The South.

SATURDAY AFTERNOON, JUNE 1, 1861.

A WELL-REGULATED MILITIA BEING NECESSARY TO THE SECURITY OF A FREE STATE, THE RIGHT OF THE PEOPLE TO KEEP AND BEAR ARMS SHALL NOT BE INFRINGED.—*Constitution U. S., Amendments, article 2.*

No Soldier shall in time of peace be quartered in any house, without the consent of the Owner, nor in time of war, but in a manner to be prescribed by law.—*Const. U. S., Amendments, art. 3.*

The right of the people to be secure in their persons, houses, papers and effects, against unreasonable searches and seizures, *shall not be violated*, and no Warrant shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.—*Constitution U. S., Amendments, art. 4.*

"To secure these rights, governments are insti-"tuted among men, deriving their just powers "from the consent of the governed."—*Declaration of Independence, July 4, 1776.*

It is idle to say that the power of taxation (or, by parity of reasoning, any other power) rests on consent, provided there be a right claimed for the government to compel that consent by force.—*Say. Political Economy, Chapter on Taxation.*

"That *in all cases, and at all times*, the military "ought to be under strict subordination to, and "control of the civil power."—*Declaration of Rights of the People of Maryland.—Art. 27.*

Can anybody show a different principle in the Constitution of the United States?

"That no man ought to be *taken, or imprisoned*, "or dissezed of his freehold, liberties or privi-"leges, or outlawed, or exiled, or in any manner "destroyed, or deprived of life, liberty, or pro-"perty, but by the judgment of his peers, or by "the law of the land."—*Declaration of Rights of the People of Maryland, Art. 21.*

Notice to Correspondents.

In consequence of the multitude of anonymous communications received every day, it is found necessary to remind correspondents, that in no case can any notice be taken of any communication, unless accompanied by the name and address of the writer, not necessarily for publication, but as an evidence of good faith.

THE SOUTH is published every afternoon, after the arrival of the mails, and consequently contains all the latest news by mail and telegraph, up to the hour of publication, and fully twelve hours in advance of the morning papers.

FOR SALE by all the principal newsmen in this city and throughout the South. Persons desiring Agencies for the sale or distribution of the Paper in any particular Town or neighborhood, will apply to the Publisher.

ORDERS for the Paper will be received at the Office of Publication, No. 74 Baltimore street. If sent by mail, must be accompanied by the cash.

THE usual discount in favor of Newsmen and Agents. Postmasters and others forming Clubs of Ten will be furnished with one Copy *gratis*, or *ten* copies will be sent to one address, upon receipt of the subscription price for *nine*, for the time ordered.

THE BATTLE-FIELDS.

There are four distinct points from which the news of a battle between the Federal and Confederate armies may now be momentarily expected. A brief review of the actual position of affairs at each point, according to the latest intelligence, will, perhaps, not be unacceptable.

