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 en-"acted that no person shall be imprisoned or de-"tained 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 here-"upon 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 des-"potism 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 CONS-"TITUTION IS THAT IT IS NOT LEFT TO THE EXECU-"TIVE 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 FRO-"PER CAN AUTHORIZE THE CROWN, BY SUSPENDING "THE HABEAS CORPUS ACT FOR A SHORT AND LIMI-"TED TIME, TO IMPRISON SUSPECTED PERSONS WITH-"OUT 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 consid-"erations 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 inva-"sion, 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 per-"sons not merely by the President or other high "officers, but by any person acting under him. "*I imagine this to be wholly without precedent. If* "*treason was marching to force us from our seats, I* "*would not agree that 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 consent to 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 HAPPENS 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.—*Governeur 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—WHO HAVE TAUGHT TREACHERY TO YOUR SLAVES, AND COUNTED THEM 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 lying asleep on the grass, was suddenly roused by the bite of some animal on the palm of his hand. He closed his 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 FOR 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.* WHENSOEVER YOU GIVE UP THAT POWER, YOU ARE INEVITABLY RUINED.—*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 powers, and punish the servants for abusing the trust reposed in them. Oh, sir, we should have fine times, indeed, if to punish tyrants it were only sufficient to assemble the people. *Your arms where with you could defend yourselves are gone; and you have no longer an aristocratical, no longer a democratical spirit.* Did you ever read of any resolution 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 macebearer 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 solely relieve you when this happens? I would rather, infinitely, and I am sure most of this convention are of the same opinion, 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?—WILL NOT ABSOLUTE DESPOTISM ENSUE?—*Patrick Henry, in the Virginia Convention, June*, 1788.

"The glorious spirit of liberty is vanquished 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* 402, *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—'there, 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, NEITHER KNOWING NOR REGARDING CONSEQUENCES; but submitting them, with humble confidence, to the omnicient 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* 11th, 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 effeminacy 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 reaped the laurels of the field; her fleets have rode triumphant on the sea; and when, or where, did you, my countrymen, depart inglorious from the field of fight? 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 when 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 ever 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 so 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 condi-"tion of being than their former one; they had no "regrets for ancient privileges lost; their memo-"ries 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 offers."—*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 threat-"ened 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., 8 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 Govern-"ments in the several colonies. The hesitancy of "so many members, especially of Dickinson, in-"censed John Adams, who maintained that the "fifty or sixty men composing Congress should at "once form a constitution for a great empire, pro-"vide for its defence, and, in that safe attitude, "await the decision of the King. His letters to "New England, avowing these opinions, were in-"tercepted; 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., 8 vol., 55—year* 1775.

"The people of Maryland, happier than that of Pennsylvania, escaped intestine dissensions and insured 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 self-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 uncompromising 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, or sudden explosion of thunder, in a word, not the last trump took more effect than this greater consternation. They were at first with bad, 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.

It is said that Governor Hicks, in reply to a requisition for arms from the captain of a newly-formed company of volunteers, in one of the border counties of this State, *wrote a letter*, shortly after the election of Mr. Lincoln to the Presidency, in which he annexed as a condition to compliance on his part, with the Captain's request, that the arms, when furnished, should be given to none but "good men"—men who would "*be ready to kill* "Lincoln and his men"—otherwise, said the Governor, "the arms had better be sent South." That letter, we are informed, is still in existence, and now that Hicks is engaged in disarming the volunteer militia of the State, for the purpose of placing arms in the hands of "Lincoln's "men"—its production would tend to gratify public curiosity at the least. Where is the letter? Let us have it, by all means.

BY THE PHILADELPHIA TRAIN.

Freedom of the Press.

The New York correspondent of the Philadelphia *Inquirer* has the following from which it will be seen that the course of the New York *Albion*, is not approved and a warning is given to that journal:

The *Albion* (the organ of the British residents here,) has a sore what remarkable article, severely condemning the New York journals for what it calls their harsh criticisms upon the British Ministry, for the course it has chosen to mark out in regard to the American troubles. "The New York gentlemen," says the editor, "take offence where none is meant. They deny to a British Queen, Government, Parliament, People and Press, the right to act up to an injunction applied to themselves by one of their own most honored statesman—namely, to know no North, no South, no East, no West. * * * If American editors expect that all our parliamentary small talk is to chime in precisely with their views, they will probably be disappointed."

