219,100. Assets, $304,943.

WILL MAKE ALL KINDS OF INSURANCE, either Perpetual or Limited, on every description of Property or Merchandise, at reasonable rates of premium.

ROBT. P. KING, President.
M. W. BALDWIN, Vice President.

DIRECTORS.

CHARLES HARE, E. R. ENGLISH, P. S. SAVERY, C. SHERMAN, S. J. MAGARGE, F. BLANKBURN, Secretary, R. COPE, GEORGE W. BROWN, JOSEPH S. PAUL, JOSEPH CLAYTON, F. WILKE,

J. G. COFFIN, Agent,
Corner Third and Wood streets.

Western Insurance Company of Pittsburgh.

R. MILLER, jr. President.
F. M. GORDON, Secretary.
Capt. R. D. COCHRAN, Gen'l Agent.

No. 92 Water street, (Spang & Co's Warehouse, up stairs,) Pittsburgh.

WILL INSURE AGAINST ALL kinds of FIRE and MARINE RISKS. A Home Institution managed by Directors who are well known in the community, and who are determined, by promptness and liberality, to maintain the character which they have assumed, as offering the best protection to those who desire to be insured.

DIRECTORS—R. Miller, jr., James M'Auley, Nathaniel Holmes, Alexander Nimick, George Darwin, Campbell H. Herron, Chas. W. Richardson, Andrew Ackley, Alexander Speer, David M. Logg, Rees J. Thomas, Benj. Bakewell, John M'Cune. jed

ALLEGHENY INSURANCE CO. OF PITTSBURGH.

Office, No. 37 Fifth Street, Bank Block.

INSURES AGAINST ALL KINDS OF FIRE AND MARINE RISKS.

ISAAC JONES, President; JOHN D. MCGRD, Vice President; D. M. BROS, Secretary; Capt. WM. DEAN, General Agent.

DIRECTORS—Isaac Jones, C. G. Hussey, Harvey Childs, Capt. R. O. Gray, John A. Wilson, B. L. Fahnestock, John H. Shelford, Capt. Adam Jacobs, R. P. Sterling, Capt. W. Iseu, Robert L. McGrew, Robt. H. Davis. no23



MILITARY AND NAVAL AGENCY.

E. T. MATHEWS & CO.

E. T. MATHEWS..... C. S. VANHORN.

Late of Treas. Dept., Washington, D. C.

ATTORNEYS,

FOR THE ADJUSTMENT AND Collection of Claims against the United States or any State Government.

PRINCIPAL OFFICE, 808 WALNUT STREET, PHILADELPHIA.

BRANCH OFFICE 98 GRANT STREET, PITTSBURGH.

M'MASTER & GAZZAM,

Attorneys-at-Law,

PENSION, BOUNTY, BACK-PAY, PRIZE MONEY COLLECTED, &c., &c., &c.

Applications by mail to either office attended to as if made in person.

No charge made until the claim is adjusted.

PERSONAL ATTENTION gives to claims before the Departments in Washington, D. C. no3-tf



EXTRAORDINARY BARGAINS IN DRY GOODS,

BOOTS & SHOES,

AT

M'CLELLAND'S AUCTION HOUSE,

No. 55 Fifth Street.

de20



FOURTH STREET.

W. D. & H. McCALLUM.

HOLIDAY GIFTS.

EMBROIDERED PIANO COVERS.

The Finest Imported

MOSAIC RUGS.

A very large variety of

VELVET RUGS,

Now in Store.

87 Fourth Street.

W. D. & H. McCALLUM.

CARPET STORE.

de17



FOUNDRY FOR RENT.

THE UNDERSIGNED WISHING TO RETIRE from the business, offer to lease for a term of years, the property known as the "UNION FOUNDRY," corner of Market and South streets, Wheeling, Virginia, with all the fixtures belonging thereto. The Engine, Boiler, Machinery, Cupola, Crane, Core Oven, Flasks, Patterns, etc., are all in perfect working order. The location of this Foundry is central, and not surpassed by any other in the city. The present Foundry is brick, covered with a cast iron roof, and nearly new, having been removed from the old situation in 1863. Parties proposing to rent can examine the establishment and obtain any information required, by applying to the undersigned on the premises.

de17-1wd WM. W. MILLER.

