The South.

WEDNESDAY AFTERNOON, JULY 31, 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.

COMPENSATION.

The respectful sympathy with which the whole community regarded the stricken households of those victims of Federal tyranny, who, on Monday afternoon, without law and against humanity, were removed from Fort McHenry to be transported beyond the State—did not extend to the Federal police, or prevent the perpetration yesterday of the meanest, the most cowardly, and most despicable outrage which has yet been committed. On Monday evening, Mr. Charles Howard, the President of the Board of Police Commissioners of this city, took leave of his wife and children at Fort McHenry, and started with his fellow-prisoners, on board of a chartered vessel and under military guard, for his unknown and, perhaps, distant prison. Yesterday morning, in ruthless disregard of the feelings of his sorrowing family,—while the pain of parting and the anxiety of suspense were fresh and poignant in the breasts of those who were no longer permitted to minister to his comfort, or lighten by their presence the weariness of his imprisonment,—a party of Federal policemen entered his house, and with every circumstance of studied malignity and outrage, ransacked it, room by room, from top to bottom. They came in quest, they said, of arms, of which they pretended to have heard that *one thousand* stand were secreted in the house. Accepting no assurance that such was not the case—that there were no arms in the house but such as rightfully belonged to members of the family, and that these were not secreted and would be surrendered upon proper application—the leader of the party said he came to make a search and he intended to make it. The ladies of the family declining to facilitate his labors by surrendering their keys, a lock-picker who was in attendance was set to work to pick every lock of room, closet, clothes-press, drawer or trunk, which was fastened. Even the floor of one room it is reported, was partly taken up to discover whether any arms were hidden beneath it. As the result of the search, three muskets were found, which were not concealed and belonged to Mr. Howard's sons, who were members of the Maryland Guard and took them home, when that corps was disbanded; these with the sword of a deceased member of the family, who had been an officer in the Navy, and two miniature Confederate flags, the playthings of children, the police carried off as the reward of their exertions.

And this was done by order of the Federal Marshal of Police, and with the sanction, it is rightly to be presumed, of the Advisory Board of Commissioners. Gen. Dix, we understand, disclaimed any knowledge of the affair; the responsibility is with those who assume to be the police authorities of the city—with George R. Dodge, the pretended Marshal, and James L. McPhail, his deputy—with Columbus O'Donnell, Archibald Stirling, Sen., Thomas Kelso, John R. Kelso, John W. Randolph, Peter G. Sauerwein, John B Seidenstricker, Joseph Roberts and Michael Warner—the intruding Commissioners. These are the responsible authors of the dastardly outrage—the policemen who perpetrated it were but the despicable agents in its commission, and no more to be held primarily accountable for it, than the locksmith who picked the locks. And do they expect to escape that responsibility—this Marshal and these Commissioners? Do they imagine in their folly that the present state of affairs is going to last forever—and that a time will never come when the protection of Federal bayonets will be withdrawn from them—when the shattered altars of the Constitution shall be rebuilt, and the broken images of Justice and the Laws shall be replaced? They have property, some of these Commissioners;—were they richer than Crœsus, their fortunes would be too small to pay the debt which will that day be charged against them; when an outraged and indignant People shall take account of its liberties which have been despoiled, of sacred rights of person and property which have been invaded, of a Constitution which has been violated, and laws which have been trampled under foot. They have inaugurated Revolution, by setting aside the lawfully constituted and legally appointed authorities of the State, by intruding themselves into offices to which they have not been properly chosen, and by assuming powers which are altogether unknown to the law. Have they no fear of this Revolution devouring its first-born—of perishing, like the inventor of the guillotine, by the instrument of their own creation—of being made amenable to the same revolutionary processes and agencies which they themselves have evoked and employed. If they have no apprehension of future retribution, confident of the final and permanent triumph of their own side, or secure in their reliance upon the popular magnanimity to overlook and forgive any irregularities of which they have been guilty, or in the healing virtues of an Act of Amnesty passed by a Legislature elected under their own auspices to procure a remission of all penalties—is their sense of personal security so complete, that they have no thought of present danger—of an avenging Jackson dying to vindicate the sanctity of his home—of an outraged citizen overlooking the immediate instrument of his humiliation, to visit the responsibility upon the true authors and instigators of the wrong? Such *may* be the action of individuals driven to desperation by the indignities they have endured—such WILL be the action of the People, whenever they come to exact compensation to the uttermost, for all the suffering and oppression of to-day.

IMPORTANT TO TRAVELLERS.