I. At Manassas station, the probabilities of an early engagement have greatly increased within the last twenty-four hours, and it is tolerably certain that another week will not close without a general action, of more or less magnitude between the two armies. The main bodies of the hostile forces are but twenty-seven miles apart *by rail*—the distance between Alexandria and the Manassas Junction—while the distance between outposts cannot exceed five miles at farthest. The scouts of either army must therefore be continually in sight of, and often *touch* of each other's lines. Several slight skirmishes have already occurred between them, with what result the public has not been advised, and anything like a decided advance, in numbers, on either side, must inevitably precipitate a general engagement. The strength of the two armies is very nearly if not quite equal—though an exact estimate of the numbers of each cannot be made. In the case of the Federal army, however, we can approximate to a correct estimate, from the information we already have of the number of regiments that have arrived at Washington, and of the disposition that has since been made of them. Up to the present time, the whole number of regiments that have reached the Capital by any of the different routes that have been employed for their transportation, is thirty: they are from Maine, *one* (the 2d Maine Volunteers); from New Hampshire, *one* (1st N. H.); from Massachusetts, *two* (the 6th and 8th); from Rhode Island, *one* (1st R. I.); from New York, *thirteen* (2d, 5th, 7th, 8th, 9th, 12th, 13th, 14th, 20th, 25th, 28th, 69th and 71st), exclusive of the Fire Zouaves, German Rifles, and Garibaldi Guards; from New Jersey, *four* regiments; from Pennsylvania, *one* (the 5th); from Ohio, *two* (1st and 2d); from Wisconsin, *one*, and from Michigan, *one*. This force, estimating the strength of each regiment in round numbers at one thousand, which is more than the average, would amount to 30,000, in addition to the regulars, the District militia, and the recruits picked up in this city—making in all an aggregate of not more than 35,000 men, of which it will be observed that New York State and city contribute nearly *one-half*. Of the regiments enumerated, one, the New York Seventh, has gone home, and so have *two-thirds* of the members of another, the New York Second; how many have gone home without attracting public notice, in twos and threes, and sometimes in parties of a dozen or more—men that have refused to enlist for more than thirty days, or to take the oath of allegiance, or who have obtained leave of absence to attend to their private affairs, no account has been preserved; though at the end of five weeks the number must be considerable. The sick-list in an army of 35,000 men, unaccustomed for the most part to the privations and hard-ships of campaign, and the exposure of active service badly housed and worse fed, cannot but be a large one; and in the event of any forward movement into Virginia, a further deduction must be made for those who are left behind to guard the camps and baggage, and for the protection of Washington, the Navy Yard, the bridges, and the works that have been recently thrown up at Alexandria. Portions of two of the regiments included in our enumeration, the 8th Massachusetts and the 8th New York, are at this moment similarly employed in guarding the Relay House, the Annapolis Junction, and the line of the Baltimore and Ohio Railroad. Twenty-five thousand men is probably the utmost force, reserves included, which the Government could use in any offensive operations, in the direction of Manassas Junction, and the body of Confederate troops which would be there encountered, must certainly equal, if it does not exceed this number.

In point of discipline and drill, the difference is probably quite as slight between the two armies, as it is in numbers. As an offset to the good-looking, well-appointed regiments from New York city, many of the Southern troops have had their three and five months' experience of actual service at Charleston and at Pensacola; almost all have been in camp and under drill for the last five weeks: and there is hardly a man of them who has not the advantage which dexterity in the use of arms, and ability to endure a greater amount of hardship and fatigue, give to troops recruited from a hardy and agricultural population over the inhabitants of cities and manufacturing villages. Wall street clerks and Lynn shoemakers are no match for the backwoodsmen of Virginia, North Carolina, Arkansas or Tennessee.

Another advantage which the Confederate army possesses, and one the importance of which can hardly be overrated, is its immense superiority in point of cavalry and field artillery. The Federal army has a single squadron of dragoons mounted, and two mounted batteries, exclusive of the light howitzers which some of the Northern regiments have with them, and which are only adapted for street-fights, and not at all for field-service—perhaps in all five hundred mounted men. Nor can this deficiency be supplied: the Government has no horses, and a cavalry regiment can not be extemporised. The Southerners, on the contrary, the Virginians especially, are good horsemen; as boys, they learn to ride, just as they learn to walk or to talk; as men, they grow up accustomed to spend much time in the saddle, in journeys where there are no railroads, in country visiting where neighbors' houses are far apart, and in field-sports, and if they have any taste for military matters, they join a mounted troop. Cavalry are not only the eyes and ears of an army; for checking and impeding the advance of an enemy, particularly if deficient in the same arm, by hanging on his flanks, cutting off stragglers and foraging parties, compelling him to march in square instead of in column, and disturbing his rest at night by driving in his pickets, and keeping his camp in a perpetual state of alarm, they are invaluable. And in battle, when opposed to raw troops, even undisciplined cavalry constitute perhaps the most formidable force that can be employed to break the wavering ranks, and to turn confusion into rout; while the execution which they effect among the broken, struggling masses of a flying foe is terrible in the extreme. With both cavalry and artillery, General Lee, according to best accounts, is abundantly supplied, the latter arm of the service being under command of Colonel Magruder.

