The South.

HABEAS CORPUS.

"Next to personal security," says Mr. Justice Blackstone, "the law of England regards, asserts "and preserves the personal liberty of individuals. "This personal liberty consists in the power of "locomotion, of changing situation or moving "one's person to whatsoever place one's own "inclinations may direct, without imprisonment "or restraint, unless by due course of law.

"By the Petition of Right, 3 Car. 1st, it is enacted that no person shall be imprisoned or detained without cause shown, to which he may "make answer according to law. By 16 Car. 1st, "ch. 10, if any person be restrained of his liberty "by order or decree of any illegal court, or by "the command of the KING'S MAJESTY in person, "or by warrant of the council board, or of any "of the privy council, he shall upon demand of "his counsel, have a writ of *habeas corpus* to "bring his body before the Court of King's Bench "or Common Pleas, who shall determine whether "the cause of his commitment be just, and hereupon to do as to justice shall appertain.

"To bereave a man of life or by violence to "confiscate his estate without accusation or trial "would be so gross and notorious an act of despotism as must at once convey the alarm of "tyranny throughout the whole kingdom, but "confinement of the person by secretly hurrying "him to jail where his sufferings are unknown or "forgotten is a less public, a less striking and "therefore a more dangerous engine of arbitrary "government. And yet sometimes, when the State "is in real danger, even this may be a necessary "measure. BUT THE HAPPINESS OF OUR OWN CONSTITUTION IS THAT IT IS NOT LEFT TO THE EXECUTIVE POWER TO DETERMINE WHEN THE DANGER OF THE STATE IS SO GREAT AS TO RENDER THIS MEASURE EXPEDIENT; FOR IT IS THE PARLIAMENT ONLY, OR "LEGISLATIVE POWER THAT WHENEVER IT SEES PROPER CAN AUTHORIZE THE CROWN, BY SUSPENDING "THE HABEAS CORPUS ACT FOR A SHORT AND LIMITED TIME, TO IMPRISON SUSPECTED PERSONS WITHOUT GIVING ANY REASON FOR SO DOING."—*Commentaries on the Laws of England, Vol. 1. pp.* 135—136.

So our own Chief Justice Marshall, in the case of Bollman, 4 *Cranch*, 100, says: "If at any time "the public safety should require the suspension "of the power vested by this act (the power to "grant writs of *habeas corpus*) in the Courts of "the United States, *it is for the Legislature to say* "*so*. That question depends on political considerations on which the Legislature is to decide. "Until the Legislative will be expressed, this "Court can only see its duty and *must obey the* "*laws*." This was in a case of Treason.

So Judge Story in his *Commentaries on the Constitution*, sec. 1336, says: "It would seem as the "power is granted to Congress to suspend the "writ of *habeas corpus* in case of rebellion or invasion, that the right to judge whether the exigency "had arisen must exclusively belong to that body."

So in 1807, when great alarm existed as to Burr's conspiracy, a bill was brought before the Senate in secret session to suspend the writ of *habeas corpus*. When brought into the House of Representatives, that body refused to consider it in secret session, and by a vote of 113 to 19 rejected the bill on its first reading. On that occasion Mr. Dana of Connecticut used the following language: "This bill authorizes the arrest of persons not merely by the President or other high "officers, but by any person acting under him. "*I imagine this to be wholly without precedent. It* "*treason were in reality to force us from our seats, I* "*would not agree thus to destroy the fundamental* "*principles of the Constitution, or commit such an* "*act either of despotism or pusillanimity.*"

HISTORICAL PARALLELS.

"We hold these truths to be self-evident, that all men are created equal; that they are endowed by their Creator with certain unalienable rights; that among these, are life, liberty, and the pursuit of happiness. That, to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed; that, whenever any form of government becomes destructive of these ends, it is the right of the people to alter or to abolish it, and to institute a new government, laying its foundation on such principles, and organizing its powers in such form, as to them shall seem most likely to effect their safety and happiness. Prudence, indeed, will dictate that governments long established, should not be changed for light and transient causes; and, accordingly, all experience hath shown, that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But, when a long train of abuses and usurpations, pursuing invariably the same object, evinces a design to reduce them under absolute despotism, it is their duty, to throw off such government, and to provide new guards for their future security."—*Declaration of Independence.*

Yes, sir, we wish for peace, but how is that blessing to be preserved? I shall repeat here a sentiment I have often had occasion to express. In my opinion there is nothing worth fighting for but national honor; for, in the national honor is involved the national independence. *I know that a State may find itself in such unpropitious circumstances, that prudence may force a wise government to conceal the sense of indignity. But the insult should be engraven on tablets of brass, with a pencil of steel.* AND WHEN THAT TIME AND CHANCE, WHICH HAPPEN TO ALL, SHALL BRING FORWARD THE FAVORABLE MOMENT, THEN LET THE AVENGING ARM STRIKE HOME. It is only by avowing and maintaining this stern principle of honor, that peace can be preserved.—*Gouverneur Morris, Speech in the Senate of the U. S., Feb.* 24, 1803.