As just now there is a strong disposition to watch John Bull narrowly, at home as well as abroad, these sentiments naturally occasion much remark. *The Albion must have a care. These are times when discretion is a virtue not to be despised.*

Important Military Movements.

The Philadelphia *Ledger* of yesterday says:

It was understood last evening that the Federal troops were to advance, at midnight, to Manassas Gap, twenty-seven miles from Washington. The movement was to be made by a body of troops sufficient to hold the place when taken, which would give the Government troops the command of the various railroads, and not only cut off the communication between Richmond and Harper's Ferry, but put the insurgent force at Harper's Ferry in a great deal of peril. This movement indicates that General Scott means to push on directly and rapidly towards Richmond, besides disturbing the rebels at Harper's Ferry. The troops from Ohio and Indiana in the West, and those from Pennsylvania in the North, will probably all move down and make a junction at Manassas Gap so soon as the insurgents are driven out above.

From Washington.

The Washington correspondent of the Philadelphia *Inquirer* furnishes the following items:

The Pennsylvania Fifth was visited by a number of Government officers yesterday, who report them in a wretched condition. Some of them are nearly naked. They are at Alexandria, and are the subject of pity for the soldiers, and the authorities who will still permit them to want for the few comforts of a soldier's life should be turned out of the office they disgrace.

The Ringgold Artillery are still in the city, and are in want of the necessary travelling equipage to go into active service. They are on duty as infantry in the Twenty-fifth Pennsylvania Regiment.

The Connecticut Brigade has had some trouble with their officers. General Tyler ordered the arrest of Major Burns, when the Regiment with which he was connected turned out and refused to let him go.

To-day Colonel Arnold resigned and left for home, and several more of the officers will follow.

From New York.

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

The dispatches from Washington, announcing that the Government intend calling for another 75,000 men, give great joy to some thousands of our "brave boys," who are anxious to do something for their country, if the country will only let them. This city could furnish one half of the 75,000 in a single week, if need be. Business is dull—work is hard to obtain, even at low wages—*and the Government is in a position to command the labor market, so far as New York is concerned, to an almost unlimited extent.*

As I write, the Scott Life Guard, (between 700 and 800) are marching down Broadway, en route to the seat of war. The greater proportion of these men were in active service during the Mexican war.

Col. Bartlett's friends here are awfully mortified over the news that his naval brigade has been ordered back from Fortress Monroe, and many of them vent their indignation upon the President for accepting the brigade at all. Others blame the Union Defence Committee, and others again, the Military Board at Albany. It was a notorious fact, patent to everybody, that when the Brigade left this city not one of them had a decent coat to his back, nor a whole pair of shoes to his feet, and if Col. Bartlett had condescended to take the advice of his friends before going, he would have been spared the mortification which has overtaken him. He was advised not to be in a hurry, but his importunity and impetuosity set aside all advice.

The Mutiny at Fortress Monroe.

A correspondent at Old Point furnishes the following statement of the mutiny at Fortress Monroe:—

The arrival of Bartlett's Brigade, consisting of nearly 600 men, from New York city, has been announced, as well as the refusal of Gen. Butler to enrol them in the service of the Government. Soon as they reached Old Point and underwent an examination, it was deemed advisable to send them immediately over to the Rip Raps, where they will neither trouble nor be troubled. They constituted a heterogeneous mass of humanity—some being very far beyond the age required, (forty-five,) whilst others were mere beardless youths. They brought with them 700 Sharpe's rifles, purchased from parties in New York city, with the understanding that they were to be paid for in cash by the Government at the rate of $30 each, aggregate $21,000. A few nights since a number of the brigade got into a difficulty, which resulted in an extensive mutiny, whereupon Col. Bartlett, who was formerly an officer in the United States Navy, determined to quell it, but in doing so fell down a precipice of rough, shaggy rocks which lie near the sea wall of the work, and was severely injured.

He has since gone on to Washington to have his command accepted. The men were greatly enraged when they heard they were rejected, and a mutiny was barely prevented. Yesterday evening, when the steamer *Cambridge*, of Massachusetts, lay at the wharf, some two or three hundred rushed down to the wharf and declared they would go home in her, at the same time drawing their cutlasses. It therefore became necessary to protect the boat by an armed force from the garrison, which soon restored quiet. On the wharf were the Sharp's rifles, lying in uncovered boxes.