Such being the relative strength of the two armies, the causes that render an immediate conflict probable, apart from the close proximity of their forces, may be briefly enumerated. While the Virginians cannot abandon their position at Manassas Junction, without exposing General Johnston at Harper's Ferry to a flank movement on the part of the Federal army, by way of Manassas Gap and Strasburg—for the latter not to advance would be to surrender every advantage which can be derived from its present position—the possession of the Alexandria and Orange Railroad for the transportation of troops to the scene of action, and from proximity to Washington, the headquarters of the Commander-in-Chief, and the point from which all supplies, both of men and material, must be drawn. Apparently, the Federal army has nothing to wait for, unless it be to allow Gen. Lee to strengthen his position and bring up more troops, if he needs them, from the South. The Government has no reinforcements on the way; volunteering seems to be pretty much at an end at the North; and the Western regiments, those that are not destined for service in Western Virginia, are concentrating at Cairo, preparatory, it is supposed, to a move on Memphis. The last regiments that left New York city, the Vermont Regiment, the Steuben Guard, and Colonel Duryea's Zouaves were sent to Fortress Monroe, and the Pennsylvania Regiments are moving in the direction of Chambersburg, Frederick and Harper's Ferry. The Highlanders refuse to leave New York without arms, and there are no arms to give them; and another regiment, the 55th, having been long delayed for the same reason, are on the point of disbanding. In the meantime it costs as much to keep the troops which the Government has actually in the field, as to fight a battle, while the summer-heats are coming on, and the great objects of the war are seemingly as far off from accomplishment as ever. Every consideration of a sound military policy, as well as the dictates of an overruling political and financial necessity, seem to point to an immediate advance of the Government forces. We are in daily and hourly expectation of hearing that such a movement has been made, and of the battle that is sure to ensue.

II. At last accounts, the whole number of Confederate troops stationed at Harper's Ferry, and in the immediate vicinity, was 20,000. With this force, aided by the advantages of a position which is by nature almost impregnable, General Johnston seems to count, not without reason, upon his ability to hold the place against any force which Government can send against him. Under such circumstances, it is hardly likely that any attack will be made, the true policy of the Government being, if possible, to hem in General Johnston's command, cut him off from his communications with the interior, and force him to capitulate or abandon his position. To the success of this policy, the dislodgment of the Virginians from their position at Manassas Junction and the possession of the railway which leads to Strasburg, are indispensable, hence the greater probability of an early engagement at the former point. The combined movement which is being made in the meantime, in the direction of Harper's Ferry, by Pennsylvania troops, from Chambersburg, and by Ohio and Indiana troops from Grafton, is doubtless intended to occupy the attention of General Johnston, and prevent him from sending reinforcements to General Lee. As the whole force, however, detailed for this service does not exceed 10,000 at the farthest, and one-half that number would suffice for the defence of the Ferry, the movement is not likely to effect its object. Already, we hear of regiments leaving Harper's Ferry on their way to Manassas Junction.

III. If the rapid concentration of forces at Fortress Monroe, or the preparations which are making under the direction of General Butler, mean anything at all, they indicate a design on the part of the Administration to repossess itself, if possible, at an early day, of the Navy Yard and public property which it so ingloriously abandoned at Norfolk. The extent of the preparations which have been made for defence, and the presence of a Confederate army of not less than 10,000 or 15,000 men, under command of Colonel, now Gen. Huger, preclude, however, the idea of this being speedily or easily accomplished. As there are some sane men, and skilful officers in the garrison at Fortress Monroe, we are not surprised to hear that General Butler has concluded to abandon the project of re-capturing Norfolk by a *coup de main*, and has decided to resort to the slower and safer expedient of making regular approaches, as in a formal siege. The news from this quarter, therefore, is likely to be less stirring than was at first anticipated from the impulsive disposition of the commander of the Federal forces.

