

The South.

MONDAY AFTERNOON, JUNE 10, 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., Amendment, 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., Amendment, 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., Amendment, art. 4.

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

It is the duty of every citizen to be true to the Government, and to support its laws.—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 seized of his freedom, liberties or privileges, or outlawed, or exiled, or in any manner destroyed, or deprived of life, liberty, or property, 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.

Changes 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.

A bottle tightly corked was picked up yesterday by some young men engaged in fishing near Fort Carroll, and upon being opened was found to contain an extremely long and dirty scrap of paper on which was written, in pencil, the following message—no date.—"Brig Emma Silvestri, (Philadelphia), seized by privateer Mackensie of Charleston. Report to Heron & Bros., who ever receives this note. Laden with sugar from Porto Rico." We find by reference to the Philadelphia Directory, that there is such a firm in that city as A. Heron & Co., shipping and commission merchants, No. 125 Delaware avenue.

It is positively stated that General Cadwallader has been relieved from the command of this "military department," and ordered to the command of a column which is to move from the Relay House, in the direction of Harper's Ferry, to support General Patterson. As Major General Banks who is designated as our new gaffer, is the intimate friend of Henry Winter Davis, by whose vote he was elected to the Speakership, and to whom he is consequently united by the ties of personal gratitude, the change, it is anticipated, will not be without its influence in the approaching election.

PROTECTION WANTED. The people of Maryland have an established government, for the due and faithful administration of which, in its several departments—executive, legislative and judicial—numerous officers are appointed, and ample provision made for their compensation by law. Protection is afforded to the citizen, and the end and object of civil society—the consideration of which judges and grand jurors draw their salaries—legislators and grand jurors their per diem—magistrates, States' Attorneys, Sheriffs and constables, their fees. Society is for protection by the provision which it makes for the maintenance of government, and of the officers who are appointed to administer it, and the value and cheapness of any particular form or system of government are to be measured solely by the amount of protection which it affords. Tried by this standard, how answers the government of Maryland the purposes of its creation?

All official knowledge or information of facts which are of common notoriety, although himself an eye witness of one of the grossest of these outrages, the illegal arrest of a Representative of the people returning from attendance upon his duties as a legislator. The Grand Jurors in the districts where the most flagrant offences have been committed, and where they are daily repeated, affect like ignorance upon the subject with the Governor, or find their time too much engrossed with other matters to give their attention. The Legislature which is the Grand Inquest of the State—with power to impeach the Governor for his violation of duty, and to compel indictments and prosecutions, where the local authorities neglect to perform theirs—has done nothing but the one thing nor the other—but contented itself with an expression of "astonishment," on the part of individual members of the body, that such outrages should be committed and go un-punished.

But apart from the failure of these officials to enforce the penalties denounced against the violation of private rights, there is an equal omission in the neglect of the Legislature to affix suitable penalties to offences for which no adequate punishment is at present provided. It is part of the protection due to the citizen, and guaranteed to him by an express provision of the Constitution of the United States, which in this respect is but in affirmance of the general law of the land—that "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." This right is violated every day.

Searches, seizures and arrests are of daily occurrence, without warrant, without probable cause, without oath or affirmation. Cannot the Legislature devise a penalty for these offenses? That some adequate to the magnitude of the crime, or the frequency of its repetition, is to be found upon the statute-book, is due undoubtedly to the fact that until now, no one imagined that a right which finds its recognition in the Bill of Rights of every State in the Union stood in any danger of violation. If it be objected that the mere power which commits the offense, can prevent the enforcement of the penalty, and that "there is no use," therefore, in passing any law upon the subject, it may be answered that there is no plea of limitation in criminal cases—and that even after the lapse of ten, twenty or thirty years, the person engaged to-day in making an illegal arrest, or search or seizure, and the person who is liable to punishment, and the consciousness of that fact would deter many from the commission of the offense, if the penalty were severe enough to inspire them with terror.

We publish in another column a letter from Messrs. Partridge, Davis & Stirling, of this city, to the New York Tribune. We subjoin the editorial comments of the Tribune upon the letter and its authors. Written for the ostensible purpose of correcting the mis-statement and calumnies of the Tribune's Baltimore correspondent, the letter contains as many pervasions and mis-statements as the authorities and people of this city, and breathes throughout an intense spirit of personal malignity and partisan bitterness as any portion of the correspondence of which it affects to disprove. Over their own names, Messrs. Partridge, Davis & Stirling have written themselves down in the same category with the anonymous libeler of the Tribune, while their expressed desire for "arms," and the distinct announcement of their determination to carry the election on the 13th (Mr. Davis' election), will sufficiently serve to connect them with what whatever outrages upon the rights and persons of citizens, and the sanctity of the ballot-box, may be in preparation for that day.

"We call attention to 'A Reply from Baltimore' in another column. We are glad to hear no good account of the Union men of that city from such responsible and honorable sources, and waive all inquiry as to where those gentlemen kept themselves during the time when our correspondents intimate, as they do in the course of their article, that the Union men of that city live under a Governor who, in the average, is rather more favorable to them than to the Secessionists; those of St. Louis, on the contrary, are called to endure the Executive who is not only among the deadliest but also among the cruelest of traitors. The former, also among the last signature to 'A Reply,' held a portion, at least, of the important States in their city: those of St. Louis have never been a Union man.

