



TO THE EFFICACY AND PERMANENCY OF OUR UNION, A GOVERNMENT FOR THE WHOLE IS INDISPENSIBLE. - Washington.

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JACKSONVILLE. SATURDAY, - - - OCT. 10, 1861.

Capt. James Lingenfelter. On Thursday evening last, our citizens were startled by the sad intelligence, brought by Pony Express, of the death of our former townsman, friend and cherished companion, Captain James Lingenfelter, Company B, Col. Baker's California Regiment.

He left this place for a visit to the home of his native city, after the election last Fall, in which he did good service as an advocate of Republican principles, expecting to return again and make his permanent residence in Southern Oregon. Upon his arrival in the Atlantic States, he found the country in confusion, resulting from the then threatened secession of South Carolina and other Southern States. He took a tour through the West and Southwest, and was in St. Louis, Missouri, at the time of the capture of Fort Jackson. His noble and patriotic spirit was stirred within him when the news of the capture of Fort Sumter reached him, and he could not stand idly by and see the sacred emblem of his country's glory trailed in the dust and dishonored by a traitorous and sacrilegious hand. He immediately offered his services to Colonel Baker. He served in the capacity of Sergeant for a length of time, but by close application and rapid advancement in knowledge of his profession, he was promoted First Lieutenant, and then to the position of Captain, in that he was "faithful over a few, he was made master over many." His determined and energetic yet kind and gentle manner, won for him the love of all with whom he was associated. His men all loved him as a brother. A strict disciplinarian, he expected and required perfect obedience in all; yet his never-failing sympathy in all their sorrows and troubles incident to life in camp, made them feel that he was their best friend, as well as their commander. His courage being greater than his caution, led him to seek dangerous positions, and while on picket duty on the Derby road, he ventured some distance beyond the lines, accompanied by only five of his men, when they were surrounded by a force of rebels. Lingenfelter's proud spirit would not allow him to surrender to rebels, and he died, fighting to the last.

He died the death of a brave and gallant man and soldier, fighting for his country's honor and the maintenance of that liberty that was secured by the sacrifice of the best blood of our Fathers. His loss will be keenly felt as a man, a soldier and a friend. Our country can ill bear the loss of such a man at this time, when so many of our citizens are so much needed. He is another victim sacrificed on the altar of his country, and his name will be remembered with honor and glory, "looking proudly to Heaven from a death-bed of fame."

Rest in peace, brave soldier! Though no marble may mark the spot where thou sleepest, thou shalt not be forgotten by thy country—thy name will be circled with a halo of grateful remembrance.

The Writ of Habeas Corpus. The Constitution, by implication, grants to the Government power to suspend the writ of habeas corpus, when "in case of rebellion or invasion the public safety may require it"; but it does not declare by whom the power may be exercised. It is an extraordinary power, to be used only in extreme cases, of which some officer or officers must judge on an investigation and full knowledge of the facts. Is it not in its nature, properly an executive power, as much so as granting a divorce under a general law in a judicial power? We think it is in its nature an executive power, included in the general grants of power to the President: 1st. Because it can be properly exercised only when the circumstances and condition of some particular city or district of country are such, that the public safety requires it; and some officer or officers must investigate the facts and determine the necessity and propriety of exercising the power; or in other words, decide upon the facts, and apply the law to them.

2d. Because the President is always ready to discharge such duties; but Congress is not always in session; it requires several weeks to summon the members and convene them in extra session, and the exigencies which justify and require the exercise of that extraordinary power, always arise suddenly, and the public safety demands its immediate exercise.

3d. For the reason that the condition of Baltimore on the 27th of April last was such, that the public safety imperiously demanded the immediate exercise of that extraordinary power by the President of the United States. We therefore think it properly an executive power, included in the general grants of power to the President of the United States, but subject to be regulated by Congress, by statute.

of the 18th clause of the 8th section of Article I, of the Constitution; which declares that Congress shall have power to make all laws which shall be necessary and proper for carrying into effect all powers vested by the Constitution in the Government of the United States, or any department or officer thereof. Senator Latham, of California, in a speech delivered in the United States Senate, July 19th, admitted that the exigencies of the case were such as to justify and require the President to exercise the power and to suspend the privilege of the writ of habeas corpus in Florida, but not in Maryland. He thus admitted it to be an executive power, but denied that the facts and condition of things in Maryland were such as to justify its exercise in that State. We think the facts justified the exercise of the power. If the condition of Baltimore on the 27th of April last, did not justify the exercise of the power, such a state can never arise as will justify it. On Mr. Latham's construction of the Constitution, it is properly an executive power, and it was the duty of the President to judge of the facts, apply the law and the Constitution to them, and to exercise his own discretion in the matter; and if he acted in good faith, his acts are valid and legal, even if he erred in judgment, as Mr. Latham contended he did. His acts were not usurpations, accession organs to the contrary notwithstanding.

