

KER, Editor and Proprietor. HUTCHINSON, Publisher.

I WOULD RATHER BE RIGHT THAN PRESIDENT .- HENRY CLAY.

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NUMBER

OLUME 4.

EBENSBURG, PA., THURSDAY, MAY 28, 1863.

Corpus Case.

LIST OF POST OFFICES.

DIRECTORY.

Post Offices.	Post Masters.	Districts.
Bethel Station	Enoch Reese,	Blacklick.
Carrolltown,	William M. Jones,	Carroll.
Caess Springs,	Danl. Litzinger,	Chest.
Conemaugh,	A. G. Crooks,	Taylor.
Cresson,	Wm. W. Young,	Washint'n.
Ebensburg.	John Thompson,	Ebensburg.
Fallen Timber,	Isaac Thompson,	White.
Gallitzin,	J. M. Christy,	Gallitzin.
Hemlock, Johnstown,	Wm Tiley, Jr., I. E. Chandler,	Washt'n. Johnst'wn. Loretto.
Loretto, Mineral Point, Manster.	M. Adlesberger, E. Wissinger, A. Durbin,	Conem'gh. Munster.
Plattsville,	Andrew J Ferral,	Susq'ban.
Roseland,	G. W. Bowman,	White.
St. Augustine,	Wm. Ryan, Sr.,	Clearfield.
Scalp Level, Sonman,	George Conrad, B. M'Colgan, B. F. Slick,	Richland. Washt'n. Croyle.
Summit,	Miss M. Gillespie,	Washt'n.
Wilmore,	Morris Keil,	S'merhill.

CHURCHES, MINISTERS, &c.

Presbyterian-Rev. D. HARBISON, Pastor .-Preaching every Sahbath morning at 101 o'clock, and in the evening at 3 o'clock. Sab-oath School at 1 o'clock, A. M. Prayer meeting every Thursday evening at 6 o'clock.

Methodist Episcopal Church-REV. J. S. LEM-MON. Preacher in charge. Rev. J. GRAY, Assistant. Preaching every Sabbath, alternately at 10] o'clock in the morning, or 7 in the evening. Sabbath School at 9 o'clock, A. M. Frayer meeting every Thursday evening, at 7

Welch Independent-Rev Lt. R. POWELL Pistor .- Preaching every Sabbath morning at 10 o'clock, and in the evening at 6 o'clock. Sabbath School at 1 o'clock. P. M. Prayer meeting on the first Monday evening of each month ; and on every Tuesday, Thursday and Friday evening, excepting the first week in each month.

Calvinistic Methodist-Rev. John WILLIAMS, bearing on the point. * * * istor -Preaching every Sabbath evening at

On Saturday, 16th inst., Judge Leavitt, of the United States Circuit Court, delivered his decision, in Cincinnati, on the application of C. L. Vallandigham for a writ of habeas corpus. The Court began by reciting the circumstances of the arrest and confinement, together with the grounds upon which the application was based .--The Court had previously informed counsel that the writ would not be granted un'e s sufficient ground was shown, and directed notice to be given Gen. Burn Government and Constitution, which the be set free by courts or judges on habeas side, who had replied in an able and President has sworn to protect and defend. corpus, it requires no argument to prove respectful communication, and was repre-And in deciding what he may rightfully that the most alarming conflicts must set ted by counsel in the ar_ument on the do under this power, where there is no follow, and the power of the Government application The case of Rupert, involv- | express legislative declaration, the Presi | be most seriously impaired. I dare not, ing similar principles, had been already dent is guided solely by his own judgment in my judicial position, assume the feardecided by Justices Swayn and Leavitt, and discretion, and is only amenable for ful re-ponsibility implied in the sanction and the Court would not reverse that an abuse of his authority by impeach- of such a doctrine. decision. In that case, Justice Swayn ment, prosecuted according to the require- | "And here, without subjecting myself drive after dark distinctly announced that he would not ments of the Constitution. The occasion to the charge of trenching upon the grant a writ of habeas corpus when it apwhich calls for the exercise of this power domain of political discussion, 1 may be peared that the arrest and detention was exists only from the necessity of the case; indulged in the remark that there is too deal of snow had fallen, and the driftunder minitary authority. Judge Leavitt and when the necessity exists, there is a much of the pestilential leaven of disloy- were ploughed deep. The mail I carried it. might have based his decision upon this clear justification of the act.

