THE MEMPHIS DAILY APPEAL.

Daily Appeal.

FRIDAY MORNING, NOVEMBER 15.

THE BATTLE AT BELMONT.

FEDERAL ACCOUNTS.

We have been placed in possession of the St. Louis *Republican*, of the 9th, which contains the full Federal accounts of the battle of Belmont. The *Republican* heads its statement with glaring capitals, prominently displayed, such as "the rebels driven into their camp and across the river," "all of their tents burned," "their artillery taken," etc., etc. The first dispatch is a "*special*," as follows:

Special Dispatch from the Army.]

CAIRO, November 7.—We met the rebels about 6 o'clock this morning, two and a half miles from Belmont, and drove them step by step into their camp and across the river. We burned their tents, and with all their artillery started on our return, but for lack of transportation had to leave four pieces in the woods. The rebels recrossed the river and followed in our rear to place of embarkation. Loss heavy on both sides. [Dispatches to the Associated Press.]

CAIRO, November 7.—A great battle was fought to-day at Belmont, three miles above Columbus. Generals Grant and McClernand commanded. They landed at 8 o'clock, a. m., the battle commenced at 11 o'clock, and lasted until sundown. Our boys drove the enemy from their intrenchments with great loss, burned their camp and stores, with all their baggage; took all their cannon; brought home all their horses and mules, two field pieces and nearly one hundred prisoners, but were finally forced to retire to their boats, the rebels having received reinforcements from Columbus. Our force was about 3,500. The rebels was about 7,000.

Gens. Grant and McClernand, Cols. Dougherty, Logan, Fouke and Buford, behaved with great gallantry, and were everywhere found in the thickest of the fight. Both the generals' horses were shot; Gen. McClernand's horse, his saddle and clothing was riddled with balls. Capt. Reilaski, one of his aids, was killed, and Capt. Dresser, his other aid, had his horse killed; his holsters each caught a ball; another grazed his head, and another penetrated his blanket. He was the first to mount one of the guns captured, which is now in camp. Gen. Grant had his horse killed under him, and Col. Dougherty was wounded and taken prisoner.

To the heroic conduct of our officers and men the country owes a lasting gratitude. Capt. Hatch, assistant quartermaster, was the last one aboard the boat, staying behind to assist all aboard. I was not in the engagement, but learn that our loss will be between three hundred and five hundred.

CHICAGO, November 8.—A special Cairo dispatch to the *Tribune* gives the following particulars of the fight at Belmont yesterday:

Our forces consisted of the following Illinois regiments: 22d, Col. Dougherty; 27th, Col. Dollner; 13th, Col. Fouke; 31st, Col. Logan; 7th Iowa, Col. Lauman; Taylor's Chicago artillery, and Dalton's and Delavan's cavalry.

They left Cairo on the steamers Alex. Scott, Chancellor, Memphis and Keystone, accompanied by the gunboats Lexington and Tyler.

After landing, they were formed in line of battle by Gen. McClernand in command of the Cairo troops and Col. Dougherty in command of the field's Point troops.

They were encountered by the rebels, seven thousand strong, and fought every inch of the way to the enemy's camp, and making sad have on the enemy's camp.

Col. Buford was the first to plant the stars and stripes in the enemy's camp.

Col. Dougherty's regiment captured the rebel battery of twelve pieces, two of which were brought away.

Col. Fouke's men suffered greatly, as they were in front of the batteries before they were taken.

After taking possession of the rebel's camp, it was discovered that the rebels were crossing over from Kentucky for the purpose of attacking us in the rear.

Orders were given to return to the boats, when our men were attacked by a reinforcement of several thousand from Columbus, and another severe engagement took place, in which our men suffered severely.

The losses as far as ascertained at a late hour last night, were as follows: 13th regiment, 100 missing, and Maj. McClerkin wounded and taken prisoner. The 21st had 140 missing. Col. Buford's regiment returned too late to obtain any particulars.

Col. Dougherty is reported to have been taken prisoner, and Col. Layman is reported dangerously wounded. Taylor's battery lost one gun. We have taken two hundred and fifty prisoners, a number of whom are wounded.

The rebels killed amount to about three hundred. The ground was completely strewn with their dead bodies. The rebel, Col. Wright, of the 7th Tennessee, was killed.

Gen. Cheatham commanded the rebels—Polk being at Columbus.

It is stated that Gen. Johnston was wounded.

The gunboats rendered efficient service in covering the retreat, mowing down the rebels with grape, but killing some of our own men.

A flag of truce left Cairo this morning with forty or fifty wounded rebels.

The Fight Down the River—Forces Sent Out from Cairo.

In connexion with the intelligence we publish by telegraph and from our correspondent at Cairo of the engagement at Belmont, we give a list of the forces on the Federal side which left Cairo and Paducah on the expedition.

There left on Sunday last the 22th Illinois, Col. Jas. S. Reardon; 13th Illinois, Col. M. K. Lawler; 9th Illinois, Col. R. J. Oglesby; Stewart's cavalry; one section of Schwartz's battery.