IV. The long siege of Fort Pickens, from which some idea, may be had of the probable course of affairs at Norfolk, to all appearances must soon come to a close. As in the case of Fort Sumter, the Confederates have postponed their attack, until they were perfectly prepared, and now that the telegraph reports them "ready," the work of death may soon be expected to commence. Since the siege has commenced, the Confederates have completed a railroad and constructed a telegraph from Pensacola to Montgomery, and another telegraph from Warrington to Pensacola. Enormous quantities of siege *materiel*, shot and shell, columbiads and mortars of the heaviest calibre, have been transported to Pensacola, and more than twenty batteries have been constructed to aid in the reduction of the devoted fortress. General Bragg's preparations are now said to be such as will enable him to explode a shell within or over the ramparts of Pickens, every minute. It is not likely, therefore, that with the apprehension of yellow fever, that scourge of the Gulf coast, the summer will be permitted far to advance, before the value of these calculations is tested in actual experiment. In the meantime, General Bragg has given useful employment to a considerable portion of President Lincoln's navy, in watching his operations. The fall of Pickens which will release them from their duty, will also place at the disposal of the Confederate Government an army of fifteen thousand veterans to send against the raw levies with whom Lincoln may seek to replace the slaughter of his best troops upon Virginia battle fields.

There was a rumor in town last evening, that Ex-Gov. Pratt had been arrested by Col. Smith, the Commandant at Annapolis, and sent to Washington, to answer the charge of treason. The facts of the case are, as we are informed, that Governor Pratt was notified by Col. Smith yesterday, that there were charges of an important nature preferred against him, and suggested to him to call at his quarters, to avoid a public arrest. Gov. Pratt did so, and requested to know why he had been thus summoned, and in what the charges against him consisted, neither of which enquiries were answered; but after a brief conference among the officers, the case was dismissed, without his being placed under arrest. It was also rumored that Ex-Gov. E. Louis Lowe had been arrested at Frederick, but it lacks confirmation.

Anticipated Decease of Senator Douglas.

A despatch from Washington to the Philadelphia *Inquirer* says that the friends of Senator Douglas have abandoned all hopes of his recovery and look hourly for news of his death.

Southern Rights Convention.

Last evening a Conference took place at the Law Buildings, among delegates to the Southern Rights Convention from the twelve upper wards, comprising the Fourth Congressional District, in relation to the presentation of a Congressional candidate for that district. Dr. A. C. Robinson was called to the chair, and Dr. James Steuart chosen Secretary.

Albert Ritchie, Esq., submitted a resolution declaring it advisable that the Conference recommend a candidate for this district, and that they at once proceed to select or recommend some gentleman who would be supported by the friends of Southern rights and the opponents of Lincoln's unholy war policy. This resolution, after an interchange of views on the part of the delegates, was unanimously adopted, and the names of Messrs. J. Nevitt Steele, J. Mason Campbell and Rob. M. McLane were submitted, but before any ballot was had, that of Mr. Campbell was withdrawn.

A vote was then taken by wards, the result being six for each of the gentlemen in nomination, but before the announcement of the vote by the Chairman two wards changed their vote in favor of Mr. McLane, and on motion he was unanimously recommended as a candidate for the district, and Messrs. Scott, Pressman, Shriver, Higgins, and Saunders, appointed a committee to inform him of the action of the Conference.

Mr. Ritchie then offered the following resolutions, which were unanimously adopted:

"Whereas in recommending to the people of the fourth congressional district a candidate to represent them in the Congress of the United States, this convention desires distinctly to define its sentiments, so far as the same may be involved in a congressional canvass; therefore,

"Be it resolved, That while recognizing our obligations as citizens of a State in the Union, we claim the right of citizens to express with freedom our views upon every measure of public policy, and in pursuance thereof, declare that we cannot sympathize with, or approve of, the war now being waged by the present administration against the seceded States; we avow our earnest desire that reconciliation and peace between the sections may prevent the misery and desolation of strife, and recommend the peaceful and immediate recognition of the Confederate States."

The conference then adjourned, subject to the call of the President. During this meeting there was a large attendance of those in favor of maintaining the rights of the South, and opposed to the striking down of every guarantee to personal rights by the administration, and much interest was manifested in the proceedings.

Dead Bodies Going North.

Various reports have been circulated in the papers, to the effect that the bodies of U. S. soldiers have passed through this city to the North during the past week, supposed to be the corpses of those slain in engagements in Virginia, of which the Government correspondents vouchsafe us no accounts. These rumors have doubtless grown out of the fact that several cars have passed through to Philadelphia from Washington lately whose contents were *sealed*. What they may have contained is of course a matter of speculation.