broad ruling, but coveluded to hear the "If this view of the jover of the Pres. of men in the loyal States, who scen to ident is correct, it undoubtedly implies have no just appreciation of the deep the right to arrest persons, who, by their criminality of those who are in arms, "The basis of this whole argument was the fact that Mr. Vallandigham, not being mischievous acts of disloyalty, impede or avowedly for the overthrow of the Govin the military or naval service of the endanger the military operations of the eroment, and the establishment of a Government, and not therefore subject to Government. And, if the necessity exists, Southern Confederacy. They have not, the rules and articles of war, was not lia-I see no reason why the power does not I fear, risen to any right estimate of their ble to arrest under or by military power. attach to the officer or General in com duties and obligations as American citi-And the various provisions of the Constimand of a military department. The zens, to a Government which has strewn tution, intended to guard the citizen only reason why the appointment is made its blessings with a profuse hund. I may against unlawful arrests and imprison- is that the President cannot discharge the venture the assertion that the page of the money was from Boston to some land

The Vallandigham Habcas | legislation. No one denies, however, that | ordinate branch of the Government, act- | for, but for the purpose of saying that, if | into the pung, just hold your lastern so the President, in this character, is inves- ing under its high responsibilities, had granted, there is no probability that it that the light will shine into his face." ted with very high powers, which it is violated the Constitution, in its letter or would be available in relieving Mr well known have been exercised on various its spirit, by authorizing the arrest in Vallandigham from his present position occasions during the present rebellior. - question. Especially in these troublous It is, at least, morally certain it would not portions of my passenger's face as was not A memorable instance of its exercise is times, when union and harmony among be obeyed. And I confess I am some- muffied up. I saw a short thick frame, seen in the Emancipation Proclamation, the differ. nt branches of the Government what reluctant to authorize a process, full, hardy features, and I could see that issued by the President as Commander-in- are so imperatively demanded, such in knowing it would not be respected and there was a heavy beard under the chin. Chief, and which be justifies as a military terference would find no excuse or vindi-othat the Court is powerless to enforce I thought of the man, whom the postnecessity. It is, perhaps, not easy to cation. If the doctrine is to obtain, that obedience. Yet, if satisfied there were master had described to me, but I didn't define what acts are properly within this every one charged with, and guilty of, sufficient grounds for the allowance of think seriously upon it until we had designation, but they must, undoube ilv, acts of mischievous dislovalty, not within the writ, the consideration to which I have started. Perhaps I hadn't got heir a be limited to such as are deemed essentiat the scope of the criminal laws of the land, adverted would not be conclusive against mile when I noticed that the mail bag to the protection and preservation of the in custody under military authority, is to it."

A Thrilling Adventure.

Fourteen years ago, I drove from Lit tleton, a distance of forty-two miles, and as I had to await the arrival of two or three coaches, did not start till after dinner; so I very often had a good distance to forward.

It was in the dead of winter, and the season had been a tough one. A great aby in the community. There is a class was not due at Littleton, by the contract. until one o'clock, but that winter the postmaster was very often obtiged to sit up a little later than that for me.

called me into his office.

"Pete," said he, with an important, serious look, "there's some pretty heavy light, and when I had time to reflect, I money packages in that bag." and he knew I could not be mistaken. money packages in that bag." and he pointed to the bag as he spoke He said

He did as I wished, and as I stepped into the pung I got a fair view of such wasn't in its usual place under my feet.

"Hallo !" says I, holding up my borses a little, "where's my mail ?"