Three regiments from Cape Girardeau, viz:

17th Illinois, Col. L. F. Ross.

11th Missouri, Col. J. B. Plummer, and a regiment under command of —— Purcell.

There left on Wednesday:

20th Illinois, Col. P. B. Fouke.

27th Illinois, Col. N. B. Buford.

31st Illinois, Col. John A. Logan.

8th Illinois, Col. C. C. Marsh.

7th Iowa, Col. J. G. Lauman.

— Illinois, Col. John Cook.

— Illinois, Col. Johnson.

These infantry regiments were accompanied by Taylor's battery, the Centralia cavalry and Noleman's cavalry.

There left on Thursday from Paducah a force estimated by some as high as 12,000 men embracing the following:

9th Illinois, Col. E. A. Paine.

12th Illinois, Col. John McArthur.

30th Illinois, Col. Nic. Greasel.

40th Illinois, Col. S. G. Hicks.

41st Illinois, Col. Isaac C. Pugh.

11th Illinois, Col. W. H. L. Wallace.

Two Missouri regiments are understood to have been in this column, together with Willard's, Buell's, and a third battery of artillery.

The forces which left Cairo on Sunday proceeded into Missouri and marched by land, Wednesday's column embarked in transports accompanied by the gunboats Tyler and Lexington, and supposed to have landed a few miles below on the Kentucky shore. The Paducah expedition proceeded by land through Kentucky.

Our accounts from the battle are not so intelligible as we could wish. It is very evident that the troops that departed from Paducah on Thursday were not in the fight, as that expedition seems to have been designed to attack Columbus in the rear. From the best information we can gather, the Federal forces actually engaged, did not number over 3,500 or 4,000. Further information will be awaited with much interest.

THE LATEST.

Special dispatch to the Republican.]

CAIRO, November 8.—The Belmont battle was probably the most desperate and bloody that has yet been fought.

Our troops behaved with the greatest courage and gallantry, and the enemy's forces fought like tigers. The latter outnumbered us nearly three to one, and were splendidly armed—the most of them with minnie rifles.

There are twenty-five wounded here.

The 7th Iowa suffered very severely.

We have about one hundred and thirty-four prisoners, about half of them being wounded.

A flag of truce will go down this morning in the steamer Memphis, with Cols. Logan, Webster and Hart, Capts. Logan and Rutherford and forty men. It conveys a number of rebel wounded.

Col. Dougherty has not yet come in, and he is supposed to be a prisoner.

The gunboats rendered very efficient service in preventing the retreat to the boats from being cut off, mowing down the rebels with grape and cannister, but killing some of our own men. The Memphis, Scott and Montgomery, show the marks of many rifle balls.

Gen. Cheatham commanded the enemy, Polk being at Columbus. Gen. Johnston is said to have been there, and to be wounded.

Our men had to cut their way through an overwhelming force, which was done coolly and in order. We were surrounded by the reinforcements from Columbus.

It is impossible at present to state our loss. The 30th regiment suffered very severely.

Surgeons Gordon, McCook and Whitnell are prisoners, in charge of the wounded.

The 21st were all brought off with the loss of 27 killed and 47 wounded.

There are 160 missing from 30th.

The batteries on the hill at Columbus had very many rifled cannon.

The 7th Iowa took the lead against the batteries at Belmont, but fell back, and the 22d Illinois took the batteries.

Capt. Bulhski, of Gen. McClernand's staff, was shot through the head.

Col. Wright, ex-Congressman from Tennessee, was killed. Maj. McClurken was wounded and captured. Capts. Markely and Somerville, and Lieuts. Doty and Smith were killed. Capt. Rigby is a prisoner.

We spiked two guns and brought off two, and more horses than we took down.

Our wounded will probably be brought up on the Memphis to-day. R. V.

Northern Estimate of the Confederate Forces.

The New York *Herald* of the 3d publishes the following Federal estimate of the position and strength of all the Confederate forces on the 1st inst. That paper pretends to speak with accuracy, but the calculation is fully as *uncertain* as BUNNETT himself:

DEPARTMENT OF THE POTOMAC.

General Joseph E. Johnston; headquarters, Manassas Junction.	72,000
Centres—At Manassas, Bull Run and Centerville.	20,000
Left wing—Maj.-Gen. Gustavus Smith; headquarters—Mills, near Leesburg, under Brig.-Gen. Evans.	20,000
On the right bank of Goose Creek.	20,000
Right wing—Maj.-Gen. Beauregard; headquarters, Haymarket.	20,000
On the line of the Occoquan.	20,000
For support of the Potomac, near Dumfries.	25,000
Total under Gen. Johnston.	197,000

DEPARTMENT OF THE CHESAPEAKE.