No Objection to Appropriating the Negroes.

The Third New Jersey Regiment has quietly appropriated to itself the farm and dwelling of Lieutenant Hunter, a son of Senator Hunter, of Virginia. Says a correspondent:—

The officers of this command are living in clover. They have rooms to sleep in, *slaves to cook for them*, and horses to ride into town. The exclusive privileges enjoyed by them have become the subject of severe comment by other officers. These jealousies sometimes lead to unpleasant feelings.

From Norfolk.

The steamer *Adelaide*, Capt. Cannon, of the Bay Line, reached here this morning from Old Point. We were informed by a gentleman in whom implicit confidence may be reposed, and who has himself near relatives in Norfolk, that the defenses of that city are now complete, and have been pronounced by Col. Huger, who is in command at that point, to be impregnable against any attack the Government vessels can make. The batteries erected are 13 in number, and mount 140 guns, most of them of large calibre. No apprehension is felt—it attempted, the Virginians have no doubt of the result. They are amply prepared for any emergency.

Lieutenant Usher, of the United State Revenue Service, came up in the *Adelaide*, and reports everything quiet in and around Fortress Monroe, except the work of preparation for war, which was going on on an extensive scale. This officer has recently arrived here from Oregon, after an absence of nearly two years, and went to Old Point for the purpose of proceeding to Norfolk and removing his daughter, but Commodore Pendergast would not permit him to do so. Finding persuasion of no avail he came up and proceeded forthwith to Washington, with the view of obtaining a permit from the Secretary of the Navy. At the Sewall's Point battery the men were very active throwing up fresh works. At Fortress Monroe great distress prevailed, owing to the short supply of water.

In the case of the young man George B. Tucker, of Baltimore, who was arrested by Butler at Old Point, it appears that information sent from this city was the cause of his arrest. The letter charged that he was guilty of participating in the affair of the 19th of April, on Pratt street.

A letter to the *American* from Old Point, thus describes the condition of the troops being hurried there:

The Naval Brigade has landed and encamped near Hampton. Great complaint is made of their want of arms, uniform and camp equipage. When will the authorities in New York learn that it is the height of folly and cruelty to send troops to the seat of war in this condition? Colonel Bartlett has nearly 500 men in full view of the enemy's batteries without arms to defend themselves. Two more regiments from New York are hourly expected. A battery of heavy cannon is being erected at Newport News Point. Our transports constantly pass Sewall's Point, just beyond the range of the rebel battery, whose sentinels are visible. There is no recent intelligence from Norfolk. Commodore Pendegrast will not allow a boat to go up with a flag of truce, although parties here are anxious to bring away relatives.

Butler's Letter to General Scott upon the Subject of Negroes.

The following is the letter of General Butler to General Scott, concerning the negroes he had seized:

"Since I wrote my last," says General Butler, "the question in regard to slave property is becoming one of very serious magnitude. The inhabitants of Virginia are using their negroes in the batteries, and are preparing to send their women and children South. The escapes from them are very numerous, and a squad has come in this morning (May 27,) and *my pickets are bringing their women and children*. Of course these cannot be dealt with on the theory on which I designed to treat the services of able-bodied men and women who might come within my lines, and of which I gave you a detailed account in my last despatch.

"I am in the utmost doubt what to do with this species of property. Up to this time I have had come within my lines men and women, with their children—entire families, each family belonging to the same owner. I have, therefore, determined to employ, as I can do very profitably, the able-bodied persons in the party, issuing proper food for the support of all, and charging against their services the expense of care and sustenance of the non-laborers, keeping a strict and accurate account as well of the services as of the expenditures, having the worth of the services and the cost of the expenditure determined by a board of survey hereafter to be detailed. I know of no other manner in which to dispose of this subject, and the questions connected therewith. As a matter of property, to the insurgents it will be of very great moment—the number that I now have amounting, as I am informed, to what in good times would be of the value of sixty thousand dollars.