My passenger sat on the seat behind me, and I turned towar 1 him

"Here is a bag of some kind, slipped back under my feet." said he, g'v ng it a kick, as though he would shore it

st at this moment my horses lambered into a deep snow drift, and I was forced to get out and tread down the snow ahead of them, and lead them thro'

This took me all of fifteen minutes. and when I got in again I pulled the mail bag forward and got my feet upon it; and as I was doing this, I saw the man take One day in February, when I drove up something from his lap beneath the for my mail at Danbury, the postmaster | buffalo, and put it in his breast pocket .--At this I thought it was a pistol. I had got a gleam of the barrel in the star

About this time I began to think somewhat seriously. From what I had seen, I ment, have been cited and urged upon the duties in person. He, therefore, consti- history will be searched in vain for an agents up near the Canadian line. Then made up my mind that the individual attention of the Court as having a direct tutes an agent to represent him, clothed example of a rebellion so wholly destitute he asked we if I had got any passengers behind me not only meant to rob the mail with the necessary power for the efficient of excuse or vindication, and so dark with who were going through to Littleton. I but he was prepared to rob m "But are there no other considerations supervision of the military interests of the crime as that which our bleeding country told him I did not know; "but suppose 1 life. If I resisted him he would shoot me, and perhaps he meant to perform of the country, and, in the light which it the General in command to perform the oivision of sentiment upon this momen that there have been two suspicious char | er deep snow drift, and I was again forced throws upon the subject, to decide upon duties assigned to him. Martial law is tous question. Men should know, and acters on the stage that came up last to get out and tread down the snow before night, and he suspects that they have an them. I asked my passenger if ha exerci-es of the military power as invoked will of a military commander, operating a course of conduct not involving overt eye upon the mail, so that it will stand wouldn't help me, but he said he did not feel very well--wouldn't try if: so I He said the agent had described one worked alone, and was all of a quarter of war exists, involving the most imminent the entire social and individual condition implies moral guilt and a gross offense of them as a short, thick set fellow, about an hour getring out of the drift. When public danger, and threatening the sub- of all over whom this law extends.' It against their country. Those who live forty years of age, with long hair and a 1 got into the sleigh again. I began to feel version and destruction of the Coastitution caunot be elaimed that this law was in under the protection and enjoy the bless thick, heavy elamp of bear 1 on the chin, for the mail bag with my teet, and found t-cli In my judgment, when the life of operation in General Burgide's depart sings of our besignant Government, must but none on the side of eistace. He did it where I had left it; but when I atthe Republic is imperiled, he mistakes his ment when Mr. Vallandigham was arres- learn that they can not stab its vitals with not know anything about the other. I tempted to withdraw my loot, I discoverduty and obligation as a patriot who is ted. Nor is it necessary that it should impusity. If they cherish hatred and told the old fellow I guessed there wasn't ed that it had become entangled in some-not willing to concede to the Constitution have been in force to justify the arrest." hostility to it, and desire its subversion, much danger. about a few minutes, I found that my Here was a discovery. I began to existing circumstances. I wasn't long communication to the Court. Whether put in competition with the preservation Gowan's Mills alone, having two horses essential points. First, the man behin i me was a villain; second, he had cut connected with the Judicial Department | subject of Judicial review. | 1 am but little moved by the coquent | 1 had seventeen miles to go, and a hard open the mail bag, and robbed it of some of the government should allow himsell, . "It is worthy of remark here, that this appeals of those who, while they indig seventeen miles it was, too. The night | valuable matter. He must have known closely packed. It was slow, tedious work. prepared to shoot me if I attempted to Michigan. The precise extent of his reason stated, this Court cannot judicially at its last session, has passed two statutes, foot. I gave such direction as I consid when nearly opposite the dwelling stort the deep cat which had been shoveled speed and when near the bank forced them into it. One of the runners mounted the edge of the bank, after which the other run "Well, now," said the hostler, "that's into the cut, thus throwing the sleigh over not above the Constitution, but derives official conduct. But, under our Consti- of our patriotic State will sanction such a kind o' curious. There ain't no such about as quick as though lightning had

2 and 6 o'clock. Sabbath School at 10 o'clock, A. M. Prayer meeting every Friday evening, at 7 o'clock. Society every Tuesday evening at 7 o'clock.