Norfolk and Portsmouth, under Gen. Huger.	15,000
Yorktown, under Gen. Magruder.	15,000
For support of batteries on James, York and Rappahannock rivers.	5,000
Total in the department of the Chesapeake.	35,000
Richmond, under other points in Virginia.	20,000

DEPARTMENT OF WESTERN VIRGINIA.

Under cover, Lynchburg.	10,000
Near Winchester, Strasburg and Charlestown.	10,000
Total in the State of Virginia.	240,000

DEPARTMENT OF MISSOURI.

Under Price and McCulloch.	40,000

DEPARTMENT OF TENNESSEE AND KENTUCKY.

Gen. Albert S. Johnston; headquarters Nashville, in Kentucky—Hardee, Green, under Gen. A. S. Hodgen.	25,000
Columbus and Hickman, under Gens. Polk and Pillow.	15,000
Reinforcements sent from Manassas.	20,000
Bowling Green, Russellville and Cumberland Gap, under Zollicoffer.	9,000
Pocahontas, under Brekenridge.	3,000
Road Gap, and other posts in Kentucky.	15,000
Total in Kentucky.	80,000

Later accounts say that Buckner has 25,000 troops and has strongly fortified Bowling Green.

The army proper also indulges in the following speculations as to the state of affairs in the West:

In this connection, a passage in the report of Gen. Tinchan, the adjutant-general of the United States army, is worthy of remark. Gen. Thomas accompanied the Secretary of War in his recent visit to Missouri and Kentucky, and had just returned. In his report he states that ably covering Louisville and Lexington, and several other important points in Kentucky, he found that the Union sentiment in that State was not near as strong as had been represented; that "the young and active men in Kentucky were nearly all Secessionists, and had joined the rebel armies there;" "that although the aged men were Unionists, yet they had not, and would not, enroll themselves to engage in conflict with their sons and relations. But few regiments of Union men can be raised in Kentucky;" that "the arms which the present administration had sent to Kentucky—20,000 in number—had passed into the possession of the Home Guards of Kentucky, and could not be recovered; that they refused to surrender them, expressing a desire to use them in defense of their homes; and that many of them were already to the hands of the rebels." General Thomas continues: "Before we left Kentucky, I was convinced that no large bodies of Union troops can be raised in that State, and that the defense of Kentucky must devolve upon the free States of the West and Northwest." And he states that the Confederate army in Kentucky is so strong that it will require 200,000 troops to expel them and save that State to the Union. "It were a large economy to save" Kentucky at that price; but if Gen. Sherman errored, some other general will be found that will undertake "a little less." But at whatever price, Kentucky will be preserved to the Union. But to resume:

In Tennessee, troops from Montgomery, guns from Pensacola, reinforced from Charleston, by Beauregard.	10,000
Memphis.	5,000
Fort Pillow, Randolph, Raleigh, Rector and Harrisburg, 3,000 each.	12,000
Nashville, Waverly and Hardwick.	6,000
Total.	23,000

Guns on the lower Mississippi, manned by Forts Hermando, Caffin, Napoleon, DeKalb, Benton, Raleigh, Sidney, Van Buren and Pike. | 6,000
Lookout and Pensacola, 3,000 each. | 10,000
New Orleans. | 20,000
Total under Gen. A. S. Johnston. | 145,000
Charleston, S. C. | 10,000
Savannah, Ga. | 10,000
Mobile. | 12,000
Galveston, Texas. | 8,000

The following is his recapitulation of the entire strength of our army:

RECAPITULATION.

Department of the Potomac.	197,000
Department of the Chesapeake and the rest of Virginia.	40,000
Department of Kentucky and Tennessee.	175,000
Department of Missouri.	40,000
On the line of the Mississippi.	20,000
At Charleston, Savannah, Mobile and Galveston.	40,000
Total rebel force in the field.	480,000

The Second Tennessee Regiment at Belmont.

COLUMBUS, November, 12, 1861.

EDITORS APPEAL: The Second regiment, Col. J. Knox Walker, commanding, was posted early in the fight in the field far below the landing. We were scarcely formed in line of battle before we received a heavy fire, not only from infantry but from Watson's battery which had been taken before our arrival. Here the Second regiment made a stand under a most galling fire, maintaining their ground until their twenty rounds of cartridges were exhausted. They then fell below the river bank, *not disbanded, nor panic stricken*, though this was about the most galling fire of the day. They then, under orders of their officer, fell back to a position where they could get ammunition. This they did, and *soon* refilled their cartridge boxes, and followed Gen. Cheatham in the flank movement that won the day. Col. Mark's Louisiana battalion, the Second Tennessee volunteers, under Lieut.-Col. Ross, Col. Wright's, and Col. Tappan's Arkansas regiment flanked them—the first on our right and the latter on our left. *Here* we met a warm reception, and "every man did his *duty*."