"Countrymen! the men who now invite you to surrender your rights into their hands, are the men who have let loose the merciless savages to riot in "the blood of their brethren—AND HAVE TAUGHT "TRAITORS TO YOUR STATES, AND COWARDS HOW TO "ASSASSINATE YOUR WIVES AND CHILDREN."—*Samuel Adams, Speech in Philadelphia, 1st August,* 1776.

"A town meeting of Boston had been called at the Old South Church, in consequence of some new aggression upon the rights of the people. The different orators of the patriot party had in turn addressed the meeting, loud in complaint and accusation, but guarded and cautious on every point which might look like an approach towards treasonable expressions, or direct exhortations to resistance. Adams placed himself in the pulpit, and sat quietly listening to all their harangues, at length he rose and made a few remarks, which he closed with the following pithy apologue:—A Grecian philosopher who was living asleep in the grass, was suddenly roused by the bite of one animal on the palm of his hand. He killed the hand quickly as he awoke, and found he had caught in it a small field mouse. As he was examining the little animal which had dared to attack him, it bit him unexpectedly a second time: he dropped it, and it escaped. Now, fellow citizens, what think you was the reflection which this trifling circumstance gave birth to, in the mind of the philosopher? It was this: *That there is no animal, however weak and contemptible, which cannot defend its own liberty, if it will only* FIGHT TO DO IT."—*Samuel Adams, Memoir in American Eloquence, Vol. 1.*

Guard with jealous attention the public liberty. Suspect every one who approaches that jewel. *Unfortunately, nothing will preserve it but downright force.* WHENEVER ANY MEN ATTEMPT TO TAKE IT, IN ANY MANNER, ATTACK IMMEDIATELY REMOVE THEM.—*Patrick Henry, Speech in the Virginia Convention, June* 4, 1788.

The honorable gentleman who presided, told us that to prevent abuses in our government we will assemble in convention, recall our delegated power, and punish the servants for abusing the trust reposed in them. Oh, sir, we should have the times, indeed, if to punish tyrants it were only sufficient to assemble the people. *Your arms wherewith you could defend yourselves are gone; and you have no longer an aristocratical, no longer a democratical spirit.* Did you ever read of any revolution in any nation brought about by the punishment of those in power, inflicted by those who had no power at all? You read of a riot act in a country which is called one of the freest in the world, where a few neighbors cannot assemble without the risk of being shot by a hired soldiery, the engines of despotism. *We may see such an act in America. A standing army we shall have also, to execute the execrable commands of tyranny,* and how are you to punish them? Will you order them to be punished? Who shall obey those orders? Will your mace-bearer be a match for a disciplined regiment? In what situation are we to be?—*Patrick Henry, Speech in Virginia Convention, June 4th,* 1788.

Where are your checks in this government?—Your strongholds will be in the hands of your enemies. *It is on the supposition that your American Governors shall be honest that all its good qualities are founded, but its defective and imperfect construction puts it in their power to perpetrate the worst of mischiefs should they be bad men.* And, sir, would not all the world, from the Eastern to the Western hemisphere, blame our distracted folly in resting our rights upon the contingency of our rulers being good or bad? Show me that age and country where the rights and liberties of the people were placed on the sole chance of their rulers being good men without a consequent loss of liberty. I say that the loss of that dearest privilege has ever followed, with absolute certainty, any such mad attempt. If your American chief be a man of ambition and abilities, how easy will it be for him to render himself absolute! The army is in his hands, and, if he be a man of address, it will be attached to him; and it will be the subject of long meditation with him to seize the first auspicious moment to accomplish his design. And, sir, will the American spirit suddenly relieve you when this happens? I would rather trust to hope in the future. Most of this convention are of the same opinion, we have a king, lords and commons, than a government so replete with such insupportable evils. If we make a king, we may prescribe the rules by which he shall rule his people, and interpose such checks as shall prevent him from infringing them: *but the president in the field, at the head of his army, can prescribe the terms on which he shall reign master so far that it will puzzle any American ever to get his neck from under the galling yoke.* I cannot, with patience, think of this idea. If ever he violates the laws, one of two things will happen: he will come at the head of his army to carry every thing before him; or, he will give bail, or do what Mr. Chief Justice will order him. If he be guilty will not the recollection of his crimes teach him to make one bold push for the American throne? Will not the immense difference between being master of every thing, and being ignominiously tried and punished, powerfully excite him to make this bold push? But, sir, where is the existing force to punish him? Can he not, at the head of his army, beat down every opposition?

Away with your president, we shall have a king; the army will salute him monarch; your militia will assist in making him king, and fight against you; and what have you to oppose this force?—What will then become of you and your rights?—WITH NO AMBITIOUS DESPOTISM TO FEAR.—*Patrick Henry, in the Virginia Convention, June,* 1788.