Disciples-Rev. W. LLOVD, Pastor .- Preachgevery Sabbath morning at 10 o'clock. Particular Baplists-REV. DAVID JENKINS, Pastor .- Preaching every abbath evening at 3 o'clock. Sabbath School at at 1 o'clock, P. M. Catholic-REV. M. J. MITCHELL, Pastor.-Services every Sabbath morning at 101 o'clock and Vespers at 4 o'clock in the evening.

EBENSBURG MAILS.

MAILS ARRIVE. 101 o'clock, A. M. Eastern, daily, at 101 o'clock, .A M. Western, " at

MAILS CLOSE. 8 o'clock, P. M Eastern, daily, at 8 o'clock, P. M Western. " at The mails from Butler, Indiana, Strongswa, &c., arrive on Thursday of each week, at 5 o'clock, P. M.

Leave Ebensburg on Friday of each week 18 A. M.

The mails from Newman's Mills, Cartown, &c., arrive on Monday, Wednesday ad Friday of each week, at 3 o'clock, P. M Leave Ebensburg on Tuesdays, Thursdays ad Saturdays, at 7 o'clock, A. M.

RAILROAD SCHEDULE.

	CRESSON S	TATIO			
West	-Balt. Express leav	ves at	7.58	Α.	M
- 64	Fast Line	14	9.11	Р.	M
ek –	Mail Train	4	7.58	Ρ.	M
East-	-Through Express		7.58	Ρ.	М
44.	Fast Line	44	12.27	Р.	M
65	Fast Mail	54	6.58	A .	M
441	Through Accom.		9.29	А.	M
	WILMORE ST	TATION	ALC: NO	44.0	
West	-Balt. Express leav	ves at	8.21	A	M
44.	Mail Train	46	8.25		
East	-Through Express	44	7.30	Ρ.	М
	Fast Mail	46	6 30	A .	M
- 10	Through Accom.	"	8.59	A.	M

COUNTY OFFICERS.

Judges of the Courts-President, Hon. Geo. lor, Huntingdon; Associates, George W. sley, Henry C. Devine Prothonotary--Joseph M'Donald. Register and Recorder-Ed ward F. Lytle. Sheriff-John Buck. District Attorney .- Phillip S. Noon. * County Commissioners- James Cooper, Pe-J. Little, John Campbell. Treasurer-Thomas Callin. oor House Directors-William Donglass, rge Delany, Irwin Rutledge. oor House Treasurer-George C. K. Zahm. Auditors-Thomas J. Nelson, William J liams, George C. K. Z thm. County Surregor .- Henry Scenlan. "oner. James Shannon. Mercantile Appraiser - Geo. W. Easly. Sup't. of Common Schools-Henry Ely.

BENSBURG BOR. OFFICERS.

BOROUGH AT LARGE. Justices of the Peace .- David II. Roberts arrison Kinkead. Burgess-James Myers. chool Directors-Abel Lloyd, Phil S. Noon, hua D. Parrish, Hugh Jones, E. J. Miils,

avid J. Jones. EAST WARD. Constable-Evan E. Evans. Town Council-John J. Evans, Thomas J. vis, John W. Roberts, John Thompson, D. ameetors-William D. Davis, L. Rodgers. Julge of Election-Daniel J. Davis. Attentor-Lemuel Davis.

Constable-M. M. O'Neill.