The brave and gallant Cheatham rode up and down the line with the words, "At them, my brave boys" at every step. This was enough encourage the faltering if there were any. The enemy after a severe conflict fled, throwing away canteens, overcoats, knapsacks, arms, etc. Here the brave and gallant Capt. Armstrong fell gallantly leading his brave men, and Lieut. James Walker, a noble fellow, mortally wounded. Capt. Safferans, I should have said fell during the conflict on the river gallantly leading his men.

It was in this conflict that Lieut. Clark killed a federal standard bearer with his repeater and captured the flag.

Lieut. Col. Ross, commanding, did all in his power and exerted himself to the utmost to maintain the position he occupied.

I need not mention by name the captains of companies, or the lieutenants, but they did their duty under a most galling fire, like men and soldiers; and the men, too, have proved themselves worthy of any post of trust they may be assigned hereafter. J.

SENSIBLE.—The extensive preparations for defensive operations only, at Arlington Heights, by the Federal commander, suggests to the correspondent of the Cincinnati *Gazette* the following remarks:

Is it not humiliating to think that, with all the numbers, powers and resources of this government, and after four months' preparation, it should suddenly be seized with a fearful panic, and, ignobly yielding up its dignity and proud prerogative of supremacy, with the energy of desperation rush into fortifying itself against the aggression of a power whose treason it has undertaken to crush out? What a commentary upon our boasted greatness will these witnesses present in the future!

GEN. SCOTT'S PAY.—The current monthly pay, subsistence and allowance of Lieut.-Gen. Scott, and by order of the President continues to be, while he is upon the retired list, as follows:

Pay, per month	$270 00
Rations, per month	300 00
Allowance for servants, per month	90 00
Allowance for horses, per month	20 00
Total monthly pay	$680 00

—which makes an annual income of $8,240.

HONORED.—The Mississippi Legislature has unanimously elected the proprietor of the Jackson *Mississippian*, State printer.

TRIAL OF THE PRIVATEERSMAN.

OPINIONS OF THE FEDERAL JUDGES AND THE VERDICT.

The case of Wm. Smith, charged with the crime of "piracy on the high seas," alleged to have been committed while cruising under letters of marque issued by authority of the Confederate States, was brought to a close in the United States circuit court of Philadelphia, on the 27th ultimo.

The court room was densely crowded, it being understood that the jury would receive instructions from the judges. Judge Grier addressed the jury and said: The defendant, Wm. Smith, whom you have in charge, is indicted for the crime of piracy. [The court then proceeded to a definition of the crime, so as to enable the jury to apply the testimony to the case.]

It is briefly defined "as a robbery on the high sea." (5 Wheaton, 153.) As the sea belongs to no nation, but to all nations, and as the offense is usually committed without the particular territorial jurisdiction of any nation, it is an offense against the law of nations, and may be punished by any nation, whether committed by natives or foreigners. Pirates or robbers on the ocean are called "*hostes humani generis*." But every nation has the offense and the punishment defined by their own municipal laws.

Of the several acts of Congress on this subject, we need only refer to the third section of the act of the 15th of May, 1820, as the one which defines the offense as charged in the indictment. It is as follows. [Court here read the section.]

First, the offense is robbery—a crime defined by the common law as "the felonious and violent taking of any money or goods from the person of another, thus putting him in fear."

The epithet felonious has reference to the intention, which must be "*animo furendi*," for the purpose of stealing or appropriating the thing taken.

There need not be absolute personal violence used, it there be threats and the person robbed submits peaceably through fear of violence. When the robbery is committed by several acting together, all are equally guilty. Nor need the money or goods taken be on the person, provided they be in the possession of the owner, such as household goods or cattle in the field, or, as in this case, "upon a vessel and its lading," as defined in the act.

Third, the robbery must be committed on the "high seas," etc.

If you believe the testimony (which I need not repeat to you) the charge as thus defined appears to be fully established. In fact, the only point raised here, the learned counsel of defendant seems to admit that they could not resist a conviction. But it is contended that, though property may be taken "by violence on the high seas," yet if it be done by authority of a state in prosecution of a war against another State, the persons acting under such authority are not guilty of piracy, and cannot be punished as such. This is undoubtedly true; for piracy has been defined "depredation on or near the sea without authority of any prince or State." (6 Pick. R., 161.)

Those having such authority are treated as enemies, or as having the privileges of enemies in open war. Thus Turks and Algerines, though acting as freebooters on the ocean (according to Sir Leoline Jenkins), could not be treated as pirates because they acted under a commission from States with whom the government had treaties, and had acknowledged to be States in the great family of nations. But it does not follow that every band of conspirators who may combine together for the purpose of rebellion, or overturning the government of a nation of which they were citizens or subjects, become ipso facto a separate and independent member of the great family of the sovereign States.