SPICED AND COVE OYSTERS.—10 dozen "Maltby" Spiced and Cove Oysters in 1 and 2 pound cans. Just received and for sale by REYMER & BROS., 126 and 128 Wood st

jy7



NATIONAL BANKS.

FIRST NATIONAL BANK OF PITTSBURGH.

TREASURY DEPARTMENT.
OFFICE OF COMPTROLLER OF THE CURRENCY,
Washington City, Aug. 5th, 1863.

WHEREAS, By satisfactory evidence presented to the undersigned, it has been made to appear that the FIRST NATIONAL BANK OF PITTSBURGH, in the County of Allegheny and State of Pennsylvania has been duly organized under and according to the requirements of the Act of Congress, entitled "an Act to provide a National Currency, secured by a pledge of United States Stocks, and to provide for the circulation and redemption thereof," approved February 25th 1863, and has complied with all the provisions of said Act required to be complied with before commencing the business of Banking.

NOW THEREFORE, I, Hugh McCulloch, Comptroller of the Currency, do hereby certify that the said FIRST NATIONAL BANK OF PITTSBURGH, county of Allegheny and State of Pennsylvania, is authorized to commence the business of banking under the Act aforesaid.

In testimony whereof witness my hand and seal of office, this 5th day of August, 1863.

HUGH McCULLOCH,
Comptroller of the Currency.

THE FIRST NATIONAL BANK OF PITTSBURGH, PA.,

Late Pittsburgh Trust Company.

Capital $500,000 paid in with privileges to increase to $1,000,000.

The Pittsburgh Trust Company having organized under the act to provide a National Currency, under the title of the FIRST NATIONAL BANK OF PITTSBURGH, would respectfully offer its services for the collection of Notes, Drafts, Bills of Exchange, &c., receive money on deposit and buy and sell Exchange on all parts of the country.

The success which has attended the Pittsburgh Trust Company since its organization in 1862, will we believe be a sufficient guarantee that business entrusted to the new organization will receive the same prompt attention.

Having a very extensive correspondence with Banks and Bankers, throughout the country, we believe we can offer unusual facilities to those who do business with us.

The business will be conducted by the same officers and directors.

DIRECTORS

JAMES LAUGHLIN, ROBERT S. HAYS, THOMAS BELL, THOS. WIGHTMAN, WM. K. NIMICK, ALEXANDER SPEER, FRANCIS G. BAILEY, ALEX. BRADLEY, SAMUEL ERA.

JAMES LAUGHLIN, President.
JOHN D. SCULLY, Cashier.

aug5-dawtf



HOLIDAY GOODS.

ALBUMS,
PORTFOLIOS,
POCKET BOOKS,
CHESS & CHESS-MEN,
GOLD PENS,
BLANK BOOKS and
STATIONERY,

AT

MYERS, SCHOVER & CO.'S,

39 FIFTH STREET.

de17



TREASURY DEPARTMENT,
OFFICE OF COMPTROLLER OF CURRENCY,
Washington, December 10th, 1864.

WHEREAS, by satisfactory evidence presented to the undersigned, it has been made to appear that the "Citizens' National Bank, of Pittsburgh," in the city of Pittsburgh, in county of Allegheny and State of Pennsylvania, has been duly organized under and according to the requirements of the Act of Congress entitled "An Act to provide a National Currency, secured by a pledge of United States Bonds, and to provide for the circulation and redemption thereof," approved June 3d, 1864, and has complied with all the provisions of said Act, required to be complied with before commencing the business of Banking under said Act.

Now, therefore, I, HUGH McCULLOUGH, Comptroller of the Currency, do hereby certify that the "Citizens' National Bank" of Pittsburgh, in the city of Pittsburgh, in the county of Allegheny and State of Pennsylvania, is authorized to commence the Business of Banking under the Act aforesaid.

In testimony whereof, witness my hand and seal of office, this 10th day of December, 1864.

(L. S.) HUGH McCULLOUGH,
de13-2m Comptroller of the Currency.