It is stated that the village of Hampton is entirely deserted, and that Butler's troops have entered the houses and wantonly destroyed a large quantity of furniture.

There are now in the fort 1800 men, and about 5000 encamped on the farm of Col. Seager, a short distance from the fortress.

Great dissatisfaction exists between the regulars and volunteers, the latter complaining that the regulars are better fed and quartered.

Col. Taylor, quartermaster at the garrison, has resigned, and has left for New York.

The Light House at Cape Henry has been destroyed by the Confederate forces, and on Monday night, four vessels loaded with railroad iron, received by the pilot, lying at another point, were captured and sold as prizes by the secessionists.

The Latest News.

We are under renewed obligations to Henry Taylor, Sun Building, and Mr. Cullough for New York papers, from which we make the following extracts. The *Tribune* of to-day says:

Marshal Bonnafant, of Baltimore, after an interview with the Secretary of War, has returned to his city, *with full instructions to arrest all traitors, seize all arms and ammunition destined for the Rebels, and to take efficient measures to stop up the streams Southward for supplies of all kinds.*

The same paper states that the three steamers of the Mediterranean squadron are on the way home, and are about due at New York. They are the *Susquehanna*, paddle-wheel, 15 guns; the *Richmond*, screw, 14 guns; and the *Iroquois*, screw, 6 guns.

The Washington correspondent of the *Tribune* states that no more demonstrations will be made on Aquia Creek until there is a large force sent there to hold it, which can't be spared just now. He also states that the damage done to the U. S. vessels in the fight at Aquia Creek is being repaired. The official reports denied that any damage had been sustained.

This correspondent further says:—Lieut. Col Enyart and Capt. Frank P. Cahill of the 1st Regiment Kentucky volunteers arrived here to-day, and have had a very satisfactory interview with Secretary Cameron and General Scott.

The object of their visit is to obtain arms for the Kentucky Brigade, which is comprised of the 1st and 2d Regiments, numbering 1,200 men, and will be commanded by Col. Guthrie. They were assured by Gen. Scott this evening that General McClelland will be immediately instructed to supply the brigade with arms and accoutrements, and that orders were issued to Col. Guthrie to report at Col. Anderson's headquarters at Louisville with the command forthwith.

On Capt. Cahill remarking to Gen. Scott, during the interview, that this order would test the potency of Gov. Magoffin's proclamation, and that in all probability a collision would ensue at the outset between the Brigade and the Secessionists at Louisville, the General replied: "You shall be sustained, Sir. We can send you 20,000 men in three days."

Ship Macaulay.

The ship *Macaulay*, Rogers, of and for Baltimore, from Liverpool, was spoken on Sunday last off Cape May, by a New York pilot boat.—Captain Rogers reported that on the 14th May, at 1.30 P. M. passed large iceberg, and at 3 P. M. was completely surrounded with ice as far as could be seen from aloft, last ice seen was on the 17th, in lat. 42 19, lon. 50 35. On the 21st May, Mark Plummer, seaman, of New York, fell overboard and was drowned. All on board the *Macaulay* were well.

From the West.

We learn that the Federal forces at Grafton are being largely increased. Two Indiana Regiments having arrived there last Thursday, and others being on their way. It is not supposed that the Virginians will offer resistance until the advancing army shall have reached the gorges of the Allegany mountains.

From Chambersburg.

CHAMBERSBURG, June 3.—The 1st Pennsylvania Regiment, under Col. Yohe, arrived here from Baltimore this evening. This makes eleven full regiments at this place. Capt. Kennedy, the commander of the Union Home Guards of Williamsport, arrived here to-day, and asks for a forwards movement of troops in that direction. Capt. Kennedy reports that Allen's regiment of rebel infantry left on Friday night, taking with them their two brass field pieces. The ford opposite Williamsport is guarded by a company of dragoons, and all the crossings above Harper's Ferry are guarded by cavalry, except that at Sheppardstown. He confirms the report of the skirmish, on Saturday, between his company and the rebels, and he believes that three of the enemy were wounded. When the rebels retreated they burned a bridge crossing a creek between Williamsport and Falling Waters, in Virginia. The bridge at Sheppardstown, across the Potomac at that point, is mined, and ready to be blown up.