A successful rebellion may be termed a revolution; but until it has become such, it has no claim to be recognized as a member of the family, or exercise the rights or enjoy the privileges consequent on sovereignty. "When a civil war rages in a foreign nation, or in our own, and one part separates against the old established government, and erects itself into a distinct government, the courts of the United States must view such contested government as it is viewed by the legislative and executive departments of the government of the United States." Every government is bound, by the law of self preservation, to suppress insurrection, and the fact that the number and power of the insurgents may be so great as to carry on a civil war against their legitimate sovereign, will not entitle them to be considered a State. The fact that a civil war exists for the purpose of suppressing a rebellion, is conclusive evidence that the government of the United States cannot acknowledge their right to be considered as such. Consequently the court sitting here to execute the laws of the United States, can view those in rebellion against them in no other light than traitors to their country, and those who assume by their authority a right to lay waste the property of our citizens on the high seas as pirates and robbers.

I do not think it necessary on the present occasion to follow the wide range of questions which have been drawn into the discussion of this case by counsel, or to refute the sophisms and platitudes put forth by speculating theorists or political demagogues on the constitutional right of any portion of this one nation, or of any of the States composing it, to destroy the Constitution and Union because they are displeased at the result of an election. The right to secede is not to be found in the Constitution, either in its letter or its spirit. If so, it would be *felo de se*. It is a government and constitution ordained by the people of the whole United States for all time, not a mere temporary compact of independence and sovereign confederacies.

Judge the tree by its fruits, and we see the results of this miserable political heresy in the present situation of our country, (we need not go to Mexico) with more than half a million of men in arms, drenching our fields in blood.

This fratricidal war is not only the fruit of this doctrine, but the demonstration of its iniquity. What are our mighty armies arrayed for, but to compel, by force of arms, its acknowledgment, by those whom reason cannot convince of its absurdity? Why prate about the right of an oppressed people to change their government by a revolution? Can that justify the treason and rebellion of those who were never oppressed, but who seek to substitute a military tyranny for the purpose of conquest and oppression?

Of the plea of duress, I need only say that I am sorry indeed that there is not some evidence to support it, for I should grieve to see these poor fellows, who have been led astray by wicked demagogues, become the scape goats for the greater iniquity of others. But the dispensation of mercy is not with us. Your duty is to render a true verdict, and the duty of the court to pronounce the sentence thereon. Whether under all the circumstances of the case a proper policy might not suspend its execution, is a question for the executive to decide.

Certain points have been presented to the court, on which we are requested to instruct the jury. My opinion of them may be inferred from what I have already said, and I have requested my learned brother to notice them more particularly in his remarks to the jury.

Judge Cadwallader then addressed the jury in an elaborate argument, reviewing at length the testimony and the argument of counsel in the case before him, and paused to the consideration of the distinction made by the law and usages of civilization between the acts of piracy and privateering. He said:

"In civil war—however organized and systematic the hostilities prosecuted by an established government—its enemies may, when captured, be liable, as traitors or as pirates, to prosecution in its courts of justice. I have recently had occasion to say, and I now wish to repeat, that during civil wars, in which organized hostilities are prosecuted on an extended scale, persons in arms against an established government, captured by its naval or military forces, are often treated, not as traitors or pirates, but according to those humane modern usages which are observed as to public enemies in a national war.

"They are detained as prisoners of war until exchanged or discharged on parole; or, it surrendered to the civil authorities for trial, are, after conviction, respited or pardoned. Hostile feelings have thus been softened, and measures of retaliation, endangering a rival of obsolete systems of barbarous warfare, have been prevented. But some writers on public law have discussed the subject as if such civilized modern usages were founded in rules of legal right, rather than in considerations of mere policy. I, therefore, think it my duty to state that such usages, however commendable, are not, in civil war, founded in any rules of absolute legal right, but are measures of governmental policy. The question of their observance depends upon the decision of the legislative or executive department of the government, not upon the opinion of its judicial organs.

"Thus, courts and juries have with such questions no proper concern, certainly none that should influence the finding of a verdict. The jury who find a defendant guilty, may, indeed, recommend him to mercy. But such a recommendation, though always respectfully considered, is, in law, no part of the verdict itself. In finding a verdict, the rules of law should be applied with calmness and firmness, without admitting any qualification of them from extrinsic reasons. If there is any rational doubt of the defendant's legal guilt, the jury should acquit them; otherwise he should be convicted."

Judge C. then referred to the proposition of law as stated by the defendant's counsel, and concluded that for the reasons assigned they must be answered in the negative. The case was then left with the jury.

THE VERDICT OF THE JURY.

After an absence of about half an hour, the jury rendered a verdict of guilty.

The prisoner appeared to be entirely unmoved at the rendition of the verdict. He was ordered to stand up and look upon the jurors when they gave their verdict, but he did not blanch at the ordeal.

Mr. G. M. Wharton made a motion in arrest of judgment, and for a new trial, and the court adjourned. The prisoner was conveyed back to Moyamensing.

Northern Commercial Affairs.