"Twelve of these negroes, I am informed, have escaped from the direction of the batteries on Sewall's Point, which this morning fired upon my expedition as it passed by out of range. As a means of offence, therefore, in the enemy's hands, these negroes, when able-bodied, are of great importance. Without them the batteries could not have been erected, at least for many weeks. As a military question, it would seem to be a measure of necessity, to deprive their master of their services.

"How can this be done? As a political question and a question of humanity, can I receive the services of a father and a mother and not take the children? Of the humanitarian aspect I have no doubt; of the political one I have no right to judge. I therefore submit all this to your better judgment; and, as these questions have a political aspect, I have ventured—and I trust I am not wrong in so doing—to duplicate the parts of my despatch relating to this subject, and forward them to the Secretary of War.

"Your ob't serv't,

"BENJ. F. BUTLER.

"Lieut. Gen. SCOTT."

The Suspension of the Habeas Corpus.

The Philadelphia *Ledger* has, since the commencement of the war, been one of those journals which has most vigorously supported the administration, but yet it admits into its columns this morning a communication, from which it will be seen that the course of Gen. Cadwallader is condemned. Further than this, Gen. Patterson, it seems, is invested with the same authority to suspend the *habeas corpus* as is possessed by General Cadwallader, and doubtless the same power has been given to all the military leaders of the Government forces. The following is the communication addressed to the *Ledger*:—

I am tempted to ask you to consider this matter as one of immediate interest, because it is well understood that Major General Patterson has had for some time past an order or authority to suspend the habeas corpus act in this city whenever he pleases.

Let us first ask who is this "hoary abettor of crime," this "foolish old judge."

On the 10th of December, 1833, Andrew Jackson issued his celebrated proclamation against Nullification, Roger B. Taney was his Attorney General and law adviser.

In December, 1835, Andrew Jackson appointed him Chief Justice of the United States to succeed John Marshall.

On the 4th of March, 1861, amidst the fervent enthusiasm of the hour, Abraham Lincoln was sworn into office by this "hoary abettor of crime" and "foolish old Judge," and the words of that oath were to support the Constitution.

That constitution provides "that the privilege of a writ of habeas corpus shall not be suspended unless when in cases of rebellion or invasion the public safety may require it."

The question is, who is to judge of the exigency. General Cadwallader, acting for the Executive says he is the judge. The Chief Justice says Congress alone can suspend it. Who is right, and who is wrong, for there is a grievous error somewhere?

Blackstone says, "when the State is in real danger the suspension may be a necessary measure. But the happiness of our 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 the measure expedient, for it is Parliament only, or the legislative power that can authorise it." (Vol. I, p. 136.) The Queen of Great Britian cannot do this.

As far back as 1788, Mr. Jefferson thought the Constitution defective, because it gave to Congress the power of suspension. He never dreamed the President or a Brevet Major General had the power. (2 Jefferson's Letters, 291 311.)

In January, 1807, as President, he asked Congress to suspend the habeas corpus, and they refused. He did not do it himself.

In February, 1807, a certain John Marshall, delivering the opinion of the Supreme Court of the U. S. in a case of Mason, (4 Cranch, 101), said:

"If at any time the public safety should require the suspension of the habeas corpus act, it is *for the Legislature* to say so."

In 1825, a certain William Rawle, of Philadelphia, in his work on the Constitution, says:

"It is certain that Congress can alone suspend the power of the Federal Courts to issue the writ of habeas corpus." p. 115.

In 1833, Judge Story wrote his Commentaries on the Constitution, and said: "The power to suspend the writ of habeas corpus in case of rebellion and invasion being given to Congress, the right to judge whether the exigency has arisen, must exclusively belong to that body." (3 Story, p. 209.)

These are striking authorities. It remains to be seen whether the President will recognize them. If he does, the judicial character of the Chief Justice and the majesty of the law will be vindicated. If he does not, but claims the right by his own will to suspend the writ, and the act of Congress which authorizes it, then the structure of our Government is not what we suppose it to be, and the allegiance of loyal citizens is grievously shaken. If the President can suspend one act of Congress he can another.

More Northern Barbarism.