BOOTS, SHOES, GAITERS BALMORALS AND GUMS.—The largest, best selected and cheapest stock in the city, at Borland's, 96 Market street. Look at the prices: Men's Brogans $1,50; Men's Boots $2,50; Ladies' Boots 1,00; Ladies' Balmorals 1,50; Boys' Boots 1,75; Youth's Boots 1,25; Children's Boots 1,00 and everything else in proportion. Gums of all styles and sizes. A fine assortment of Fancy Slippers and Boots, suitable for Christmas presents. Country Merchants supplied at New York and Boston prices. Also, Agent for Bartlett's Blacking, at factory prices. Be sure you call before purchasing elsewhere, as you will save money. Remember the right place, at BORLAND'S, 96 Market street, 2d door from Fifth.

de17

CITIZENS BANK,
PITTSBURGH, Nov. 23d, 1864.

NOTICE.—THE DIRECTORS OF THIS BANK, in accordance with the second section of an Act of this Commonwealth entitled "An Act Enabling the Banks of the Commonwealth to Become Associations for the Purpose of Banking under the Laws of the United States," approved the 22d DAY OF AUGUST, A. D., 1864, having procured the authority of the owners of more than two-thirds of the Capital Stock to make the certificate required by the Laws of the United States, hereby give notice that the proper steps will be taken to convert this Bank into a National Association, on or before the FIRST DAY OF JANUARY NEXT ensuing.

GEO. T. VAN DOREN,
no23-1md Cashier.

Oherry Run and Pitt Hole Petroleum Co.

NOTICE OF ELECTION.

SUBSCRIBERS TO THE STOCK OF THE OHERRY RUN AND PITT HOLE PETROLEUM COMPANY are hereby notified to attend a meeting of the Stockholders of said Company, which will be held on MONDAY, DECEMBER 19th, at 3 o'clock, P. M., for the purpose of organization, election of President, Directors, and other officers, &c., at the office of Capt. J. T. Stockdale, No. 2 Duquesne Way.

H. McKELVY,
President pro tem.

no23-3tif

COAL LAND AND SURFACE FOR SALE.—The undersigned will offer at public auction, on the premises, at 1 o'clock P. M., on 23d OF DECEMBER, 1864, the TEENAN FARM, situated on the Pittsburg and Steubenville railroad, adjoining the village of Burgettstown, containing about 100 acres. The land is very fertile and abounds in coal and limestone. The Mansion House is very eligibly situated, commanding a fine view of the railroad, &c., and is within three minutes walk of the station.

GEORGE M. TEENAN.
JAMES MURRAY CLARK.
Administrators.

Candor, Washington County.

de10-td.

DURING THE FAIR MEN'S, BOY'S and Youths Gaiters and Balmorals, Ladies' Misses and children's Balmorals, Gaiters and Boots at the lowest price, at BORLAND'S, 96 Market st.

fa21


## The Sixteenth Congressional District.

### CONTEST FOR THE CERTIFICATE OF ELECTION.

### Opinion of the Attorney General.

**Defining the Power of the Governor in the Premises.**

Two papers, purporting to be returns of the recent election in the 16th Congressional District, have been sent to the Secretary of the Commonwealth. The district is composed of the five counties of Adams, Franklin, Fulton, Bedford, and Somerset. One of these papers is signed by four persons, viz: Messrs. Mann, of Bedford county; Laker of Franklin; Winter, of Fulton, and Diehl, of Adams, styling themselves a majority of the return judges elected by the several boards of the return judges of the above named counties; and the paper goes on to state that they examined and counted the votes cast for Congress in the district, and that Messrs. Coffroth and Koontz had each a specified number of votes in the respective counties of Adams, Bedford, Franklin, and Fulton, and that Mr. Coffroth, having a majority of all the votes cast as counted before the board, is declared duly and legally elected. It is further stated in the paper that Somerset was not represented by a judge, or otherwise in the board, and that notice of the time and place of meeting was given to the return judge elected from Somerset, who was in the borough of Chambersburg (where the meeting was held) on the day of meeting.

The other paper is signed by five persons, viz: Messrs. Will, of Somerset county; Cart, of Adams; Wilhelm, of Franklin; Winter, of Fulton, and Peck, of Bedford, styling themselves as being appointed return judges of the election held in the several counties composing the 16th Congressional District, viz: Adams, Bedford, Franklin, Fulton, and Somerset. The paper goes on to state that having carefully examined the returns of the said several districts, and added together the votes therein contained according to law, they certify that Messrs. Koontz and Coffroth had each a specified number of votes in the respective counties of Adams, Bedford, Franklin, Fulton, and Somerset, and declare that Mr. Koontz, having received the greatest number of legal votes, is duly elected. Both the bodies claiming to be district return judges met on the day and at the place fixed by law.