We take the following from the commercial article of a late New York paper:

The stock market is still very much depressed, and prices in several instances were lower. Philadelphia Bank shares sold at 85, about 5 per cent. below quotations for a month past. Girard Bank sold at 30½—also a decline. Far Bank of North America shares 105 is bid, and for Western Bank, par. Mechanics' Bank is also held at par. The announcement yesterday that one of the oldest, and heretofore esteemed best of the New York city banks had, for the first time, passed its semi annual dividend, seems to have had an unfavorable effect on bank securities generally. The conclusion that all bank stocks must be unproductive because one, from severe losses by southern bankruptcy and confiscation is compelled to pass a dividend, is as unwarranted as unwise. Our banks have sustained some domestic losses, but very little at the South, and up to the taking of the United States treasury notes, maintained a meager discount line, but the advantages resulting from that subscription have, in some measure, reinstated them in business, and probably all the old banks will divide legal interest on the par of their shares. Tuesday next is their semi-annual period for dividends.

The railroads are generally in favor, nearly, if not all of them, doing a larger business than almost ever before. This is especially true of all lines connecting the great cities with either of the centers of our army, or that run into the breadstuff or produce regions.

The canals have all sustained more or less loss. The Lehigh has lost in its tunnage about 135,000 tuns, and the company being a producer of coal has come in for further loss in the price of coal. Its large contingent fund, and its known solvable property, however, sustain the price of its securities. The Schuylkill canal has lost in its tunnage about 210,000 tuns, and not enjoying the real property and resources of the Lehigh, suffers a greater depression in the price of its securities. The Morris canal and Delaware Division have also both fallen off largely in their business, but fortunately all thus far, in the season, have escaped any serious damage by freshet or otherwise.

Passenger railway securities have fallen largely from the high figures at which they were held a year ago, but are probably cheaper at present prices than they were when more in favor from the larger business than done.

State and city loans are inactive—hardly enough doing in them to test the considerably impaired credit. Prices are steady, and not likely to change much until something occurs to give life to the new government loan.

Money is abundant, on good security, at 6 per cent., the stress rendering it difficult to advance rates where the banks continue to discount all the legitimate business paper made. The credit of paper rules at from 1 to 3 per cent. a month.

The traffic in breadstuffs continues enormously large, though the trade, and especially the millers in the West, experience difficulty in the last, already apparent, that even before the close of canal navigation the usual available means of transportation are found to be inadequate to the heavy supplies now pressing to the water and a market. And but for the suspension of cotton trade at the South, a like difficulty would be encountered by exporters to Europe. As it is, freights are firm and on the advance, and shipowners and freight brokers are abundantly relieved of the burden of the war, so far as it has arrested the customary demand for tunnage at the South.

The subscriptions yesterday at the office of Jay Cooke, to the United States Treasury notes, was $811,000, from twenty-seven subscribers. With the first news of the hoped for victory to our forces before Washington, we shall look for a greatly increased demand for these notes, and probably at a premium.

A SWORD PRESENTED TO GEN. MCCLELLAN.—*The New York Herald* of the 3d says:

Gen. McClellan received yesterday a splendid sword, presented to him by a committee of the City Council of Philadelphia. Upon accepting the weapon Gen. McClellan said that he received it, not for what he had done, but for what he hoped to do. He added that all that was necessary was patience and confidence, and that victory would eventually be ours.

PATHOSOPHY OF A MISSISSIPPI LADY.—A friend informs us of the following incident, which will speak for itself: At a ball recently given at Brookleven, a "knight of the parlor," who had not volunteered, asked a lady to dance with him, when the fair partisan replied: "No, sir, not as long as there is a soldier on the hill."—*Rural Gentleman.*

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WAGGENER & CHEEK,

MERCHANT TAILORS,

Ayres' Block, Second Street,

Memphis, Tenn.

WE HAVE THE LARGEST STOCK OF GOODS in our line in the Southern Confederacy.

Red, Dark Blue, Light Blue And Gray Cloths.

For military purposes.

ALSO—MILITARY BUTTONS, ETC.,

Which we will sell at wholesale or retail. Also a magnificent stock of

Black, Brown and Adalia Cloths,

Together with Beaver Cloths for Overcoats, Doe Skins, Cassimeres, Vestings, Business Coatings, Shirts, Drawers, Collars, Ready-Made Clothing, and a No. 1 article of Needles. In short, our stock is very large, containing all needful articles of Clothing for soldiers' or citizens' wear.

OUR MECHANICAL DEPARTMENT!

We are now prepared to manufacture our goods with dispatch, as our force is much larger than heretofore.

We have the best of workmen, and no effort will be spared on our part to give entire satisfaction to all who may favor us with their patronage. no10-3m

NOTICE!

Mississippi and Tennessee Railroad!

Change of Time.

OFFICE CHIEF ENG. AND GEN'L SUP'T, MEMPHIS, November 8th, 1861.

ON and after Wednesday, November 13th, 1861, trains on this road will run as follows:

GOING SOUTH.

Mail train leaves Memphis at ..... 10:10 A. M.
" " arrives at Grenada at ..... 4 P. M.

GOING NORTH.

