THE EASTON GAZETTE.

SATURDAY MORNING. - SEPTEMBER 26, 1863.

EASTON, MD.

S. M. Pettengill & Co.,
No. 37 Park Row, New York, and 6 State St. Boston.
are our Agents for the GAZETTE, in those cities, and are authorized to take Advertisements and Subscriptsons for us at our *Lowest Rates.*

BUSINESS NOTICES.

Merchants and others advertising by the yea will be charged extra for advertisments out o their regular line of buisness.

Marriages and Deaths inserted at 50 cents each. Obituary notices charged for according to advertising rates, ($1 for 6 lines close matter.)

Unconditional Union Ticket.

For Comptroller of the Treasury,
H. H. Goldsborough.

For Commissioner of Land Office,
Wm. L. W. Seabrook.

For Commissioner of Public Works,
Lemuel Roberts.

For Congress—First District,
John W. Crisfield.
Nominated by the Cambridge Convention.

For Congress—First District,
William J. Jones,
Nominated by the Easton Convention.

COUNTY TICKET.

For State Senator,
JOHN W. KEMP.

For Delegates to the General Assembly,
DAVID KERR, Jr.,
JAMES H. McNEAL.

For State's Attorney,
WM. B. CLARK.

For Clerk to the Circuit Court,
SAMUEL T. HOPKINS.

For Register of Wills,
JOHN GOLDSBOROUGH.

For Sheriff,
CHARLES H. MANSFIDLD.

For County Commissioners,
ABNER HALL,
JOHN L. SMITH,
EDWARD Y. DAVIS.

Judges of the Orphans' Court,
THOMAS H. LEONARD,
HENRY P. HOPKINS,
SKINNER GRACE.

For County Surveyor,
CHARLES E. SHANEHAN.

District Tickets.

Easton—District No. 1.

For Justices of the Peace,
A. W. Fountain,
W. H. Shepard,
Edward Woodall.

For Constables,
John H. Baker,
James C. Davis.

For Road Superrervisor,
R. H. Gannon.

St. Michaels—District No. 2.

For Justices of the Peace,
T. H. W. Lambdin,
W. T. Grace,
John W. Dean.

For Constables,
R. K. Murphey,
James H. Wharton.

For Road Supervisor,
Thomas J. Leonard.

Trappe—District No. 3.

Justices of the Peace,
Josiah Higgins,
Peter B. Mullikin.

For Constables,
Samuel A. Summers,
Joseph R. Merrick.

For Superrisor,
Charles Sanders.

NEWS SUMMARY.

The rebels in this section were much elated at the prospect of Rosecrans defeat by Bragg, but as the news gradually comes in it puts a different phaze upon the whole affair.

Bragg's report of the two days' fighting near Chattanooga, considering his name and antecedents, tells quite a moderate story. It stands thus:—

He has driven Thomas from some of his positions.

He has captured twenty guns.

He has taken twenty-five hundred prisoners.

He has had two days' hard fighting.

He has met with desperate resistance.

He has lost heavily, especially among his officers, and

The Union forces still confront him.

This is a very large improvement upon the early accounts from our own lines, and especially better than the Louisville despatch that excited such alarming apprehensions, and created such perturbations among the operators in gold. It is quite clear, from this Rebel despatch, that with all his superiority of force, Bragg has nothing to brag of, for if he had he would have made a better show of it.

From General Rosecrans himself, and from other sources, we have news of a much more cheering character.

General Thomas, in his engagement with the Rebels on Monday afternoon, repulsed them handsomely, and then quietly pursued his march to the new position assigned him by the Commandidg General. General Rosecrans had concentrated all his forces before midnight of Monday, and now has them massed in a strong position a few miles in front of Chattanooga.—General Grant has sent forward reinforcements by way of Decatur, Alabama. Other supports are on their way. The army is in first-rate condition, and a few days of preparation will enable General Rosecrans to resume the offensive.

As for General Rosecrans, there is no ground for misgiving as to his ability and skill to hold his own until the hour arrives when he in turn shall strike as the assailant. One wing of his army has withstood Bragg's severest shock, and surely both can keep the enemy in check long enough to enable the reinforcements to reach him that are moving to his support from every accessible quarter. Bragg may be "a good dog," but Rosecrans is "Holdfast," and "Holdfast is better."