The troops will make a forward movement very soon. Two regiments from Lancaster are expected here this evening. Brigadier General Thomas, of the regular army, has arrived, and will lead the advance brigade. The first movement will be made direct to Hagerstown. McMullen's Rangers have been assigned to lead the forlorn hope, supported by the Scott Legion. The latter regiment is attached to Gen. Thomas' brigade.

Three batteries of flying artillery, Doubleday's, Dodge's and Seymour's, are expected here to-night. The Fourteenth Pennsylvania, under Col. Johnson, had arrived, and is quartered in the cars for the night. The Fifteenth Regiment, under Colonel Oakford, will arrive at midnight.

L. Tiernan Brown, and Robert Swann, prominent secessionists of Hagerstown, are said to have been conveying news of the Union movements on this side of the line, over into Virginia. They are now serving in the Rebel army. Plans have been laid by the Unionists, encouraged by the presence of a strong Union force, to arrest the prominent secessionists in Western Maryland to-morrow. The system of espionage upon our camps will be effectually broken up immediately. Three soldiers were shot in the affray with the negro barber.

FROM CALIFORNIA—By Pony Express.

FORT KEARNEY, June 2.—The Pony Express passed here yesterday with dates to May 22d. The steamer St. Louis, for Panama, sailed on the 20th, with 18 passengers, and only $69,000 in treasure. The arrival of the steamer St. Louis, and the Pony Express with news to the 13th, had slightly encouraged the disposition to ship treasure. Exchanges on New York ruled 6 per cent. premium on steamer day, but some of the leading brokers were not selling. The municipal election at San Francisco on the 21st ult., resulted in the triumph of the People's Union Ticket, by an average majority of 1,000. The contest was very exciting, and business was generally suspended, to give everybody an opportunity to participate. Five hundred picked men have been enrolled for Liffit's volunteer regiment, including one company Light Artillery, and four companies of Infantry. When the regiment is full, its services will be tendered to the General Government. A lieutenant of the army has been detailed by Gen. Sumner to act as adjutant, and is now superintending the army drill. The Legislature has adjourned.

From St. Louis.

ST. LOUIS, June 3.—General Lyon has appointed Colonel Blair to command the arsenal in this city. Captain Cole is to command the battery on Duncan's Island opposite the arsenal. The Sixth Missouri Regiment of volunteers was sworn into service for the war on Saturday.

The following return was made this morning in the *habeas corpus* case by General Lyon to the new writ served on him and other officers at the arsenal on Saturday morning: "That the within named Emmet McDowell is not imprisoned or detained by me, nor is he in my custody, possession, power or control, and has not been since this writ was issued. I have not therefore power or authority to produce or cause to be produced his body before this court." Col. Blair also made a similar return. The court then adjourned to enable the other parties included in the writ to answer.

For Fortress Monroe.

FORTRESS MONROE, June 3, 5 P. M.—Only some fifty men of the Naval Brigade return to New York in the *Contoocook* to-day. The others will return, and not as a military organization. Col. Bartlett, who is much better, goes to Washington to-night with several of his officers. This is the best General Butler can do for them. It is believed that the brigade was ordered back to New York partly on account of a misunderstanding between the President and the Secretary of War—Mr. Lincoln having accepted the brigade without consulting with Mr. Cameron. The steamer *Yankee* left for Norfolk this morning with a flag of truce. Heavy firing from Newall's Point was heard as she passed.

The Philadelphia Habeas Corpus Case.

PHILADELPHIA, June 4.—The *habeas corpus* case of the parties arrested in Baltimore county, charged with participating in burning the bridges of the Northern Central Railway, and who were taken to York, Pennsylvania, came up before Judge Cadwalader this morning. Geo. H. Williams, Esq., of Baltimore, who came hither as counsel for the parties, did not appear, but Mr. Wharton, of this city, associated with him in the case announced that the prisoners had been discharged by order of the War Department. Mr. Wharton stated that Mr. Williams had left the city for fear of violence.

From Havana.

NEW ORLEANS, June 4.—The steamer *Gen. Miramon*, from Havana, has been permitted to enter the harbor of Mobile, with dates to the 28th ult.