"'The glorious spirit of liberty is extinguished and left without hope but in a miracle,' said desponding patriots. 'I confess,' said Samuel Adams, 'we have, as Wolfe expressed it, a choice of difficulties. Too many flatter themselves that their pusillanimity is true prudence; *but in perilous times like these, I cannot conceive of prudence without fortitude.*' He persevered; but John Adams retired from the service of the people, and devoting himself to his profession, for a time ceased even to employ his pen in their defence. Otis who had returned to the Legislature, disordered in mind, and jealous of his declining influence, did but impede the public cause. In Hancock, also, vanity so mingled with patriotism, that the Government hoped to separate him from its uncompromising opponents."—*Bancroft's U. S., vol. 6, page* 492, *year* 1771.

"'Here,' said Mayhew, as he lamented the cold adhesion of the timid good, and for himself, trod the thorny path of resistance to the grandeurs of the world—here, there are many who see the right, and yet the wrong pursue. But it is my fixed resolution, notwithstanding many discouragements, in my little sphere, to do all I can for the service of my country, that neither the republic nor the churches of New England may sustain any injury.' And every where men began to enter into a solemn agreement not to use a single article of British manufacture; not even to wear black clothes for mourning. To encourage the growth and manufacture of wool, nearly all Boston signed a covenant to eat no lamb."—*Bancroft's U. S., vol.* 5, *p.* 206, *year* 1771.

The King, in his reply, pledged himself *speedily and effectually to enforce "obedience to the laws and the authority of the supreme legislature."* His heart was hardened. *Having just heard of the seizure of ammunition at the fort in New Hampshire,* he intended that his language should "open the eyes of the deluded Americans." "If it does not," said he to his faltering minister, "it must set every delicate man at liberty to avow the propriety of the most coercive measures." "*The New England governments are now in a state of rebellion. Blows must decide whether they are to be subject to this country or to be independent.*"—*Bancroft's U. S., vol.* 7, *p.* 177-227.

They rushed on with headlong indiscretion, thinking not to involve the empire in a civil war, but to subdue the Americans by fear. The first step towards inspiring terror was, to declare Massachusetts in a state of *rebellion*, and to pledge the parliament and the whole force of Great Britain to its reduction; the next, by prohibiting the American fisheries, to *starve* New England; the next, to call out the savages on the rear of the Colonies; the next, *to excite a servile insurrection.*—*Bancroft's U. S., vol.* 7, *p.* 322.

In the Congress of 1774, there was not one member, except Patrick Henry, who appeared to me sensible of the precipice, or rather the pinnacle on which we stood, and had candor and courage enough to acknowledge it. America is in total ignorance, or under infinite deception concerning that assembly. To draw the characters of them all would require a volume, and would now be considered as a caricatured print. One third Tories, another Whigs, and the rest mongrels.

There was a little aristocracy among us of talents and letters. Mr. Dickinson was *primus inter pares*, the bell wether, the leader of the aristocratical flock.—*John Adams, Letter to Jefferson, Nov.* 12, 1813.

As to the history of the Revolution, my ideas may be peculiar, perhaps singular. What do we mean by the Revolution? The war? That was no part of the Revolution. It was only an effect and consequence of it. *The Revolution was in the minds of the people, and this was effected from* 1760 *to* 1775, *in the course of fifteen years, before a drop of blood was drawn at Lexington.* The records of thirteen Legislatures, the pamphlets, newspapers, in all the colonies, should be consulted during that period, to ascertain the steps by which the public opinion was enlightened and informed concerning the authority of Parliament over the colonies. *The Congress of* 1774 *resembled, in some respects, though I hope not in many, the Council of Nice in Ecclesiastical history.* It assembled the priests, from the east and the west, the north and the south, who compared notes, engaged in discussions and debates, *and formed results by one vote and by two votes which went out to the world as unanimous.*—*John Adams, Letter to Jefferson, August* 14, 1815.

Truth, being known, will prevail over artifice and misrepresentation. In such case *no man, who is worthy of life, liberty or property, will or can refuse to join with you in defending them to the last extremity,* disdaining every sordid view, and the mean, paltry considerations of private interest and present emolument, when placed in competition with the liberties of millions; *and, seeing that there is no alternative but absolute, unconditional submission, and the most abject slavery, or a defence becoming men born to freedom, he will not hesitate about the choice.* Although superior force may, by the permission of Heaven, lay waste our towns and ravage our country, it can never eradicate from the breasts of freemen, those principles which are ingrafted in their very nature. *Such* MEN WILL DO THEIR DUTY, SETTING KNOWING NOR REGARDING CONSEQUENCES; but submitting them, with humble confidence, to the omnipresent and omnipotent Arbiter and Director of the fate of empires, and trusting that his Almighty arm, which has been so signally stretched out for our defence, will deliver them in a righteous cause.—*John Rutledge, in the South Carolina Assembly, April* 11*th,* 1776.