By the arrival of the steamer *Blackstone* from Charleston bar, we have dates from that locality to Saturday last. General Gillmore is slowly erecting his defensive and offensive batteries on Morris' Island. The batteries for the shelling of Charleston are being erected under a heavy fire from the Rebels, but we are confident that they will be successfully mounted. The fleet rides safely at anchor. The Clyde built steamer *Jupiter* has been captured by the United States gun-boat *Cinerone*, while trying to run the blockade of Savannah by way of Wassaw Sound.

The *Courier des Etats Unis* avers, positively and by authority, that "The question of recognizing the Southern Confederacy has not been agitated in any council of Ministers, *and that, in no form or manner*, is it in the Imperial Mexican programme."

Emancipation movements are very lively in Missouri. Slaves go into Kansas at the rate of one hundred and fifty a day.

From the Army of the Potomac we learn that a considerable portion of our troops have reached the south side of the Rapidan.

Our Ticket.—We hoisted to the head of our paper last week, the full Ticket of the Union party of this county, for both State and County officers. It is headed by H. H. Goldsborough, one of the few in this county who had the moral courage to burst the fetters of the Mob-Rebel-Democracy in 1861, shake the dust from his feet and declare himself a freeman. His whole surrounding influence was against him—relatives and associates, political and social, yet he successfully battled against them, until he got his most vile rebel enemies under his heel. Look at his course in the Senate when the Legislature met at Frederick. There he stood almost alone, bidding defiance to rebel schemes to place the State on a war footing and then to force the people, like a lamb "before its shearer is dumb," into the meshes of Secession. Against great odds he stood and received the scoffs and jeers of the Rebels at home and every squirt in the Legislature who could raise himself sufficiently high to cry out "Abolition." Still he stood firm until he saw this disloyal element scattered to the forewinds—some by the power of the Government and others, with their own accord, sneeked about from place to place to escape a just punishment for their own iniquities.

Mr. John W. Kemp, the nominee for the State Senate, is well known to the citizens of our county and is of unblemished character, a thorough Union man, of good business qualities and in every respect calculated to fill with credit to himself and satisfaction to his friends, any position that they might see fit to elevate him to. Mr. Kemp has never sought public life, but as every good patriot should do, when his friends demand his services, he yields to their desires and consents to serve in the capacity above designated.

Messrs. David Kerr and James H. McNeal, the Delegates to the General Assembly, are gentlemen unwavering in their Union sentiments, and strong advocates of a State Convention. Mr. Kerr served in the last Legislature with the lamented W. H. Harrison, and we have every reason to believe that his re-nomination, with that of Mr. McNeals, will give satisfaction to the Union men of the county. There were others in nomination equally reliable and able but the majority of the convention selected the above gentlemen and it is the duty of every loyal man to give them his hearty support.

Mr. Samuel T. Hopkins, the nominee for the office of County Clerk, needs no comment at our hands to bring him before the people or to commend his fitness for the position. For a number of years they have been acquainted with the fact that he has conducted the office with greater ability, system and general satisfaction, probably, than any other man that ever filled it. There are a few others in the county—but few they are—who could creditably fill the place, but they can be assigned to equally important places, the duties of which they can ably discharge while Mr. Hopkins could more ably discharge the duties of County Clerk. It is all-important that a man should be elected to fill that office who understands his business and not one who might bring that department into disrepute and prove ruinous to the interests of the public.

Mr. John Goldsborough, is the nominee for the office of Register of Wills. This is an office that requires a man peculiarly adapted to the place, and in Mr. Goldsborough the people have a man in every respect suited. He has had much experience in the offices in the Court House and became thoroughly conversant with the business. He pursued the mercantile business in Easton for a number of years, with considerable success, until a few years ago, when desiring a more active life, he moved in the country, since which time he has been engaged in agricultural pursuits. This is an important office. The interest and welfare of the orphans of the county are at stake in the selection of a man to fill this place, and Mr. Goldsborough is the man to fill the position.