Mail train leaves Grenada at ..... 1:50 A. M.
" " arrives at Memphis at ..... 7:20 A. M.

The Freight and Accommodation train will leave Memphis at 12 o'clock noon, on Mondays, Wednesdays and Fridays, arriving at Grenada at 10 o'clock P. M., and leaving Grenada at 6 o'clock A. M. on Tuesdays, Thursdays and Saturdays, arriving at Memphis at four o'clock P. M.

NILES MERIWETHER,
Chief Engineer and General Sup't.

no10 Avalanche copy.

SPECIAL ORDER NO. 215.

HEADQUARTERS FIRST DIVISION—WESTERN DEPARTMENT, COLUMBUS, Ky., November 6th, 1861.

THE object of Special Order No. 142, prohibiting the exportation of Grain from within a specified district having been accomplished, so far as Indian Corn is concerned, that article in future is allowed to be shipped. All Wheat grown on the east of the Memphis and Ohio Railroad, may be shipped to such points as the proprietors may choose.

By command of Major-General POLK.

E. D. BLAKE,
Captain C. S. A.,
Acting Assistant Adjutant-General.

no8-1w

FOR SALE!

A SAW and GRIST MILL, with two run of Stones, in Tipton county, Tennessee, in a Wheat raising district.

There are six acres of LAND and some sixty head of HOGS, which will be sold with the Mill.

Price twenty-five hundred dollars. Apply by letter or in person to SAM'L G. MCMURTRY,
Portersville,
Tipton county, Tenn.

no9-w3w

MISCELLANEOUS.

TRADER'S

INSURANCE ROOMS!

Southeast Corner Court Square and Second Street,

Next door to the Ayres' Building, Memphis Tennessee.

Takes Fire, Marine and River Risks, Life, Etc.

Insures Steamboats, Cotton on Plantations, White Life Risks!

Insures the Lives of Negroes, etc.

RELIABLE SOUTHERN INSURANCE.—It has been the custom for years past for Northern Insurance Companies to place Agents throughout the South, and to the exclusion of all Southern companies, monopolize the business. The time has past for Northern Insurance companies to take risks on Southern property. All policies people in the Southern Confederacy hold with Eastern companies are about on a par with the Farmers' and Merchants' bank notes entirely worthless. Policies amounting to millions of dollars, held by Southerners with Eastern Insurance companies, at present amount to nothing. In the South are many good and reliable Insurance companies, which must now do the business that has heretofore gone North. Our companies must increase their capital and afford every facility to insurers.

The LYNCHBURG ROAR AND FIRE INSURANCE COMPANY is prepared to take risks. This company has a capital and surplus of $400,000, and takes risks against loss or damage by fire, marine and river risks. Also, on the lives of negroes.

Persons who hold policies with this company and suffered by the recent fire on the corner of Washington street and Front Row, were paid promptly, the company now taking the sixty days allowed.

D. C. Trader,

INSURANCE AGENT.

Corner of Second street and Court Square, is the authorized Agent of the Lynchburg Hose and Fire Insurance Company, in this city. Mr. Trader is also agent for several other good and reliable companies.

no10-tw1w

DISSOLUTION.

THE copartnership heretofore existing between W. B. WIGGS, J. J. WIGGS and W. H. BICKETT, under the style and firm of WIGGS BROS. & CO., is this day dissolved by the mutual consent of all parties. J. J. Wiggs and W. H. Pickett withdrawing from the concern. Either party is authorized to collect and receipt for all debts due us.

W. B. WIGGS,
J. J. WIGGS,
W. H. PICKETT.

Memphis, November 6th, 1861.

WM. B. WIGGS & CO.,

298 Main Street,

WILL CONTINUE THE

DRUG BUSINESS,

At the old stand, 298 Main street, where they would be pleased to see their customers and the public generally assuring that they will sell nothing but

Pure Drugs,

AND AT THE LOWEST MARKET PRICES.

Respectfully,
WM. B. WIGGS & CO.,
Druggists.

no9 1y

FOR SALE!

Purchased Before War Prices!

AND WILL BE CLOSED OUT AT A SMALL ADVANCE!

The Fixtures are Complete!

The STORE HOUSE will be secured to the purchaser of the stock—at a low rate—for twelve months.

F. W. ROYSTER & CO.,
Main street.

no8-1w

FLOUR.

1500 BBLS. Star Mills Flour to arrive; 1500 do. Springfield Flour to arrive; 3000 sacks Extra Flour, to arrive and in store.

MORRISON & CO.

LIME.

1000 BBLS. best Georgia Lime in store and to arrive.

MORRISON & CO.

BRANDY.

6 BBLS. pure Peach Brandy, 1 do. Cherry Bounce. Just received and for sale by

MORRISON & CO.

no11

PROCLAMATION BY ISHAM G. HARRIS, GOVERNOR OF THE STATE OF TENNESSEE.