It was a maxim of the Roman people, which eminently conduced to the greatness of that State, never to despair of the commonwealth. THIS MAXIM MAY PROVE AS SALUTARY TO US NOW, AS IT DID TO THEM. Short-sighted mortals see not the numerous links of small and great events which form the chain on which the fate of kings and nations is suspended.—Ease and prosperity, though pleasing for a day, have often sunk a people into dotmancy and sloth. Hardships and dangers, though we for ever strive to shun them, have frequently called forth such virtues as have commanded the applause and reverence of an admiring world. Our country loudly calls you to be circumspect, vigilant, active and brave. Perhaps, (all gracious heaven avert it,) perhaps the power of Britain, a nation great in war, by some malignant influence, may be employed to enslave you: but let not even this discourage you. Her arms, tis true, have filled the world with terror; her troops have traped the lauels of the field; her fleets have sode triumphant on the sea: and when, or where, did you, my countrymen, depart inglorious from the field of fame? You, too, can show the trophies of your forefathers' victories and your own; can name the fortresses and battles you have won: and many of you count the honorable scars of wounds received, whilst fighting for your king and country.—*Joseph Warren, Boston, March 6th,* 1775.

But, pardon me, fellow citizens, I know you want not zeal or fortitude. *You will maintain your rights, or perish in the generous struggle. However difficult the combat, you never will decline it while a freedom is the prize.* An independence of Great Britain is not our aim. No, our wish is, that Britain and the colonies may, like the oak and ivy, grow and increase in strength together. *But whilst the infatuated plan of making one part of the empire slaves to the other is persisted in,* the interest and safety of Britain, as well as the colonies, require that the wise measures recommended by the honorable the Continental Congress be steadfastly pursued; whereby the unnatural contest between a parent honored and a child beloved, may probably be brought to such an issue, as that the peace and happiness of both may be established upon a lasting basis. *But if these pacific measures are ineffectual, and it appears that the only way to safety is through fields of blood, I know you will not turn your faces from your foes, but will, undauntedly, press forward, until tyranny is trodden under foot.*—*Joseph Warren, Boston, March 6th,* 1775.

Upon the whole it has been the policy of the British authority to oblige us to supply our wants at their market, which is the dearest in the known world, *and to cramp and confine our trade so as to be subservient to their commerce, our real interest being over out of the question.*—*Chief Justice Drayton, Charge to the Grand Jury, Charleston, May* 23, 1776.

Our liberties and safety cannot be depended upon if the King of Great Britain should be allowed to hold our forts and cannon, or to have authority over a single regiment in America or a single ship of war in her ports. For if he holds our forts he may turn them against us, as he did Boston against her proprietors; if he acquires our cannon he will effectually disarm the colony; if he has a command of troops among us, even if we raise and pay them, shackles will be fixed upon us—witness Ireland and her national army. The most express act of Parliament cannot give us security, for acts of Parliament are as easily repealed as made. Royal proclamations are not to be depended upon, witness *the disappointments of the inhabitants of Quebec and St. Augustine.* Even a change of ministry will not avail us, because, notwithstanding the rapid succession of ministers, for which the British Court has been famous during the present reign, *yet the same ruinous policy ever continued to prevail against America.* In short, I think it my duty to declare, in the awful seat of justice and before Almighty God, that in my opinion the Americans can have no safety but by the Divine favor, their own virtue, and their being so prudent as NOT TO LEAVE IT IN THE POWER OF THE BRITISH RULERS TO INJURE THEM. *Indeed the ruinous and deadly injuries received on our side, and the jealousies entertained, and which in the nature of things must daily increase against us, on the other, demonstrate to a mind the least given to reflection upon the rise and fall of empires, that true reconcilement can never exist between Great Britain and America, the latter being in subjection to the former.*—*Chief Justice Drayton, Charge to the Grand Jury, Charleston, April* 23, 1776.

"Of the inhabitants of Boston, six thousand seven hundred and fifty three still remained in the town, pining of sorrow; deprived of wholesome food; confined to their houses after ten o'clock in the evening; liable to be robbed without redress; ever exposed to the malice of the soldiers, and chidden for tears as proofs of disloyalty.—*Bancroft's U. S., vol.* 8, *p.* 42, *year* 1775.

"They closed their statement in the words of their new member, Jefferson: 'These Colonies now feel the complicated calamities of fire, sword and famine. We are reduced to the alternative of choosing an unconditional submission to irritated ministers, or resistance by force. The latter is our choice. We have counted the cost of this contest, and find nothing so dreadful as voluntary slavery.'"—*Bancroft's U. S. vol.* 8, *p.* 36, *year* 1775.