Mr. Wm. B. Clark, is the nominee for State's Attorney. Mr. Clark is a lawyer of experience and ability, and has been an unflinching Union man from the first. Mr. Clark has held several positions of importance in our county. He is courteous in his manners, needy of the position and we can safely say without an enemy in the county.

Messrs. Thos. H. Leonard, Henry P. Hopkins and Skinner Grace, are the nominees for the Judges of the Orphan's Court, and for which no better men could have been selected. Mr. Leonard has served the county as one of the Board of County Commissioners for the last two years, with ability and profit to the county. Messrs. Hopkins and Grace are equally fitted for the position and with such an Orphan's Court and Register of Wills, the affairs of that department can well be trusted to their keeping.

The candidates for the County Commissioners are Messrs. Abner Hall, John L. Smith and Edward Y. Davis. They are gentlemen of good business qualifications and understand the working of public affairs. They are men of age and experience, successful agriculturists and if elected will take a pride in contributing their energies to the welfare of the county.

Mr. Charles H. Mansfield is the nominee for Sheriff. Mr. Mansfield is a gentleman of many fine qualities and his nomination gives still greater strength to the ticket. His manners are easy and pleasant, but very decided He has ever been a zealous worker in the cause of the Union, has a good practical education and more than ordinary business tact, and with all these qualifications combined, we think he should receive the hearty support of every loyal man in the county.

Mr. Chas. E. Shanehan, has been nominated for county surveyor. Mr. Shanehan is a young man of ability and has received his practical knowledge of Surveying at old and experienced hands and is fully qualified to fill the position.

There could have been no better ticket selected in the county, so let there be a determination on the part of the people to elect it.

The Mobocracy again Raising their Heads.—We see by little printed notices stuck upon the various posts about town that the rebels in this county have again determined to try their luck, under the guise of "Democracy," in poisoning the minds of the people against the government. There is just about as much Democracy in the hearts of those who instigated the call for these meetings as there is in the soul of Jeff. Davis, or Judah Benjaman who had Union men hung by the neck along the road-side in order that rebel travellers might reach from the car windows and give vent to their venom by striking the corpse with their canes. They once wore out the name of Democracy and like an old worthless horse, turned it out to die, and adopted the names of "Southern Rights," "Peace Party," and others, but they have forsaken them all and again straddled the old Democratic carcass which they forsook in 1861, as entirely unsuited to their purposes. It is no use for them to attempt to hide their guilt by adopting an old party name, for they are the same Rebels that exult over every Federal defeat or Rebel victory. They are the same Rebels who did everything in their power to put Maryland on a war footing to resist the Federal army. They are the same Rebels that oppose the Government in everything that it does to suppress the rebellion. They are the same Rebels that instigated the repairing of arms under rebel rule to use against Federal soldiers and afterwards taxed the people of the county to defray the expenses They are the same Rebels that beguiled the people on the 20th of April by their hypocritical entreaties and crockodile tears. They are the same Rebels that inaugurated the "spotting" system, in order that they might deter overseers and the laboring class generally from voting against them. They are the men who publicly adrocated, through the Easton "Star," the drawing of the lines to ascertain who were for them or who were against them. They are the same Rebels who were formed into a "Safety Committee," closed stores at will and spent the people's money to carry out their own designs. They are the same Rebels who declared that the county ought to be purged, and used their County Commissioners as the instruments whereby $20,000 might be borrowed to arm the county in behalf of Jeff. Davis, who they declared to be their only salvation.

After this catalogue of crimes and one of five times its length might be made, what course can these men pursue to escape the notice of the Government? They know they dare not come out with State officers and canvas the State, consequently they think that they will confine their party organizations to the counties to prevent the flame from entirely dying out and operate for the sake of the loaves and fishes, under an assumed name. The whole thing was planned on Tuesday evening by a few of the "decoys" of that party to again collect around them the working class who are forsaking their rotten, sinking cause. There are a few who yet show a willingness to remain in the clutches of these men and go and come at their bidding, just as though it was the highest honor that could be conferred, but we appeal to them to throw off such influence and proclaim themselves freemen. Will they longer be frightened at the name of Abolition, when Rebels are the greatest abolitionists in the country? Now is the time to crawl from under the heel of the aristocrat and assert their rights. Negro labor has kept them where the traitor Mason of Virginia put them—as "mudsills" of society—but that institution is fast ebbing out, emancipation is daily increasing and we hope before the elapse of many years the bone of contention will be entirely destroyed.