Mon. Joseph Holt. The Detroit Free Press says this gentleman, who now occupies so large a share of the public attention, in consequence of his energetic, bold, statesman-like and patriotic action, while a member of Mr. Buchanan's Cabinet, and the thrilling eloquence of his speeches, on behalf of the Union, is personally known, comparatively to but few persons, beyond the bounds of his own State. For the information of his many admirers, we copy the following article in regard to his personal character from the Louisville Journal. Mr. Prentiss, we believe, has never before the present difficulty acted so publicly with Mr. Holt. The two friends are intimate, and Mr. Holt's personal integrity and worth are all the more valuable: "This gentleman left here on Saturday for the Falls of Niagara, greatly to the regret of the many devoted friends he has in this city. We envy not the being who does not admire his genius and eloquence, for they are a portion of the national wealth; nor do we envy the condition of any who do not know him. We have known him intimately for the space of twenty-nine years, and have always known him to be one of the most modest and unassuming of men. His character is as pure as that of a lovely maiden of sixteen, and no one, with any knowledge of the man, would ever think of attempting to corrupt him or weaken the sacred anchorage of his integrity. He is one of the most unassuming of mortals. He has largely contributed to the Union cause in Kentucky by his matchless services, and his pecuniary means were offered within our knowledge, to enable that his friends refused to receive. While he freely gave his services to the cause in Kentucky, he refused tempting offers of liberal pay for his eloquent labors elsewhere. His character is as stainless in all things as his gentle and unassuming appearance, and by common consent, he is placed among the immortals of his country's history by his genius and oratory. What a vast degree of confidence the nation would feel if it had in some of the chief places of counsel the talents and integrity of Joseph Holt. Yet, we believe that it would be much more easy to induce the President to offer him such a position than it would be to obtain Mr. Holt's consent to accept it. Wherever he may be, in public or in private, may his life be as blissful as his virtues are exalted and noble."

Death of Capt. G. W. Staples. By Northern exchanges we learn that Captain Staples, of the steamer Pacific, was shot by Ferd. Patterson, in Portland, on Thursday, the 10th inst., from the effects of which he died on the following Saturday. Ferd. Patterson has been engaged in many a desperate fracas, in some of which he has been severely wounded. We believe, however, that Capt. Staples is the only person who has died from wounds received at his hands. The Sentinel gives the following account of the sad affair: Capt. Staples having received an appointment as commander in the U. S. Navy, was taking leave of his friends at Portland, this being his last trip to Oregon. He returned on shore, and was with them at two o'clock at the Bank Exchange Saloon. A man named Ferd. Patterson, said to be a gambler, and recently from Yreka, and Capt. Dodge, of Portland, fell into a quarrel as to the Union ticket proposed by the latter. Patterson struck Dodge with a rafter, and went behind the bar to throwing timber. These present attempts to seize Patterson, led to a struggle by a back door. Having armed himself with two revolvers, he went to the Pioneer Hotel near by. Capt. Dodge went there and words ensued at once. Patterson went up stairs and ordered those with Dodge not to follow him. After some parley, he went still farther and up another flight of stairs, where he was followed by Dodge, Staples, and several others. Several shots were fired, and Patterson was killed by a single one, by Patterson, struck Capt. Staples just below the breast bone and ranged downward. He walked to a lounge and lay down, fully aware that the wound was fatal. Patterson remained on the defensive until Sheriff Starr arrested him. Capt. Staples was about forty years of age, and leaves a wife and child at San Francisco.

The Times says "the burial of Capt. Staples took place on Sunday last. The funeral services were conducted by the Masonic Fraternity of Portland, together with representatives of the Order from Oregon City, Vancouver and the Dalles. The procession, headed by the Cornet Band, was the largest we ever witnessed in this country."

HEADQUARTERS DEPT. OF THE PACIFIC, San Francisco, October 3, 1861. The following movement of troops will be made at the time specified: First—Companies A, B, C, D and E, of the Second (Lippitt's) and five companies of the Fourth (Judah's) Regiment California Volunteer Infantry, under command of Major James F. Curtis, of the Second, and Lieutenant Colonel H. H. Lee, of the Fourth, respectively, will be in readiness to embark on the 17th inst. for Fort Vancouver. The distribution of these companies to the several posts in the District of Oregon will be made by the District Commander in readiness to furnish the necessary transportation and supplies for these troops. By order of Brigadier General SUMNER. B. C. DEEM, Assistant Adjutant General.