The respective candidates having requested a hearing, were heard by themselves and counsel, and evidence was received on the question. Who were the return Judges of the district? This evidence left no material question of fact in doubt, and the result may be briefly stated thus: Mr. Wills was the regularly selected district return judge for Somerset, and Mr. Winter for Fulton. All the signers of the respective papers were among the county return judges of their respective counties. Messrs. Diehl, of Adams, and Mann, of Bedford, were selected as district return judges, by the majority of the return judges of their respective counties, after the minority had withdrawn in consequence of dissatisfaction with the proceedings of the majority. Messrs. Cart, of Adams and Peck, of Bedford, were selected as district return judges, by the minority of the return judges of their respective counties, after the withdrawal above stated. Mr. Wilhelm, of Franklin, was selected as district return judge by the return judges of that county, at their first meeting, and of course before the soldiers' vote had been counted. Mr. Laker, of the same county was selected by the return judges of the county, at their last meeting, and after the soldiers' vote had been counted. At that meeting, upon the suggestion of one of the clerks, Mr. Wilhelm, who was president of the board, stated that he had been informed that the selection of a district return judge, before all the votes had been counted, was illegal, upon which a motion was made and carried to proceed to a selection. The vote was taken and Mr. Laker had a majority, and the returns were accordingly placed in his charge. Mr. Wilhelm was nominated, but had not a majority. He never resigned the appointment which had already been made, but, no doubt, under the impression that such appointment was illegal—he put the question on proceeding to a new selection, announced the result, and as president signed a certificate, under seal, of Mr. Laker's selection as district return judge.

On this state of facts the Governor has requested my opinion on the question, Which of the two candidates ought to be proclaimed by him as having been returned as selected?

In a recent opinion I have stated my reasons, which need not be here recapitulated, for arriving at the conclusion that the Government has no right to go behind the returns for the purpose of enquiring into their correctness—that his functions in regard to them are strictly ministerial.

In the present instance it happens (it is believed for the first time) that two different bodies of men, each claiming to be the board of district return judges, present papers which they style returns of the election. The Government is of course compelled to endeavor to ascertain, by such evidence as can be had, which of these papers is signed by the lawful district return judges, just as every ministerial officer is bound to satisfy himself of the authenticity of an official paper, on which he is required to act.

It is well established that (unless otherwise expressly provided) on authority of a public nature, conferred on three or more persons jointly, may be executed by a majority at a meeting lawfully held, and of which all have had legal notice, and that the meeting and proceedings of such a body are presumed to be regular, in the absence of proof to the contrary. But a minority of such a body cannot by withdrawing (for whatever reason) from the majority and proceeding to act independently, vest in themselves the authority which the law has conferred on the whole, and permits to be exercised by a majority as above stated.

The general election law of 1839 provides that when two or more counties shall compose a district for the choice of a member of Congress, the judges of the election in each county, having met, the clerks shall made out a fair statement of all the votes which shall have been given at such election, which shall be signed by said judges and attested by the clerks, that one of the said judges shall take charge of such certificate, and shall produce the same at a meeting of one judge from each county.

Keeping in view the principles above stated, which are of universal acceptation, the minorities of the judges in Adams and Bedford had plainly no authority to appoint clerks of cause votes to be added up, or returns to be made out or in fine to perform any of the functions of the body of county judges of the election. The conclusion is inevitable that Messrs. Cart, of Adams, and Peck, of Bedford, who claimed to act as judges from these counties at the meeting of one judge from each county, and present returns made and signed by such minorities, were not entitled so to act, nor could the returns which they presented be legally received.