We therefore advise all men who do not wish to commit themselves against the government to keep themselves aloof from all such gatherings under the guise of Democracy, but if there be any who have a particular desire to view the land of Dixie, we would advise them to be very prompt in attending these treasonable assemblages to-day and assist in nominating the bogus ticket on Tuesday. A word to the wise is sufficient.

A MARYLANDER IN LUCK.—Mr. Jno. Nicols, formerly of Caroline county, has been nominated for the State senate in the twenty first District of Minesota. Mr. Nicols has been long and favorably known, by many of the citizens of this and Caroline county and we congratulate him upon the nomination for a position we have no doubt he will fill with honor to himself and credit to his district. The St. Paul *Daily Press* makes the following complimentary remarks upon Mr. Nicol's nomination:

"John Nicols, the candidate for Senator in the Twenty-first District, is an old citizen of St. Paul, long known as one of the most successful business men in the city, a man of unblemished reputation, and sound judgment. It will be an honor and a benefit to Ramsey county, to be represented in the Senate by so thoroughly loyal and able a man as Mr. Nicols.

☞ Two deserters were routed from a little hut which they had erected in the woods in Oxford Neck on Tuesday last, by Deputy Marshal Thompson and three of Capt. Frazier's guard. The hut was in a very thick place, built of fence rails, covered over with a boat-sail and bushes and fitted up with stove, books and plenty provision, which they had obtained by plunder. During the skirmish one of the deserters and Seargent Jones exchanged shots, the ball from the deserter's pistol passing through the Seargent's pistol holster. One of the deserts is named Jackson and this is the third time that he has skedadled.

IMPROVEMENT IN STORE ROOM.—We see that Messrs. Patchett & Wright have dissolved partnership and Mr. Patchett still continues at the old stand.—He has carried his store room through a thorough course of repair and for neatness in appearance and tasteful arrangement of goods, it is not surpassed in the town.

ANOTHER ARRIVAL.—It will be seen by advertisement that Messrs. Thompson & Kersey have added to their already large stock of goods, another supply, which makes their assortment complete.

☞ Mrs. John Small, of Trappe District, will please accept our thanks for a basket of splendid apples—three of which measured two feet, eleven and a quarter inches.

I OFFER myself as an Independent Union candate for Counstable, foSt. Michales District.

Aug 29-te JAMES H. WHITE.

TO THE YOUNG OR OLD.
Male or Female,
If you have been suffering from a habit indulged in, by the
YOUTH OF BOTH SEXES,
WHICH CAUSES SO MANY ALARMING SYMPTONS.
It unfits them for Marriage,
And is the greatest evil which can befall
MAN OR WOMAN.
See symptoms enumerated in Advertisement, and if you are sufferer,
Cut out the Advertisement,
And send for it at once.
Delays are dangerous.
Ask for Helmbold's
Take no other.
Cures guaranteed.
Beware of Counterfeits and Imitations.
July 11 Two Months.

DENTISTRY.
J. N. BAIRD, D. D. S.
EASTON, Md.

MARKETS.

BALTIMORE, September 24, 1863.

Sales as follows:

WHEAT—Fair to prime, White,	1 30a$1 60
Red,	1 20a$1 35
CORN—White,	90a95 cts
Yellow,	93a95 cts.
OATS—Maryland,	57a63 cts

DEATHS.

WARREN.—In St. Michaels, on the 17th inst., of typhoid fever, Fanna Ella, second daughter of Thos. J. and Mary A. Warren, in the 8th year of her age.—[Centreville papers please copy.]

War Department.

Provost Marshal General's Office,
Washington, D. C., August 1, 1863.
Circular No. 61

The following opinions of Col. Joseph Holt, Judge Advocate General of the Army, are published for information and guidance of all officers of this Bureau:

The only son of aged and infirm parents—exemption.