BY TELEGRAPH. Expressly for the Oregon Sentinel. Arrival of the Pony. [From our Extra of Thursday the 18th.] SACRAMENTO, Oct. 16.—The Pony Express arrived at Ruby Valley yesterday afternoon at 4 o'clock. Forrass Mosron, Oct. 9.—The frigate Susquehanna has arrived from Hatteras Inlet, bringing most interesting intelligence. The day after the capture of the propeller Fanny by the rebel tugs, the steamer Ceres Putnam having one of the launches of the Susquehanna in tow, went up the Chicqueoco and landed seven day's provisions, returning the same evening, without having seen anything of the rebels. On Sunday, news came from Hatteras Inlet by the steamer Stars and Stripes, that 2500 rebels consisting of Georgia, South Carolina, and Virginia regiments, had come over from the main-land in six small steamers, schooners and flat boats, and attacked the 13th Indiana regiment, who were obliged to retreat. The Susquehanna steamed up outside, while Col. Hawkins marched up with six companies and reached Hatteras light by night-fall.—During the night Col. Hawkins was found by the 13th Indiana regiment who had passed in darkness, a large body of rebels who had landed for the purpose of cutting them off. Col. Brown reported a loss of 50 of his men, comprising his sick and wounded and 20 pickets who could not be called in. On Saturday morning the Monticello steamed around the Cape and a few miles up met rebels marching down a narrow neck of land to attack our troops; the rebels steamed were also landing troops to co-operate with them. They were within easy range and the Monticello opened on them with shells, firing 18 shots and doing great damage. A shell passing through the wheel-house of the Fanny, (rebel). It is thought their loss must have reached between 200 and 300 killed and wounded during the engagement. A member of the Indiana regiment, who was taken prisoner, managed to escape, he took to the surf and was picked up by a boat from the Monticello. He reports that the first shell killed Col. Barton of the Georgia regiments, and the havoc was terrible. Lieut. Broadhead from whom the above information is obtained, thinks no damage can be done in the Inlet without the aid of a fleet of light draught vessels. He thinks our forces at the Inlet should be largely increased. The Spaniards arrived at the Inlet on the 7th, with Gen. Mansfield and landed his men and stores. Too much praise cannot be accorded to the commander for his brilliant achievement which has caused great exultation at Old Point. Col. Brown narrowly escaped with the Indiana regiment, from Confederate vessels and troops, which were landed both above and below him, he managed to retreat with small loss. WASHINGTON, Oct. 7th.—The Tribune dispatches the main body of the rebels at Fairfax Court House, whence a broad belt of camps, almost unbroken, are seen from the ballons, stretching northward toward Leesburg, where there are nearly 30,000 men. On the lower Potomac there are about 1,200, and 15,000 near Manassas.

Death of Capt. Jas. Lingenfelter. Washington, Oct. 8th.—Yesterday Capt. James Lingenfelter, of Baker's California Regiment, while on picket duty on the Derby road, imprudently ventured some distance beyond our lines into the woods, accompanied by five of his men. They were suddenly surrounded by a force of rebels, who commenced firing at once. Lingenfelter and his companions fired upon the rebels with their pistols, but a rebel bullet killed him instantly. [Capt. Lingenfelter was a member of the bar in this place, and stumped Southern Oregon in the Presidential election, in advocacy of the Republican cause.—Eds. Sentinel.] [From Sentinel Extra of October 16th.] YREKA, Oct. 13th. SACRAMENTO, Oct. 15th.—The Pony arrived at Ruby Valley, yesterday, 4 o'clock P. M. WASHINGTON, Oct. 7th.—Highly important advices have been received from Cuba, by the steamer Kanard. The Spanish war steamer Lena was waiting at Cadix for the result of the Cabinet conference relative to the European coalition against Mexico, that advice of the ultimatum of Spain might be immediately dispatched to the Governor General of Cuba. In the meantime an expedition is fitted out for Mexico at Havana, under the pretext of going to San Domingo. The expedition consists of six batteries of howitzers and 10,000 men will be ready to start about the latter part of next month. It is given out that Spain is taking these measures against Mexico on her own responsibility, but the advices to which I have access, state definitely that the English and French are to send their quota of men as well as to co-operate with their fleets in the Gulf. Gov. Sprague of Rhode Island, will be, it is understood, promoted to a Major General. Gen. Steinman, chief of cavalry in McClellan's staff, will order all Colonels of cavalry to report to the examining board for examination as to qualifications, to be followed by similar orders to Lieut. Colonels. There will be to-morrow, one of the grandest artillery and cavalry reviews ever witnessed on this Continent—it will include six regiments of cavalry and twenty complete batteries of artillery. The Spaulding sailed for Hatteras Inlet with 500 troops. Gen. Wool returned to Old Point this morning, and will probably remain. Gen. Mansfield goes to Hatteras Inlet to assume chief command. JEFFERSON CITY, Oct. 6th.—A special to the Missouri Democrat says, little doubt is entertained that Price is on his way south—when last heard from his advance Guard was at Clinton, Henry County. It is supposed Price will push on to the Arkansas line. Gen. Fremont will follow him closely and give him battle wherever he can. A force of between three and four thousand was seen near Upton, whose object is presumed to get between our advance and this place, and fall upon some stray regiment or transportation train going west.