The Union men of Baltimore have Pennsylvania and Delaware on one side, Washington and the main part of the other; those of St. Louis are much less favorably circumstanced. The Union men of Baltimore kept remarkably ably while the men of St. Louis were being burned and the telegraph wires cut in and about their city, whereby the Federal Metropolis was isolated from the Free States and exposed to capture by the traitors. The Union men of Baltimore were not only present but also delegation to the Legislature was being chosen from their city, and the Government refused provisions for its troops from her stores, unless it was through the medium of the disaffected President, Hicks and her young (Christ) President, who insisted that no more troops be sent through Maryland to Washington; those of St. Louis, under Capt. Lyon and Frank Blair—both advance men—were happy in the assurance of Messrs. Partridge, Davis & Stirling that the Unionists of Baltimore are now in the ascendant, and, without asking how this came about, we hope they will remain so. We certainly had supposed that the receipt of 'A Reply,' that their superiority in numbers was overwhelmed by a deficiency in pluck.

Current Humors. The American of this afternoon reports that the Virginians have evacuated Point of Rocks, and retired to the other side of the Potomac, and every the oft-told tale that the Confederates, everywhere, have neither bread or water, shoes nor markets, powder nor caps, and are dying of starvation, of small pox, &c. There are more rumors in town of a different character from other respectable sources than the above, to the effect that there has already been an engagement near Harper's Ferry, in which the Federal troops have been roughly handled and that before a further advance can be made in that direction reinforcements have been called for as necessary. It is certain that large forces within the last 24 hours have departed from Washington to Chambersburg, whether for the purpose of engaging the Federal troops, or of simply adding to the revenues of the Northern Central Railroad, of which the Secretary of War is principal owner we are unable to say.

How the Government Pays Its Bills. A letter from Washington to the New York Herald says: Col. Segar, a notorious secession sympathizer, arrived this afternoon from Old Point Comfort. He is said to have brought along a bill against the Federal troops. He will probably be glad to receipt in full, without consideration, after a talk with Secretary Cameron.

Col. Segar thus referred to was for a long time the proprietor of the Hygeia hotel at Old Point, and a large property holder in the vicinity. The troops occupied his premises, seized his cattle and provisions, and though he was an ardent opponent of secession, refused to pay him. In this connection we also learn that Butler contracted many bills here on account of the Government, most of which have been settled. Col. John B. Lamar, of Marion, Ga., was the first subscriber to the nation loan. His subscription was 6,000 talos, worth \$350,000.

A Pleasant Fishing Excursion.—An independent view with General Butler. On Friday last a party of gentlemen left this city on the steamer Adelaide for Old Point, for the purpose of fishing. Upon their arrival on Saturday morning, some of the passengers proposing to "hook the arrival" for that purpose, the oath of allegiance was tendered to them by the officers on duty, as a condition to which they could not be permitted to land. Two of the party, Messrs. Quintin W. Ratcliff and S. G. Israel, not wishing to take the oath, concluded to forgo the pleasure of landing, and accordingly remained on board the boat, which after landing her freight and passengers, hauled off into the stream. Later in the day the two went out fishing, according to their original intention, in a small boat, and upon their return to the steamer, and immediately after dinner, they were both arrested, taken ashore and conveyed into the presence of General Butler at his quarters in the Fort. General Butler received them surrounded by his staff, and with his trousers rolled up, displaying, as the two gentlemen observed, an extremely dirty pair of stockings.

In reply to the question "why had they refused to take the oath?" Mr. Ratcliff stated that "they had no desire to come ashore, that they had merely come down to fish, as he (Mr. R.) had been in the habit of doing five or six times in the course of every year, for ten or fifteen years." General Butler—"You're a liar—why did you sign the oath to come ashore?" Mr. R.—"Only because others signed it, but when we found that if we landed we had to take the oath—'What is preferred to stay on board.'" Gen. B.—"What is your objection to taking the oath?" Mr. R.—"I don't wish to take any oath on compulsion." General B.—"No compulsion, sir—no compulsion." Mr. R.—"Well, sir, I am a loyal citizen of Maryland, and as it is possible that Maryland may secede from the Union, I wish to remain free to follow her destiny." Gen. B.—"Aha! there you are—well, sir, you are where neither Judge Taney nor a habeas corpus can reach you—and if I had said in Baltimore another day, I would have made every mother's son of you take the oath or leave the town. I will commit you, sir, as a spy." "Sergeant, take this fellow to the guard house, put him in irons, and see him well taken care of as a spy." Mr. R.—"I assure you, sir, I am no spy." Gen. B.—"You're a liar." Mr. R.—"I am not spouting in the world would make me consent to 'secession' any." Gen. B.—"What business, then, have you in an enemy's camp?" Mr. R.—"I don't know I was, sir, in an enemy's camp—'I thought Maryland was still in the Union, and I am a loyal citizen of Maryland.'" Gen. B.—"No, sir, you take the oath this instant." Mr. R.—"I beg your pardon, take this fellow to the guard house, put him in irons, and see him well taken care of as a spy." Mr. R.—"I assure you, sir, I am no spy." Gen. B.—"You're a liar." 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