OPINION

"The only son of aged or infirm parent or parents is not exempt unless his parent or parents are dependent on *his labor* for their support. If he is in a condition to support, and does support them without his personal labor for that purpose, he is subject to draft, because he is in a conditon to perform military service without depriving his parents of the support the law designs to secure to them. The parents need not be *wholly* dependent on the labor of their son for support. If they are so dependent for the *principal* part of their support the right to exemption arises."

In the case of a widow having four sons.

OPINION.

"In the case of a widow having four sons three of whom are already in the military service, the fourth is exempt, provided his mother is dependent on his labor for support."

In the case of a widow having two sons, one of whom is already in the military service.

OPINION

"In the case of a widow having two sons one of whom is already in the military service, and the other has been drafted, the latter is exempt as 'the only son liable to military duty,' in the senses of the act."

In the case of aged or infirm parents having two or more sons subject to military duty.

OPINION.

"In the case of aged or infirm parents having two or more sons subject to military duty, election of the son to be exempt must be made *before* the draft, and his name should not then appear in the draft box. If one of only two sons of such parents is already in the military service, the other is exempt, provided his parents are dependent on his labor for support."

Of persons having concientious scruples in regard to bearing arms.

OPINION.

"Persons having conscientious scruples in regard to bearing arms are noton that account exempt. They are not found in the list of exempted classes, and the act expressly declares that no persons but those enumerated in that list shall be exempt. The Society of Friends, and others entertaining similar sentiments, if drafted, may find relief from their scruples in the employment of substitutes, or in the payment of the three hundred dollars."

Of a man whose wife is insane.

OPINION

"The children of an insane mother, who may at any time recover her reason, cannot in the sense of the law or with any propriety of language, be termed, motherless children. The father of such, though they may be dependent on his labor for their support, cannot, therefore, claim exemption from the draft. The case is a hard one, and would, probably, have been provided for had it been foreseen. It is, however, the law as it is, and not as it may be supposed it ought to be, that is to be enforced."

A father having four sons, two of whom have died in the military service; also of

Aged or infirm parents electing which of two sons may be exempt.

OPINION

"In the case of a father having four sons two of whom have died in the military service, it seems clear that the remaining two are not exempt from draft. Before such exemption can be allowed it must be shown that the father HAS, not *has had*, two sons in the military service. So the law is written. Congress might well have accepted the loss of two sons in the field as equivalent to their continuance in the service, and therefore securing the same privelages to their family, but this has not been done. To hold otherwise would not be interpretation, but legislation."

"In the case of aged or infirm parents having two sons subject to military duty, the father, or if he be dead, the mother may elect which of them shall be exempt. The right to this exemption does not rest upon the paren's dependence on the labor of their sons for their support. The law does not contemplate any such dependence."

JAMES B FRY,
sep 26-tf Provost Marshal General.

War Department.

Provost Marshal General's office,
Washington, D. C., September 17, 1863.
Circular No. 85.

The Secretary of War orders that the following *Act of Congress*, and *Proclamation of the President*, based upon the same, be published for the information of all concerned, and that the special instructions hereinafter contained for persons in the military service of the United States, be strictly observed.

AN ACT RELATING TO HABEAS CORPUS, AND REGULATING JUDICIAL PROCEEDINGS IN CERTAIN CASES. *Approved, March 3, 1863.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That during the present rebellion, the President of the United States, whenever, in his judgment, the public safety may require it, is authorized to suspend the privilege of the writ of *habeas corpus* in any case throughout the United States, or any part thereof. And whenever and wherever the said privilege shall be suspended, as aforesaid, no military or other officer shall be compelled, in answer to any writ of *habeas corpus*, to return the body of any person or persons detained by him by authority of the President; but upon the certificate, under oath, of the officer having charge of any one so detained that such person is detained by authority of the President, further proceedings under the writ of *habeas corpus* shall be suspended by the judge or court having issued the said writ, so long as said suspension by the President shall remain in force, and said rebellion continue.

BY THE PRESIDENT OF THE UNITED STATES.

A PROCLAMATION.