"The loss of officers was observed to be disproportionably great; and the gloom in the quarters of the British was deepened by the reflection that they had fought not against an enemy, but against their fellow-subjects and kindred; not for the promotion of civil or religious freedom, *but for the supremacy of one part of the empire over another.*"—*Bancroft's U. S., vol.* 8, *pp.* 25 26, *Battle of Bunker Hill.*

"Here too, as every where else, preparations for resistance had been deferred; no more than four barrels of powder could be found in the city. While Washington was borne toward Cambridge on the affectionate confidence of the people, Congress which had as yet supported its commander-in-chief with nothing beyond a commission," &c., &c.—*Bancroft U. S., vol.* 8, *p.* 24. "*Not Prepared for Resistance.*"

The wife of Colonel Pinckney is distinguished as one of those heroic and self-sacrificing women of the revolution, "whose intrepidity and fortitude lent no able a support to the cause of their country." An incident in her life is recorded in Garden's interesting *Anecdotes of the Revolution.* "A British officer of rank once said to Mrs. Pinckney—'It is impossible not to admire the intrepid firmness of the ladies of your country. Had your men but half their resolution, we might give up the contest. America would be invincible.'"—*American Eloquence, Vol.* 1.

"But in truth the cry of Dunmore did not rouse "among the Africans a passion for freedom. To "them bondage in Virginia was not a lower condition of being than their former one; they had no "regrets for ancient privileges lost; their memories prompted no demand for political changes; "no struggling aspirations of their own had invited "Dunmore's interposition; no memorial of their "grievances had preceded his offices."—*Bancroft's U. S., vol.* 8, *p.* 225—*year* 1775.

"When Washington learned the fate of the rich "emporium of his own country,' for so he called "Virginia, his breast heaved with waves of anger "and grief; 'I hope,' said he, 'this and the threatened devastation of other places will unite the "whole country in one indissoluble bond against a "nation which seems lost to every sense of virtue "and those feelings which distinguish a civilized "people from the most barbarous savages.'"—*Bancroft U. S., vol.*, 232—*Burning of Norfolk.*

"Yet the majority of Congress, scrupulous not "to outrun the convictions and sympathies of their "constituents, and pleasing themselves by confiding "in the speedy restoration of peace, not only "made no adequate preparations for resistance, but "would not even consent to relieve the states from "anarchy by sanctioning the institution of Governments in the several colonies. The hesitancy of "so many members, especially of Dickinson, incensed John Adams, who maintained that the "fifty or sixty men composing Congress should at "once form a constitution for a great empire, provide for its defence, and, in that safe attitude, "await the decision of the King. His letters to "New England, avowing these opinions, were intercepted; and so little were the central colonies "prepared for the bold advice, they were published "by the royalists as the surest way of destroying "his influence, and heaping obloquy on his name."—*Bancroft U. S., vol.*, 55—*year* 1775.

"The people of Maryland, happier than that of Pennsylvania, escaped intestine dissensions and united unanimity, by passing over the proprietary government, and intrusting the conduct of resistance to a series of conventions. The prudent, the slow, the hesitating were allowed an influence; but from the first, all parties acquiesced in the principle of deriving all power from the people, and the province, however its movement was sometimes retarded, proceeded courageously in an unbroken line. In November, 1774, it adhered to the association, adopted in the general Congress, and its patriotism was confirmed by the austerity of religious zeal. At an adjourned session in December, the Maryland convention, fifty-five members being present from sixteen counties, resolved unanimously to resist to the utmost of their power, taxation by Parliament, or the enforcement of the penal acts against Massachusetts. To this end they voted with equal unanimity a well regulated militia, to be composed of all the freemen of the colony, between fifteen and sixty. They resolved also, that all former difficulties about religion or politics from henceforth should cease, and be forever buried in oblivion; and the benign aurora of the coming republic lighted the Catholic to the recovery of his rightful political equality in the land which a Catholic proprietary had set apart for religious freedom. Charles Carroll of Carrollton, who, under the British government, had not had so much as a vote at the polls, was placed unanimously on the committee of correspondence.

"It was throughout the continent a subject of regret that the zeal of Dulany had grown cool. As he kept silent, the foremost man in Maryland was Samuel Chase, like Dulany a lawyer; less circumspect and less careful of appearances; but strong, downright, brave and persevering; capable of error from rashness or wilf will, but not capable of faltering in the cause which he approved. Vehement even to a fault, he did not always speak softly or shun coarse invective; but his undaunted spirit, his fierce independence of mind, his unbending energy, his scorn of semblance without substance, of servility, of plausible hypocrisy that glossed servility over, his eloquence, which sprung from his heart and expressed the vigor of his nature, his uncommon promising energy, justly won for him the confidence of Maryland."—*Bancroft's U. S., vol.* 8, *p.* 75 7.

Gen. Washington's Advice.

Upon the evacuation of Boston by the British, General Washington wrote a letter, from which the following is an extract, to his brother, John Augustine Washington. The letter is dated "Cambridge, 31 March 1776, and is contained in the third volume of Sparks's Writings of Washington, p. 339:

"The enemy left all their works standing in Boston and on Bunker's Hill; and formidable they are. The town has shared a much better fate than was expected, the damage done to the houses being nothing equal to report. But the inhabitants have suffered a good deal in being plundered by the soldiery at their departure. All those who took upon themselves the style and title of government-men in Boston, in short, all those who have acted an unfriendly part in this great contest, have shipped themselves off in the same hurry, but under still greater disadvantages than the King's troops, being obliged to man their own vessels, as seamen enough could not be had for the King's transports, and submit to every hardship that can be conceived. One or two have done, what a great number ought to have done long ago, committed suicide. By all accounts, there never existed a more miserable set of beings, than these wretched creatures now are. Taught to believe, that the power of Great Britain was superior to all opposition, and, if not, that foreign aid was at hand, they were even higher and more insulting in their opposition than the regulars. When the order issued, therefore, for embarking the troops in Boston, no electric shock, no sudden explosion of thunder, in a word, not the last trump could have struck them with greater consternation. They were at their wits' end, and, conscious of their black ingratitude, they chose to commit themselves, in the manner I have above described, to the mercy of the waves at a tempestuous season, rather than meet their offended countrymen."