The law, as has been seen, requires that the certificate having been made out by the clerks, shall be signed by the county judges of the election. It is, of course, in the possession and under the control of the body of such judges when assembled according to law. Of course that body must direct it to be placed in charge of the member whom a majority may designate, to attend the meeting of one judge from each county, and present it to that meeting, and assist in making up the returns of the district. I can see no ground, for the assumption that a judge cannot be designated for these purposes, just as lawfully before the certificates has been made out and signed as afterwards; and therefore I conceive that the selection of Mr. Wilhelm was perfectly legal. But that selection did not constitute him the holder of an office. He was rather a committee of one to perform certain duties. But, whether he be styled an officer or a committee, in my opinion the subsequent selection of Mr. Laker, and the actual placing of the certificate in his charge, completely discharged Mr. Wilhelm and cover rode his appointment.

The result is that of the five persons who have signed the papers stating Mr. Koontz to be elected, three had no legal authority to act in the capacity which they assumed, and I am therefore of opinion that the Governor ought not to base his proclamation on that paper as a return.

In regard to the other paper, it is signed by four persons who appear to have been legally designated by the Judges of election in their respective counties. The Judge from Somerset, though he had notice, neglected or refused to attend the meeting, or at any rate failed to attend it. The duty of the four judges who did attend is, clearly pointed out by law. It was to "cast up the several county returns and make duplicate returns of all the votes given for the office in the district, "and of the name of the person elected." Instead of doing this, they omitted to count the vote of Somerset, apparently by reason of the non attendance of the judge from that county. It has been suggested that as they had not those returns they could not count them, which is very true. But duplicate originals were accessible in the office of the Prothonotary of Somerset county, and it was their duty, necessary, to refer to them. They could not, of course, have obtained them on the same day, but though the law fixes the day of their meeting, it was perfectly legal for them to adjourn if the business could not be completed in one day, and I think it was undoubtedly their duty to do so. That the non attendance of a judge should be held to infer the disfranchisement of the county from which he comes, when duplicate originals of the returns which he failed to produce were easily attainable by a short delay, would be intolerable.

The act of 1839 provides that the judges shall make returns of "all the votes given for such office in said district, and of the name of the person or persons elected," and further provides that it shall be the duty of the Governor, on the receipt of the returns of the election as aforesaid, "to declare by proclamation the names of the persons so returned a selected in the respective district;" that is to say, returned as elected in a return which also purports to return all the votes given for the office in the district.

The paper in question does not purport to return all the votes given for the office in the district. It shows on its face that the vote of one county in the district was not counted, and therefore that the judges had not before them the means of knowing who was elected—and indeed the return substantially is, that Mr. Coffroth had a majority "of all the votes cast as counted before the board," (that is to say, of the votes in four out of five counties which composed the district,) and therefore is duly elected. This returns is so essentially defective that I conceive it to be no return at all, and am of opinion that the Governor ought not to base his proclamation on it as a return.

I regretted to observe on the argument that it was stated by the counsel of Mr. Koontz, that all the illegality, irregularity and confusion which have attended the returns from this district, rose from the action of a majority of the judges of election in Adams and Bedford, and perhaps one other county, in illegally throwing out parts of what are called the soldiers' votes. Their duty is clearly defined by law to be to cause the clerks to make out a fair statement of all the votes which shall have been given at the election. To usurp the power of throwing out, at their discretion, any votes so given, is to commit a wilful and grievous offence, for which, if found guilty by a jury, they can be adequately punished. Inconvenience from their illegal course can also be avoided, as the House of Representatives has full jurisdiction over the election and returns, may apply a summary remedy if the alleged state of facts should be properly substantiated. But, as the Governor cannot if satisfied that the offence has been committed, thrust the offenders into the Penitentiary, and thus usurp the power of the judicial tribunals—so neither can he constitute himself a judge of the election, and thus usurp the power of the House of Representatives, which is the proper tribunal to adjudicate on it. He has no more right to put votes into the county returns than the county judges of election had to put them out, or to treat as valid the acts of a seceding minority of the county judges of election, than he would have to treat as the act of the House a bill emanating from a similar seceding minority of that body. His duty is not to lend himself to revolutionary action of any kind. He is to preserve order, not to aber confusion. He is to obey the act of Assembly, and as no returns have been presented such as that act authorizes him to base his proclamation upon, I am of opinion that he has no legal course but to state that fact as his reason for not declaring the name of any person to have been returned as elected in the 16th Congressional District.

Surrounded by the contagious unrest of angry and excited passions, and often forced, amid such surroundings, to act promptly on questions of the most difficult and delicate character, it may at-