Lasis."

argument of Vallandigham's counsel.

was then referred to by the Court.

except from the most stringent obligations (arrest was not made by General Burnside | mostly denounce violations of personal | was quite cold, and the wind was sharp | the money letters by the size and shape; of dury, to embarrass or thwart the exec- under any claim or pretension that he had liberty, look with no horror upon a despot- and cold, the loose snow flying in all third, he means to leave the stage on the utive in his efforts to deliver the country authority to dispose of er punish the par- ism as unmitigated as the world has ever directions, while the drifts were deep and first opportunity; and fourthly, he was from the dangers which press so heavily ty ascested, according to his own will, witnessed. upon it. Now, the question which I am without trial and proof of the facts "But I can not pursue this subject and my norses soon became leg weary and arrest or l-tain him called upon to decide is, whether General alteged as the ground for the arrest, but farther. I am aware there are points restive. At the distance of six wiles I I resolved these things over in my Burpside, as an agent of the Executive with a view to an investigation by a made by the learned counsel representing came to a little settlement called Bull's mind, and pretty soon I thought of a department of the Government, has trans military court or commission. Such an Mr. Vallandigham, to which I have not Corners, where I took iresh horses. I'd course to pursue I knew that to get my greesed his authority in ordering the investigation has not been made known to adverted. I have had acither time nor been two hours going that distance. Just hands safely upon the rescal, I must take arrest of Mr. Vallandigham. If the the this Court. Whether the Military Com- strength for a more elaborate consideration as I was going to start, a man came ap him unawares, and this I could not do ory of his control is sustainable, that mission for the trial of the charges against of the questions involved in this applica-there can be not legal arrest except by Mr. Vallandigham was legally constituted tion. For the reasons which I have Littleton. 1 told him I should go through were upon me all the time-so I must rewarrant based on an affidient of probable and had jurisdiction of the case is not a attempted to set forth, I am led clearly to if the thing could possibly be done. He sort to stratagem. Only a little distance cause, the conclusion would be clear that question before this Court. There is the conclusion that I cannot judiciously said he was very anxious to go, and as he abead was a bouts; an old farmer named the arrest was illegal. But I do not think clearly no authority in this Court, on the pronounce the order of General Burnside had no baggage I told him to jump in Longee lived there, and directly before it I am bound to regard the inquiry as pending metion, to rovise or reverse the for the arrest of Mr Vallandigham as a and make himself as comfortable as possi- was a huge snow bank stretched across occupying this narrow base. General proceedings of the Military Commission, mullity, and must, therefore, hold that no ble. I was gathering up my lines, when the road, thre' which a track for wagons Buruside, by order of the President, has if they were before the Court. The sole sufficient ground has been exhibited for the hostler came up and asked me if I hall been cleared with shovels. been designated and appointed to take question is whether the airest was legal; granting the writ applied for. And I knew that one of my horses had cut him As we approche like on; I saw a light the military supervision of the Depart- and as before remarked, its legality de- may properly add here, that I am fortified self badly. I jumped out and went with in the front room, as I was confident 10 ment of the Ohio, composed of the States pends on the necessity which existed for in my conclusion by the fact just brought him, and found that one of the horses should, for the old man generally sat up a of Kentucky, Ohio, Indiana, Illinois and making it ; and of that necessicy, for the to my notice that the Legislature of Ohio, had got a deep cork cut on the off fore until the stage went by. I drave on and

authority in this responsible position is determine. General Burn-ide is unques in which the validity and legality of arrests ered necessary, and was about to turn up, as I had frequently done when annot known to the Court. It may, howev- tionably amenable to the Executive De in this State, under military authority, away, when the hoster remarked that he prosching difficult places. I saw the er, be properly assumed as a fair pre- partment for his conduct. If he has are distinctly sanctioned. This is a clear thought I came alone. I told him I snow bank ahead, and could distinguish sumption that the President has clothed acted arbitrarily and upon insufficient indication of the opinion of that body, did. bim with all the powers necessary to the reasons, it is within the power, and would that the rights and liberties of the people "Then where did that passenger come through it. I urged my horses to a good efficient discharge of his duties, in the be the duty, of the President not only to are not put in jeopardy by the exercise of from ?" said he station to which he has been called. He annul his acts, but to visit him with deei- the power in question, and is, moreover, a is the representative and agent of the sive marks of his disapprobation To the concession that the present state of the President within the limits of his depart- President, in his capacity of Commander- country requires and justifies its exercise. ment. In time of war the President is in Chief of the army, he must answer for It is a clear intimation that the people