From our Second and Third Editions of yesterday.

BY THE PHILADELPHIA TRAIN.

From New York.

A letter to the Philadelphia *Ledger* from New York, says:—

Letters from Havana by the steamer *Bienville*, arrived this evening with dates to 25th, report utter stagnation in all descriptions of business there, in consequence of the war. The Spanish houses, as well as the American, had pretty much stopped trade. With New Orleans there was no communication whatever. Money very tight Some cases of fever made their appearance, but the port generally was healthy.

New Orleans, to all intents and purposes, is a "sealed book" now, the following dispatch being posted up on the Merchants' Exchange bulletin this afternoon, by Lloyd's agent at this port:—

"NEW ORLEANS, May 28.—Our port is blockaded. Report to London."

This news, though not unexpected, creates not a little stir among the merchants, many of whom are still more or less interested in Louisiana commerce. There are but few New York ships within range of the blockade, but trouble may spring up with John Bull, if any of the numerous vessels he has in New Orleans at last dates undertake to run the blockade. And it is this possibility that makes our people anxious.

Private letters from New Orleans received by this morning's mail, complain bitterly of the opening of correspondence from the North by the Government officials here. As the charge is made by different parties, there would seem to be some ground for it.

The city trade report continues of the same discouraging character that has marked them for weeks past. Manufacturers of boots and shoes are engaged almost exclusively upon army contracts. Of other styles of goods very few are being produced. The dry goods dealers are kept moderately busy with military orders. Domestic cottons, of every description, are held with increased firmness, owing to the high price of the raw material, and the curtailment of supplies.

From Washington.

A letter from Washington to the Philadelphia *Inquirer* furnishes the following information:

There can be but little doubt that in less than one week Federal troops will occupy Manassas Junction and Acquia creek—the latter place being the end of the Richmond, Fredericksburg and Potomac Railroad, a distance of some sixty miles from Richmond, and sixty from Washington—and the former place some twenty-eight miles from Alexandria. The indications to-day point to this advance movement. As preparatory to a contemplated march on Richmond, and to cut off the retreat of the rebels from Harper's Ferry, it is absolutely necessary that the places named should be speedily occupied. Richmond can be easily taken by an advance from Fort Monroe and the York river on the south, by the Acquia creek camp on the northeast, and by the Manassas camp on the north. This is undoubtedly the programme to be carried out within the next month.

It is understood that the administration endorses Gen. Butler's course in harboring runaway slaves. The Cabinet, it is understood, have had under consideration the *habeas corpus* case in Baltimore, but have not yet arrived at no decision. It seems to be the prevailing impression that the Government will respect the civil process of the Court, and allow Merryman to be brought out of Fort McHenry, though this decision has not yet been made.

The Government has official information that the blockade will be in effective operation, by the 15th of June, on the Atlantic and Gulf coast bordering on the Seceded States.

It is reported by a gentleman, who has just arrived from Manassas Junction, that the Federal troops have advanced upon that point from Alexandria, and that their picket guards are within six miles of the Virginia troops.

The Department of Kentucky was this day created. It is to be commanded by Colonel (late Major) Anderson, and the headquarters are to be established at Louisville.

Rumors are quite prevalent to-night of a collision having taken place at Fairfax Court House. Our military are consequently in a ferment of excitement, and among the citizens generally a feverish anxiety to hear the latest news from the *locale* of the alleged conflict everywhere prevails. The rumor lacks confirmation.

A letter from Washington to the *Journal of Commerce*, says:

The number of Federal troops in Alexandria and Fairfax has been increased. There are now thirteen or fourteen Regiments there. The line of intrenchments commenced at Mason's Island, extends along the Virginia heights towards Alexandria. Mason's Island will afford the readiest means of communication for troops from this side when the works designed shall be completed.—These works, when armed and manned, will secure this city from attack at any time. There are about five thousand Virginians in arms at or near the Manassas Junction, 27 miles from Alexandria, and probably five thousand more beyond that point on the Railroad. At Manassas Gap, 70 miles from Alexandria, there is a depot for troops, at which thousands are gathering from the South. The Railroad is broken up, with all the bridges between Alexandria and a station about seven miles this side of the Junction.

Troops from the Southern States are pouring into Virginia daily. There will soon be a hundred thousand men in the different camps in that State, costing a hundred millions the first year.