The New York *Times* is discussing the question what they shall do with the prisoners they take in Virginia, and make the following humane and civilized suggestions:

We have been so unused to war in this country, that is with the greatest difficulty we can address ourselves to it in earnest. We forgot that the more vigorous the more humane the blow. The moment we touch the soil of a seceded State, we should make clean work. Every rebel should be taken prisoner and instantly marched out of the State; the idea of letting him off on a parole of *honor* is a delusion which we should no longer practice upon ourselves. There is no honor in a *rebel*. Where was the honor of Jeff. Davis, Floyd and Thompson, and the whole tribe of conspirators in Congress and the Army and Navy, who were plotting to overthrow the Constitution they had sworn to support? To treat such persons leniently only adds to their malignity. It is the nature of such men. If we let them off we shall, on the morrow, be always doing the work of the day before, and the war will never be ended. The moment a rebel is captured, particularly if in arms, he should be instantly packed off to the interior of Massachusetts, or New York, or Ohio, where extensive barracks should be immediately erected for his accommodation. We should clear the soil as we go, leaving no enemy among us, or in our rear, to take advantage of the least reverse. The moment this course is taken, traitors would be very scarce, even upon the soil of Virginia. We should hope to make a pretty good haul, for we could perform no more useful service than to take 20,000 Virginians and give them six months' schooling in the interior of Massachusetts. They would see things they never dreamed of, and go home, when the time comes for their discharge, wiser men, and fitted to introduce in their own State the industries and habits which have made in Massachusetts a garden out of a desert, and for the want of which Virginia, though a garden by nature, is still a desert, as far as art and industry are concerned.

Suppose some Southern press should propose that Northern men, captured "with arms in their hands," should be sent South, their faces blacked and compelled to perform labor in the cotton fields. Would there be any end to the diatribes of the *Times* upon the "barbarism of slavery?"

The Return of the New York Seventh.

The main body of this Regiment, relative to which daily reports from Washington, for the past ten days, have *authoritatively* announced that they were both going home and going to remain and reorganize for the war, passed through Baltimore last night, and are now, most probably, *at home*. The special train bringing them from Washington arrived at the Camden Station at 10 o'clock, having on board Col. Marshal Lefferts and Staff, and 1240 men—about 300 of them having previously gone home. When it became a fixed fact that they were to leave yesterday, the War Department endeavored to prevent their passing through this city, and sent directions to the officers of the Baltimore and Ohio Railroad to transport them from Locust Point across to the President street Station. The officers and all the men, however, avowed their determination to march through the city, and refused to be sent around it, and notwithstanding the conflicting reports here as to which route they would take, by the time the train arrived, at least 5,000 people had assembled at the station, and welcomed them with cheers—there being among the crowd hundreds of relatives and personal friends of members of the regiment.—The regiment having formed in the depot yard, it moved down Camden street to Hanover, up Hanover to Lombard, down Lombard to Exeter, and thence to President street Station. Before leaving Washington the charges were withdrawn from the arms, and their pistols jocked in their knapsacks, thus presenting a strong contrast with those on the way to Washington, who parade our streets with all their arms displayed, their muskets loaded, and at half-cock. The Seventh sold all their camp equipage to Government before leaving.—From conversing with several of the members our reporter learned that although they had much cause to complain of the rough treatment at the hands of the Government, and were compelled to subsist, in a great measure, upon their own resources, the reason which first impelled them to retire from service was a feeling of reluctance to participate further in what they deemed an unholy war—and while ever ready to peril their lives in defence of their country, they were not prepared to join in the proposed invasion and extermination of the South. The same train which brought them from Washington, also brought on 150 more from other regiments, who had declined to enlist for the war.

Characteristics of Southern Warfare.

Under this caption the New York *Times* indulges in the grossest abuse of the Southern Army and the most malignant misrepresentations. As a specimen, we extract the following:—

The humanity of those in command was abundantly tested when, after many hours of bombardment, beleagured Sumter was discovered in flames, red-hot shot were poured thick and fast behind the walls, and when with entire consciousness of the weakened state of those detained in the garrison, the supply of provisions and of oil was for days withheld.