WHEREAS the Constitution of the United States has ordained that the privilege of the writ of *habeas corpus* shall not be suspended, unless when in cases of rebellion or invasion the public safety may require it, and whereas a rebellion was existing on the third day of March, 1863, which rebellion is still existing, and whereas by a statute, which was approved on that day, it was enacted by the Senate and House of Representatives of the United States in Congress assembled, that during the present insurrection the President of the United States, whenever, in his judgment, the public safety may require, is authorized to suspend the privilege of the writ of *habeas corpus* in any case throughout the United States, or any part thereof; and, whereas, in the judgment of the President, the public safety does require the privilege of the said writ shall now be suspended throughout the United States, in the cases when, by the authority of the President of the United States, military, naval, and civil officers of the United States, or any of them, hold persons under their command, or in their custody, either as prisoners of war, spies, or aiders or abettors of the enemy, or officers, soldiers, or seamen enrolled, drafted, or mustered or enlisted in, or belonging to, the land or naval forces of the United States, or as deserters therefrom, or otherwise amenable to military law, or the Rules and Articles of War, or the rules and regulations prescribed for the military or naval services by authority of the President of the United States; or for resisting a draft, or for any other offence against the military or naval service:

Now, therefore, I Abraham Lincoln, President of the United States, do hereby proclaim and make known to all whom it may concern, that the privilege of the writ of *habeas corpus* is suspended throughout the United States, in the several cases before mentioned, and that this suspension will continue throughout the duration of the said rebellion, or until this proclamation shall, by a subsequent one to be issued by the President of the United States, be modified or revoked. And I do hereby require all magistrates, attorneys, and all other civil officers within the United States, and all officers and others in the military services of the United States to take distinct notice of this suspension, and to give it full effect, and all citizens of the United States to conduct and govern themselves accordingly, and in conformity with the Constitution of the United States and the laws of Congress in such cases made and provided.

In testimony whereof, I have hereunto set my hand, and caused the seal of the United States to be affixed, this (15th)
[L. S.] day of September, in the year of our Lord one thousand eight hundred and sixty-three, and of the independence of the United States of America the eighty-eighth.

ABRAHAM LINCOLN.

By the President:
WM. H. SEWARD, *Secretary of State.*

The attention of every officer in the military service of the United States is called to the above Proclamation of the President, issued on the 15th day of September, 1863, by which the privilege of the writ of *habeas corpus* is suspended. If, therefore, a writ of *habeas corpus* should, in violation of the aforesaid Proclamation, be sued out and served on any officer in the military service of the United States, commanding him to produce before any court or judge, any person in his custody by authority of the President of the United States, belonging to any one of the classes specified in the President's Proclamation, it shall be the duty of such officer to make known by his *certificate, under oath*, to whomsoever may issue or serve such writ of *habeas corpus*, that the person named in said writ "*is detained by him as a prisoner under authority of the President of the United States.*"

Such return having been made, if any person serving, or attempting to serve, such writ, either by the command of any court or judge, or otherwise, and with or without process of law, shall attempt to arrest the officer making such return and holding in custody such person, the said officer is hereby commanded to refuse submission and obedience to such arrest, and if there should be any attempt to take such person from the custody of such officer, or arrest such officer, he shall resist such attempt, calling to his aid any force that may be necessary to maintain the authority of the United States, and render such resistance effectual.

JAMES B. FRY,
sep 26-tf Provost Marshal General.

War Department.

Provost Marshal General's Office
Washington, D. C. August 15. 1863
Capt. John Frazier, Provost Marshal, Easton Md.

SIR: I am instructed by the Provost Marshal General to say, he desires you to give publicity to the fact, "that a reward of ten dollars ($10), and the reasonable expense incurred, will be paid to any person for the apprehension and delivery of a deserter at the Headquarters of the nearest Provost Marshal," by advertising in the newspapers, and by printed handbills.

I am, sir, very respectfully,
Your obedient servant,
CHAUNCEY McKEEVER,
Major, and Assistant Adjutant General,
sep 26-tf

War Department.

Provost Marshal General's Office,
Washington, D. C., July 18, 1863.
Circular No. 51.

The 4th paragraph of Circular No. 44, issued from this office July 12, 1863, is hereby modified, so as to correspond with the following opinion of the Hon Willing Whiting, Solicitor of the War Department, which will hereafter govern in all cases in which it is applicable:

OPINION.