IN compliance with instructions to me from the Government of the Confederate States, through General Albert Sydney Johnston, I hereby make known to all companies, battalions and regiments mustered in, or hereafter to be mustered into the service of the Confederate States, for twelve months, under the late call for volunteers for the Confederate service, that they will be required to arm themselves within a reasonable time with shot guns, rifles, or say other effective gun, the Government paying the value of the arms. Every facility will be afforded by the State that is possible, and other arms furnished as soon as practicable. After a reasonable time has been given, those failing to comply with this requisition will be disbanded.

In testimony whereof, I have hereunto set my hand and caused the great seal of the State to be affixed at the Department in Nashville, on this 7th day of November, A. D., 1861.

L. S.

By command of Gov. ISHAM G. HARRIS, Commander-in-Chief.

JAMES W. MCHENRY,
Adjutant General.

no9-1w

ESTRAYS---SHELBY COUNTY.

TAKEN up by O. B. Parker, on the 21st day of September, a BAY MARE ten years old, fifteen hands high, hind feet white, star in the forehead, and valued at $80. Said Parker lives in the Fourteenth Civil District.

Taken up by J. B. Davis, on the 27th day of September, 1861, a sorrel HORSE MULE, six years old, thin in order, medium size, and valued at $55. Said Davis resides in the Eighth Civil District, four and a half miles, from Union Depot.

Taken up by J. H. Goodlett, on the 25th day of September, 1861, a light sorrel HORSE, four years old, fifteen hands high, rather cangled back, left hind leg white, below the hock, scarred on left hip, back and weathers; the scar on the hip looks like a cross cut. Value $40 to $50. Said Goodlett resides in the Sixteenth Civil District, seven and a half miles east of Memphis, on Memphis and Germantown Plankroad.

Taken up by J. Keaton, on the 5th day of October, 1861, a sorrel HORSE, eight years old, blaze face, four white feet, shod all round, some saddle marks, and valued at $30. Said Keaton lives in Germantown, Eleventh Civil District.

Taken up by A. M. Moore, on the 28th day of August, 1861, a light sorrel MARE MULE, nine years old, fourteen hands high, black streak on the weathers, black ring around the back and knees, dropped rumped, roached mane, and valued at $60. Said A. M. Moore lives in the Tenth Civil District, one mile from Glover's Mill, on Wolf river.

Taken up by C. C. Faust, on the 8th day of October, 1861, a brown bay MARE MULE, seven years old, fourteen hands high, bald face, light colored legs and belly, and valued at $100. Said Faust lives in the Fourteenth District.

R. S. RIFFE,
Ranger.

Raleigh, November 1, 1861.

no5-w3w

Petition to Divide Slaves.

STATE OF TENNESSEE, Haywood County Court November term, 1861.

Lewis D. Sanders,
vs.
Exell B. Sanders, William H. Sanders and Eli Smith, Guardian.

On motion, and it appearing by return of the Sheriff of Haywood county, Tenn. that Exell B. and William H. Sanders have gone beyond the limits of the State of Tennessee, it is therefore ordered that publication be made in the Memphis Weekly Appeal, a newspaper published in the city of Memphis, for four successive weeks, commanding the said Exell B. and William H. Sanders to appear before the County Court of Haywood county, Tennessee, to be held at the Court House, in the town of Brownsville, on the first Monday in December, 1861, then and there plead, answer or demur to complainant's petition, or the same will be taken as confessed and set for hearing ex parte as to them.

A copy—attest: C. P. TALIAFERRO, Clerk.

no9-w4w

CHIROPODIST.

VERY IMPORTANT!

CORNS,
BUNIONS,
CALLOSITIES,
DISEASED NAILS,
CLUB FEET,
ALL EXCRESCENCES AND DEFORMITIES
OF THE
Feet, Hands and Face,

Will be EFFICACIOUSLY and PERMANENTLY ERADICATED by

DOCTOR WARNER,

RESIDENT

Surgeon Chiropodist!

No. 327 Main street, over Jones & Tagg, Memphis, Tennessee.

DR. WARNER, with grateful thanks, has the honor to inform the ladies and gentlemen of Memphis, that, through the kind and liberal patronage which he has received from them, he has been induced to settle here permanently and become a citizen of Memphis. He considers it unnecessary, in this connection, to publish the hundreds of

Flattering Testimonials

Which he has received from gentlemen of the highest respectability, in this city and elsewhere. They are in his possession and open for the inspection of all, but the reference below are of a nature that will abundantly satisfy all who peruse them.

REFERENCES:

T. A. Nelson, Esq., President of the Bank of West Tennessee.
LeRoy Pope, Esq., Sup't City Schools.
Dr. P. S. Jones, firm Sheldon, Jones & Co.
E. M. Yerger, Esq., Attorney-at-Law.
J. Knox Walker, Esq., "
John Hamilton, Esq., "
R. B. Chew, Esq., "
T. J. Finnie, Esq., "
E. S. Hammond, Esq