What, too, can be thought of that code of battle which permits ounces of arsenic and vials of strychnine to be mixed with flour or emptied into the army vinegar? Or what excuse can their future historian offer for that infamous attempt to destroy a portion of the National Army at Annapolis by the offer of poisoned whisky by an apparently friendly hand? Secret assassinations of sentinels at their posts of duty, the unsparing persecution of "suspected friends of the Union," and the occasional bodily transfer of personal property from its legitimate possessor to the treasury of the rebels, are facts of notoriety.

Of a piece with this, and much more could be adduced concerning the barbarisms of the chivalry, was the murder of Ellsworth. By an assassin's hand, one of the noblest, purest, and most gallant of our officers was cut down in the prime of life and in the very blossom of promise. But how terribly did they mistake, who imagined that to be a fitting mode of conquering this nation.—Already we hear the cry of "Remember Ellsworth;" and even now are organizing bands, soon to be regiments, of "Ellsworth Avengers," and that blow, which was given in entire conformity with the recognized code of the rebellious South, will in the end, be found productive of a dreadful but deserved retribution.

But these sink into insignificance when we recur to the fact that in defiance of all known rules of honorable warfare, the Southern leaders have instigated the Indians upon our frontier to take up arms and to visit their system of savage cruelty upon the people of that section of our country.

We have shown before by the official report of the commander of Fort Moultrie that the Confederate fire was suspended twice after Fort Sumter was in flames, and only renewed because Anderson persisted in keeping up the combat. The stories of poisoning have long since been exploded, and as for the Indians they will be subjected to the rules of civilized warfare, and will be mainly employed as scouts. As for the killing of Ellsworth, if that be assasination, we are at loss to imagine what the *Times* will pronounce fair and square fighting. Certainly the odds were five to one against Jackson, and he perished in defence of his home if ever a man did.

Who Violates the Constitution!

At a Convention of the National Republican party in 1832, held at Worcester, Massachusetts, Daniel Webster, speaking of putting down South Carolina by force, said:

"Sir, for one, I protest in advance against such remedies as I have heard hinted. The Administration itself keeps a profound silence, but its friends have spoken for it. *We are told, sir, that the President will immediately employ the military force, and at once blockade Charleston!* A military remedy—a remedy by direct military operation, has been suggested, and nothing else has been suggested, as the intended means of preserving the Union. Sir, there is no little reason to think that this suggestion is true. We cannot be altogether unmindful of the past, and therefore we cannot be altogether unapprehensive for the future. For one, sir, I raise my voice beforehand against the unauthorized employment of military power, and against superseding the authority of the laws by an armed force, under pretence of putting down nullification. THE PRESIDENT HAS NO AUTHORITY TO BLOCKADE CHARLESTON. THE PRESIDENT HAS NO AUTHORITY TO EMPLOY MILITARY FORCE, till he shall be duly required so to do, by law, and by the civil authorities. His duty is to cause the laws to be executed. *His duty is to support the civil authority.* His duty is, if the laws be resisted, to employ the military force of the country, if necessary, for their support and execution; but to do this only in compliance with law, and with decisions of the tribunals. If, by any ingenious devices, those who resist the laws escape from the reach of judicial authority, as it is now provided to be exercised, it is entirely competent to Congress to make such new provisions as the exigency of the case may demand. These provisions undoubtedly would be made. With a constitutional and efficient head of the Government, with an Administration really and truly in favor of the Constitution, the country can grapple with nullification. By the force of reason, by the progress of enlightened opinion; by the natural, genuine patriotism of the country, and by the steady and well sustained operations of law; the progress of disorganization may be successfully checked, and the Union maintained. Let it be remembered that, where nullification is most powerful, it is not unopposed. If we can relieve the country from an Administration which denies to the Constitution those powers which are the breath of its life; if we can place the Government in the hands of its friends; *if we can secure it against the dangers of unlawful and irregular military force*, [as he charged Gen. Jackson designed to use;] if it can be placed under the lead of an Administration whose moderation, firmness and wisdom shall inspire confidence and command respect, we may yet surmount the dangers, numerous and formidable as they are, which surround us."

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