"A person drafted into the military service of the United States, under the provisions of the act of March 3, 1863, chapter 75, for 'enrolling and calling out the national forces, and for other purposes,' claiming exemption from draft by reason of any disability as provided in said act, has the right to have the question of disability submitted to and passed upon by the Board of Enrolment, whose decision thereon is final. If the Board shall have decided that the claimant is liable to serve, he has the right, *after* such decision against him, to pay his commutation money, or to furnish his substitute, with such extended time as may be fixed by the order of the Board of Enrolment for his appearance for duty.

(Signed) "WILLING WHITTING,
"*Solicitor of the War Department.*"
JAMES B. FRY,
sep 26-tf Provost Marshal General.

War Department.

Provost Marshal General's Office,
Washington, D. C., August 20, 1863.
Circular No. 73

OPINION.

The following Opinions of Colonel Joseph Holt, Judge Advocate General, are published for the information and guidance of all officers of this Bureau.

In the case where there are only two sons of aged or infirm parents, and both are drafted.—(Clause 4, section 2, Enrollmen act.)

OPINION

"Where, through inadvertence or ignorance of the law, aged or infirm parents, having two sons, have omitted before the draft to elect which shall be exempted, *and both have been drafted*, it seems that the right of election should still be allowed to be exercised at any time before the notice to report to the Board of Enrollment expires. The reason of the rule heretofore established requireing this election to be made *before the draft*, was that a different course would result in "a practical exemption of two sons instead of one." This reason, however, does not apply in the case—necessarily of rare occurrence—where both sons have been drafted, since whichever may be elected, one still remains for the military service, which is all that the law claims or contemplates. The reason of the rule failing, the rule itself should be relaxed in such extreme cases since the object of the law will thereby be accomplished, without the slightest hazard of compromising the public interest."

With regard to the meaning of the word "labor" in section 2 of the Enrollment act.

OPINION

"Labor is defined to be "bodily or mental exertion." It may, within the meaning of the law, be either physical or intellectual; it may be professional, mechanical, commercial, or agricultural; or intellectual; and each of these forms of labor may exist under modifications, or in combination with each other. The means for the support of the parent or widow, must be produced by this labor, whatever may be its character. It need not be *wholly* produced from it, but it must be *mainly* so. A parent or widow receiving support from a son whose income is derived from dividends or rents, cannot be said to be dependent on his labor, but if that income were entirely the fruit of professional or physical toil, then the case would be clearly within the per view of the law. In mixed cases, where the income is the product of labor and capital co-operating together the application of the law is rendered more difficult. Its object will probably be best secured by holding, as suggested, that in such cases the income which furnishes the support must be *mainly* derived from the personal labor of the son. If, for example, the son be a merchant or manufacturer, whose business, under his personal superintendence, yields him an annual revenue of $10,000—and such personal superintendence could not be estimated as worth more than $3,000 per annum—it could not be said, in the sense of the law, that his labor yielded the income to which his parent looks for support. It is, it is true an element in the production, but not a preponderating one A test may be found in an answer to the question, whether, if the son's personal labor were withdrawn by calling him to the military service, a support for the parent or widow would remain., If it would—and in the case supposed it would since his superintendence could be supplied and, the productive capability of his capital would remain—then the claim to exemption cannot be allowed."

JAMES B. FRY,
sep 26-tf *Provost Marshal General*

PROPOSALS.

PROPOSALS for furnishing the Court House and Jail with Coal and Wood for the ensuing season, will be received at the office of the County Commissioners, from this date to Tuesday, the 6th day of October next, at which time the contract will be given to such person or persons as the Board may select.

Persons sending in their proposals will state the price per ton for coal and per cord for wood, as well as the amount for which they are willing to contract for the season.

By order of the Board,
sep 26-3t WM. B. CLARK, Clerk.

ANOTHER ARRIVAL
OF THE
BOHEMIA MILLS GOODS.

WE have just received from the Bohemia Mills another supply of those famous
Fulled Kerseys,
Fulled Cassimeres,
and Heavy Flannels.
They only need to be seen to be admired—call and examine them.

sep 26 THOMPSON & KERSEY.

New Fall and Winter GOODS.

THOMPSON & KERSEY

HAVE just been making large additions to their former stock of
FALL & WINTER GOODS,
which they take pleasure in saying will compare most favorably with any stock on the Shore.