The Confederates will manage probably to work through the year without much revenue or credit. The United States Government can get along well with the aid of public confidence and credit in the wisdom and integrity, and patriotism, and disinteredness of the administration of its fiscal affairs. But when the war takes such a turn as to make it apparent that it is *sustained by corrupt combinations of speculators on the public treasury for their own profit, the public mind will revolt from it.*

The Latest News.

Mr. Henry Taylor, with his usual promptitude has put us in possession of New York papers of this morning. To Mr. Umbaugh we are indebted for similar attentions.

The *Herald* thinks that declaring stoves contraband and of war will constitute an element of great strength to the Federal Government. The Washington Correspondent of that paper says:—

"From present appearances we shall have a very sudden decrease of the slave population in many of the slave States. Under this rule, whenever the federal forces march, slavery will disappear. The subject of disposing of the slaves when set free is now before the Cabinet. As the slaves thus liberated suddenly become men, and will be recognized as such by General Butler, the question arises whether they cannot be sent North on their parole of honor.

The Washington correspondent of the *Tribune* thinks the business of the approaching session of Congress can be finished up in two days. He says an Army bill, a Navy bill, and a Loan bill, and, if the project of disposing of the whole in secret session is adopted, as most probably it will be, the members need not be detained here longer than the time specified.

The vessel captured by a Southern privateer and carried into Apalachicola, proves to be the schooner *Atwater*, a late trader between Pensacola and New England ports.

The *Tribune* says:—

80,000 troops are to rendezvous at Cairo for an immediate movement on Memphis.

Major General Fremont is to have command of the Western Division of the Army, and will be ordered to operate in the Mississippi Valley.

The same correspondent says, Frank Blair's Regiment has been ordered from Missouri to Fortress Monroe. Lieutenant Slemmer is in Washington, and thinks Fort Pickens can maintain itself against any attack.

H. K. Brown, who has arrived in Washington from Columbia, S. C., learns that the North underrates Southern strength. Seven thousand soldiers passed through Columbia in one day, whither no one knew. They were everywhere mustering.

The Government in a Quandary.

The Washington correspondent of the New York *Times* says:

The Government is becoming embarrassed with the question of how the prisoners captured in this conflict now going on shall be disposed of. Our scouts are daily picking up men proved to have disunion sentiments, and already the number taken exceeds one hundred. The rebels are capturing Union men, assuming that the Government will exchange prisoners, and that by having a sufficient number they will be able to secure the release of the 36 rebels captured at Alexandria.

Here is the embarrassment. If the Government treat these men as rebels taken in arms against the Government, they should be hung. This would not be deemed good policy, even did not humanity revolt against such a sacrifice of human life. On the other side, if the system of exchanges be adopted, there is in the act a recognition of the rebels as belligerents according to all laws of nations. The Cabinet has discussed this point several times without coming to any result, but it is probable that in the end the minor rebels will be discharged on parole, and the leaders only hung.

This same correspondent urges the confiscation of Gen. Lee's estate, worth $250,000 which act he thinks would restore Eastern Virginia to its allegiance!

The Tribune Defends Negro Stealing.

The New York *Tribune* for itself and in behalf of the great bulk of the Northern people, heartily approves the stealing of negroes as practised by Gen. Butler at Fortress Monroe. Worse than this, this philanthropic organ of "free men" recommends that the slaves thus captured should be *retained by the Northern troops* and made their hewers of wood and drawers of water. Here is what it says:

Gen. Butler's doctrine involves two or three obvious consequences, viz: 1. Slaves who escape into the Federal camp or on board Federal ships, in seceded States, are never to be returned to their rebel masters, but are to be treated as contraband of war—as if they really were, in common phrase, what they are in reality, implements or munitions, used by traitors to carry on the war against the loyal States. Like other contraband articles, they may be used by the captors; or, if abandoned, made valueless to the enemy; or they may be sent home as trophies of the captors.

2. They may be used in the camp—subject, of course, to the requirements of justice and fair dealing. We not say how valuable the services of this peculiar kind of contraband would be to our army in the South. In the trenches, in the culinary department, as guides in a strange country and through dangerous passes, as gatherers of provisions and forage, as scouts to scour the plantations and woods and roads in the neighborhood of the camp, and, when hard pressed, to take a hand in the fight in their rude way, they would be very useful. In the sunny clime below the Potomac and along the Mississippi and the Gulf, with the mercury at a fearful pitch, how grateful would be their services to our loyal troops! Then, too, in the long Autumn evenings, when our weary sons were sitting around their camp fires, how these "sable minstrels" would beguile the tedium of hour by their bewitching melody!

3. If they should become troublesome to the camp, or cumbersome because of their numbers, the commanding officer could furnish them with rations, a pass, a guide, or, not having one to spare, could point them to the North star, and tell them to march!