of a controlling character applicable to Government throughout the department. is now called upon to confront, and for haven't?" said I. the question? Is not the Court impera And it is not necessary that martial law the suppression of which all her energies "Why," said he, "the agent of the that delicate job at any rate. While I tively bound to regard the present state should be proclaimed or exist, to enable are demanded." There should be no lower route came in to day, and he says was pondering, the horses fell into anoth-

the expediency of interfering with the well defined by an able jurist to be 'the lay the truth to their heart, that there is in the pending application ? The Court without any restraint save his judgment, freason, and not therefore subject to you in hand to be a little careful." cannot shut its eyes to the grave fact that upon the lives, upon the persons, upon punishment as such, which nevertheless

such a capacity of adaptation to circum | The Court then reterred to Gen. Barn- let them withdraw from its jurisdiction - "Oh, no, not if you have got passengers" tried to kick it clear; but the more [stances as may be necessary to meet a side as a man eminently fitted for his and seek the followship and protection of through. But I only told you this so that kicked the more closely was it held. I great emergence, and save the nation from position as a direct representative of the those with whom they are in sympathy. you might look out for your mail, and reached down my hand; after feeling hopeless ruin Self preservation is a par- power of the President, and to the cause It they remain with us, while they are look out when you change horses" amount law, which a nation, as well as an which led to the issue of Order No. 38. not of us, they must be subject to such a 1 answered that I should do so, and foot was in the muil bug! I felt again individual, may find it necessary to invoke "Four of the States bave a river border, course of dealing as the great law of self then took the bag under my arm and left and found my hand in among the packa-Nothing is hazarded in saying that the and are in perpetual danger of invasion prescribes and will enforce, the office I stowed the mail under my ges of letters and papers. I ran my great and far seeing men who framed the In Ohio, Indiana and Illinois, a class of And let them not complain, if the strin- feet a little more carefully than u-ual, | linger along the edges of the opening, and Constitution of the United States supposed | mischievous politicians had succeeded in gent doctrine of military necessity should | placing it so that I could keep my feet | became assured that the stout leather had they were laying the foundation of our poisoning the minds of a portion of the find them to be the legitimate subjects of its against it ;- but beyond this, I did not been cut with a knife. National Government on an immevable community with the rankest feelings of action. I have no fears that the recog- feel any concern. It was past one when Acting upon this view of the future, no their latent treason under hollow preten- arbitrary invasion of the personal security of whom role to my first stopping place before leaving Danbury; but as I knew express provisions, of course, had been sions of devetion to the Union, were stri- or personal liberty of the citizen. It is I reached Gowan's Mills at dark, where that making such wishes was only a waste made for a case like the present, yet suffi- ving to disseminate their pestilent heresies hare, indeed, that a charge of disloyalty we stopped for supper, and where my of time, I quickly give it up, and began clent power was conferred in general among the masses of the people." Gen. will be made upon insufficient grounds .-. other two passengers concluded to stop to consider what was best to do under the terms. The hearty and unqualified sup Burnside had himself stated fully his But if there should be an occasional for the night. port due the government by every citizen reasons for the issue of the order, in a mistake, such an occurrence is not to be About 6 o'clock in the evening, I left in making up my mind upon a few

"It is clearly not a time when any one, he acted discreetly or wisely was not a of the life of the nation. And I confess, and an open pung.

"Ile just got in," I answered.

"Got in from where ?"

"I don't know."

his power expressly from the provision of tution, which studiously seeks to keep the construction of the Constitution as, without a man been at the house, and I know struck it My passenger had not calca-Town Council-R. S. Bunn, Edward Glass, that instrument declaring that he shall be executive, legislative and judicial depart- a clear violation of its letter, will adapt it that there hain't been none at the neigh- lated on any such movement, and was not Commander-in-Chief of the Army and Navy. The Constitution does not specify the powers he may rightfully exercise in this character, nor are they defined by A. Blair, John D. Thomas, George W. uman. Inspectors-William Barnes, Jno. H. Evans ludge of Election-Michael Hasson. Auctor-George Gurley.