They invite their friends and all parties in want of Goods to come and examine them.

sep 26

Dissolution of Co-Partnership.

THE firm of Lloyd & Robinson is this day *dissolved* by mutual consent. Either partner is authorized to sign the name of the firm in liquidation of the business. The accounts may be found at the old stand, and all owing the late firm are reminded that the limited time given has now expired.

MONTGOMERY LLOYD,
JAMES L. ROBINSON.

Trappe, Sep. 21st, 1863.

CO-PARTNERSHIP NOTICE.

THE undersigned have formed a partnership under the firm of Robinson & Fletcher for the transaction of a *General Mercantile Business.* They have purchased the stock of Lloyd & Robinson, to which they will be continually making additions. They may be found at the old stand of L. & R., and will sell goods *cheap for cash only*, and respectfully solicit your custom.

JAMES L. ROBINSON,
JOHN W. FLETCHER.

Trappe, Sep. 26, 1863-3t

PUBLIC SALE.

BY virtue of authority derived from the Orphans' Court, for Talbot county, the undersigned, administrator of Mrs. Frances Wells, dec'd, will offer at public sale, at the late residence of said deceased, in Bay Hundred District, on

Tuesday, the 6th day
of October next,

(if fair, if not, the next fair day thereafter.) all the personal estate (negroes excepted.) of the said deceased, comprising in part, all of her

HOUSEHOLD AND KITCHEN
FURNITURE,
HORSES & HOGS
A lot of BLADE AND TOP FODDER. Also the crop of CORN now growing on the farm,
and many other articles too tedious to mention.

TERMS.

On all sums over $10 a credit of six months will be given, the purchaser giving note with approved security, bearing interest from the day of sale. On all sums of and under $10 the cash will be required. No property to be removed until the terms of sale have been complied with. Sale to commence at 10 o'clock, A. M.

SAMUEL WILLIAMS, Adm'tr
sep 26 ts of Mrs. Frances Wells, dec'd.

Easton Academy.

THE undersigned, a Committee appointed by the Trustees of this Institution, respectfully announce to the public, that by a resolution of the last meeting, the restriction heretofore existing limiting pupils studying the classics to the Upper Department, and those studying the English alone to the Lower, has been rescinded, and both Departments are now open to all who may choose to study the classics, or the English branches, or both.

The Academy offers great inducements to the citizens of the county and State, wishing to secure the advantages of a thorough academic education to their sons or wards. The Upper Department is in charge of M. Spencer, Esq., Principal, whose known proficiency and ability, added to the experience of more than thirty years, render him one of the most competent instructors of the State.

The Lower Department is conducted by W. H. D. Harper, Esq., who is a young gentleman of the very highest intellectual and moral endowments, and has given the most entire satisfaction both to Trustees and patrons of the Academy, in his excellent discipline and rapid advancement of his pupils.

SAM'L HAMBLETON,
H. H. GOLDSBOROUGH, } Com.
I. C. W. POWELL.

FURTHER NOTICE.

THE undersigned has now permission to open a Mathematical and Belles-Lettre Department, the first of which will embrace Arithmetic in all its branches, written and intellectual; Algebra, "uniting the scientific discussions of the French with the practical method of the English School;" Geometry,—Davies, Euclid and Legendre; Trigonometry,—Plane and Spherical, with their application to heights and distances, Surveying and Navigation; Mensuration of Planes and Solids; Dialling, Natural Philosophy, Astronomy and the Globes. The Belles-Lettres Department will embrace Rhetoric, History, Moral Philosophy and should it be desired, Metaphysics, Declamation and Composition. Besides which, a complete course will be taught in Geography, English Grammar and Exercises, Book-keeping, &c.

The classics in this department are read so that the student shall understand every word. The leading principles of the grammar together with the declensions of the parts of speech, are carefully committed; and their applicability shown in every syllable of the text. The new-fangled systems for making smatterers are utterly rejected. The metrical reading of the poets in order to correct pronunciation, is an indispensable exercise; and the mythological and historical allusions of both poetic and prose writers explained as the student progresses.

The Public's obedient servant,
sep 26-3t M. SPENCER.