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A special to the St. Louis Republican says, it seems to be the belief in military circles here that Price will avoid a battle with Fremont if possible, but others entertain the opinion that he intends to make a surprise attack on some point least protected, and that we shall have a fight in a few days. Fremont designs following the rebels into Kansas and force them to fight. Claib Johnson is reported to be en route for Texas. The farmers of Pettis county recently offered to furnish Fremont with \$200,000 worth of grain for his army. New York, Oct. 7th.—This morning Capt. Mayhall Berry, late commander of the steamer Columbia, was arrested and sent to Fort Lafayette on charge of being employed in the service of the rebels. The secessionists have full possession of Arizona in New Mexico. The result of the recent war in Western Virginia, is supposed to render that entire section secure to the Union cause. Our lines now extend below Hunter's Creek in the direction of Mount Vernon. Wm. H. Hadding, who was first officer of the bark Glen, of Portland, captured by the privateer Dixon, on the 23d of July last, arrived in this city today, on his way to Portland. He states that he saw Congressman Ely, two or three weeks before leaving Richmond, and that Ely desired him to say that he would stand firm to the last. WASHINGTON, Oct. 7th.—The steamer Philadelphia, Capt. Reynolds, arrived this morning at the Navy Yard from Fortress Monroe. All was quiet on the river. The Baltimore goes to Fortress Monroe today with a large quantity of navy stock and shell. Capt. Dove, late of the Pocahontas, has been ordered to the Western waters for duty. The Pocahontas is at the Navy Yard to exchange her present armament for a heavier one. CAPE RACE, Oct. 5th.—The steamship Bavaria, from Hamburg via Southampton 25th Sept., was boarded off the Cape, at ten o'clock this evening. WASHINGTON, Oct. 7th.—Blair's charges against Fremont had not been received at the War Department up to noon today. The Harper's Ferry machinery is now running day and night at Richmond manufacturing improved muskets and bayonets. Jeff. Davis was at Manassas last Sunday. ANOTHER CATHOLIC VOICE.—The Pittsburgh Catholic, published under the supervision of the Roman Catholic Bishop of Pittsburgh, and edited by his Secretary, Dr. Keogh, thus closes an article on the peace movement: "We are in favor of peace, and a speedy peace, too, and therefore we desire to see the utmost activity in the prosecution of the war. Peace can be secured only by the suppression of the rebellion, and for this purpose the war of Fort Hatteras, coupled with energetic measures like those adopted by General Fremont, will do more to bring peace than all the peace meetings that might be held ever could do. A principle of secession which has given rise to the present unholy fratricidal rebellion. It would secure permanent tranquility, and the unity of the Constitution being vindicated, the country would enter on a new era of prosperity and greatness. These remarks furnish also the answer to the very shallow (to use a mild term) objection that has been urged against us, that because we are clergy-men we should condemn the war; which objection being interpreted into plain language, means that because we are clergymen we should afford aid and comfort to a Jewish rebellion; or, in other words, be traitors to our country. The absurdity of the principle is so apparent that no further refutation, so far from being influenced by it, we hold as certain the truth proclaimed by the venerable Bishop of Buffalo, that the North was obliged to maintain the Government against the attack of the South, and that it is a duty to prosecute the war vigorously, and to strike to the hilt the rebel, and to let the blood flow, thus to shorten the contest and hasten the return of peace. THE GREAT RAILROAD ACCIDENT IN ENGLAND.—The English papers are filled with details of the terrible railroad accident on the London and Brighton Railway. It seems that two trains, a Brighton excursion and the London Parliamentary, came into collision in Clayton tunnel, near Brighton. One was backing out, the other entering, the signalmen at either end having confounded their signals. Within a very