4. Then, too, if the exigencies of the campaign required so summary a proceeding, these contraband chattels might be destroyed—*as property.* For example, when cannons are about to be abandoned to the enemy, a prudent general causes them to be spiked—and so thoroughly spiked as to be forever worthless, as *cannon* to the foe. So, as to negroes who had served in the Union camp—if our army were compelled to let them fall into the enemy's hands, they must first spike them, *as property*, so that they would be good for nothing to the foe: and, to make thorough work of it, the negroes must be instructed to tell the rebels, who might try to use them, that they were spiked.

5. Of course, in seizing contraband goods, we take them subject to all inherent risks and resulting contingencies. For example: in seizing a pile of loaded muskets, as contraband of war, some of them, unless carefully handled, might go off.—Precisely so with contraband negroes. However, if they did not go off to the enemy, it would be of no serious consequence to us.

6. When the war is over, those contraband negroes will have to be treated like other articles contraband of war, taken from the enemy. They can never be given up to their former owners, nor ever paid for under any settlement; because everything contraband of war, taken during the contest, is absolutely and hopelessly forfeited. This being the law of nations, such contraband negroes as we might have captured would, so soon as grim-visaged war had smoothed his wrinkled front, be compelled to take care of themselves like other people.

Not Much Scared.

The news of the invasion of Virginia has aroused the military ardor of the South and West. The Mobile *Advertiser* says:—

"There need be no apprehensions of the enemy accomplishing much of a march upon Virginia soil. There is now a very powerful force in the various camps in the State, ready to move at a moment's notice—a force which is much underrated in the telegraphic statements, and fifty thousand more from the ten States can be sent to the aid of Virginia in three or four days, and another fifty thousand a few days after. Whatever force Lincoln may take up to throw into the territory of the Old Dominion, we can meet it with man for man and better men. Those who are hurried into Virginia march to defeat and death, for there on our own soil will be the battle ground of the concentrated strength of the South, which is invincible in this fight of right and might against wrong.

The Mobile *Register* makes the following appeal:

To drive these invaders from our soil is our first duty, and to give them war until they are conquered must follow next. It is folly to parley with them, for deception and falsehood will adorn their every act, while falsehood and treachery emblazon their banners. Of the result we have not a shadow of doubt, for that moral courage and true patriotism that ennobles a brave and chivalrous people is not theirs. Then, to arms! to arms! ye sons of the South and strike for all that is hallowed and sacred. Strike for our mothers, sisters and daughters. Strike for our homes and firesides. Strike for our faithful and dependent slaves. Strike until every armed foe is driven from our soil. Strike until our independence shall have been acquired. Strike for victory and for glory. Strike for the future homes of our children. Strike until the stars and bars wave in triumph over all foes and are acknowledged and respected by the world.

From the West.

The Wheeling *Intelligencer* of yesterday, a violent Black Republican sheet, furnishes additional accounts of the advance of Ohio troops into Virginia. At Mannington, they had arrested persons charged with being Secessionists. At Farmington, the inhabitants fled, but two of the fugitives were shot by the troops, one of whom was killed and the other badly wounded.

The two bridges burned were over Buffalo creek, and were common open railroad pier bridges, all iron except the sills and the crossties of the track, both of which were consumed. The upper one is about four miles below Mannington, and the other some quarter of a mile below it. It is feared that others are destroyed between there and Grafton.

The Ohio troops at Mannington and Farmington, number about 2,000. They propose to rebuild the bridges as they proceed. All Secessionists are hunted down like game, and will be tried by Court Martial. The soldiers make every one take the oath of allegiance to the United States who is in the least suspected.

The distance from Wheeling to Grafton is 100 miles. From Wheeling to Mannington the distance is 60 miles. Farmington is 7 miles beyond and 45 miles from Grafton. Parkersburg is one hundred miles from Grafton, and Marietta is only twelve miles above Parkersburg. A gentleman from Parkersburg reports that a thousand Union troops left that place on Monday morning for Grafton, over the Northwestern Virginia road. It is said the bridges are also destroyed on this road, so that these troops, like those at Mannington, will be detained.

A despatch from Bellair, May 28, says four hundred more Ohio troops have just left here for Mannington, to join the troops of Col. Kelley's command. The 15th Ohio regiment, Col. Andrews, has just arrived on the other side, and will cross over and leave here at 5 o'clock to-morrow morning.

This occupation of North Western Virginia is doubtless in consequence of the strong Union vote last Tuesday. Mr. Frederick Duval and Mr. Joseph Fulton, Engineers of the Baltimore and Ohio Railroad, are immortalized by the correspondent of the *Intelligencer*, for having run away from Grafton with an Engine belonging to the road. The report that the Ohio troops had reached Grafton seems to be premature. They were not nearer on Tuesday than Farmington a distance of 33 miles. It is not likely the Virginians will offer resistance, until they attempt to ascend the west slope of the Alleganies in the Cheat river region.

LATER FROM EUROPE.

Arrival of the Steamer America.

HALIFAX, May 30.—The steamer *America*, with dates to the 19th, has arrived from Liverpool. Hon. Geo. M. Dallas, late U. S. Minister to England, is a passenger. The *America* has over $1,000,000 in specie. The Galway contract has