The accommodations at Fort McHenry having been found insufficient for the prisoners confined there, the Federal Government has concluded to enlarge its prison. Accordingly the whole city of Baltimore has been converted into a jail, of which the keys at present are confided to our fellow-townsmen, Messrs. Columbus O'Donnell, Archibald Stirling, Thomas Kelso, Peter G. Sauerwein, and their associates in the Police Board, and Messrs. Dodge and McPhail, the Marshal and Deputy. Persons desiring to leave the city either on business or pleasure, and who are not certain as to their standing in the eyes of the authorities, by making previous application to either of the above gentlemen for a written permit to travel, will escape the annoyance which befel certain young gentlemen of this city, who neglected the above precaution, this morning. Four young men, Messrs. Frank Johnson, James H. W. Parramore, Edward Johnson, and Wm. H. Toldridge were about leaving their boarding-house in Monument Square, this morning about 6½ o'clock—the two former proposing to go to the Eastern Shore, by different boats, to visit relations residing there, and the other two merely accompanying them to the wharf, when the hack containing the party with their baggage, was stopped by the Federal police, who ordered the driver to drive to the Station-House. There, the trunks were taken off, the owners required to surrender the keys, and the trunks searched. Nothing of a "contraband" character being discovered in the contents, the trunks were replaced upon the hack, and by permission of Mr. James L. McPhail, the Deputy Marshal, the party again started for the wharf. Arriving there, Mr. Johnson was enabled to get on board the *Pioneer* in time, but the other boat by which Mr. Parramore designed leaving had left her wharf, resulting in that gentleman's detention in the city for nearly a week longer, to his serious annoyance and discomfort. The only explanation of the proceeding vouchsafed by the police, was that "they acted by orders—which were, to stop every traveller leaving "the city from that house, as it was a *secession* "house." One of the party had the further gratification accorded him, of being informed by the police, that he, in especial, was under the strictest *surveillance*, (there is no English word for the thing,) as he was known to have been a member of the Maryland Guard. We give the facts as they were communicated to us by the parties themselves, and we produce the incident with the honest pride with which our country friends exhibit a prize melon or a gigantic cucumber, and challenge the competition of the world—we ask can Russia or Austria beat that? The Kaiser and the Czar, if they only knew it, would send over immediately their Chiefs of secret police, to take lessons from the Advisory Board and at the Marshal's office.

P. S. Permits to travel designed to obviate the necessity of occurrences like the above, and made out in the form customary in Russia and the Papal States, can probably be obtained from General Columbus O'Donnell at the Gas Company's office, from Mr. Archibald Stirling at the Savings' Bank, from Mr. John B. Seidenstricker, at the office of the National Fire Insurance Company, South st., and from the other Commissioners at their residences or places of business. In the barbarous countries referred to, the use of these permits is confined to the nobility, but in this happy community, where all are noble and all *free*, the humblest citizen may obtain his permit, if the Commissioners choose to grant it.

Another Government Canard.

Under the flaming head of a "Bloody Battle in Western Virginia—Retreat of Gov. Wise," the *Associated Press* reporters publish the following:

PHILADELPHIA, July 31.—The New York papers received here contain a despatch from Clarksburg, Western Virginia, of a rumored fight between Col. Tyler with a force of 3,000 Volunteers and ex-Governor Wise at the head of 7,000 Confederate troops at Bellston. Six hundred Federal and 1,500 Confederate troops were killed and wounded, and Gen. Wise was retreating.

These fellows have slain Wise and dispersed his forces so often, that we wonder at their assurance in speaking of him as "still in the flesh," and capable of fighting a battle and making a retreat. We have not been able to find Bellston either on the map or in the latest Gazetteer. If there is such a place and there has been such a fight, the former must be somewhere on the road between Charleston and Lewisburg, along which Wise was at last accounts retreating to effect a junction with Gen. Floyd, and the details of the battle must be enormously exaggerated and misrepresented to suit the Northern market. As this is Wednesday, probably the New York papers got the tale up for to-day's European steamer.

Cries for Help.

It is said that Gen. Lyon, in Missouri, and Gen. Rosencranz in Western Virginia, have both importuned the Government for immediate reinforcements. How the Government is to supply them, is the question, as Butler is calling for more men at Fortress Monroe; Banks is in similar need, and the "defence of the Capital" must not be neglected.

Arrival of Another French Man-of-War.

A French war-steamship "*Catinet*," Commander Fabres, from Brest, June 17th, via Halifax July 27th, arrived at New York yesterday. The C. is a side wheel-boat of 400 tons, carries 172 men and 8 guns.

——The Montgomery *Post* gives the following as the subscription of Montgomery county to the Confederate loan: 14,400 bales of cotton; 18,000 bushels of corn; $31,000 worth of merchandise; 100,000 pounds of flour; $2,000 worth of cannon balls, and $83,000 in cash, making in all about $850,000. This, says the *Post*, shows the confidence that our people have in the Government. "Actions speak louder than words."

A soldier in Tennessee, in drawing arms, received the identical musket which he bore throughout the Mexican War, bearing his name, which he inscribed upon it when he was then in the service of his country.

A number of Charleston merchants have offered to accept Confederate notes or bonds in payment of dues.

Gen. Floyd, of Va., is about moving with his brigade to the assistadce of Gen. Wise.

From Fortress Monroe.

The steamer *Adelaide*, Capt. Cannon, arrived this morning from Old Point, but brought no news of interest. The gun-boat *Fanny* had been sent up the Pocomoke river to burn some vessels lying there, belonging it is supposed, to citizens of Maryland.

[*Correspondence of the Associated Press.*]

FORTRESS MONROE, July 30.—Captain Kilpatrick, formerly of Colonel Duryea's Regiment, arrived this morning from New York, with a company of one hundred mounted riflemen.

Cavalry have been greatly needed in the vicinity of Fortress Monroe.

The time of the First Regiment Vermont Militia will expire on the 2d of August. They will probably take passage to Boston in the steamer *S. R. Spaulding*. Colonel Phelps will accompany his regiment.

Colonel Allen's examination has been brought to a close, and the case will be referred to the War Department.

General Butler, it is said, is about to make a hasty retreat to Washington.

Commodore Stringham, of flag-ship *Minnesota*, at the urgent request of parties interested, determined to make a few experiments with rifled cannon and other projectiles of an improved pattern. A number of shots were discharged at a buoyed target, two miles distant from the ship, and near the Confederate battery at Willoughby's Point. The result not only tested the accuracy of the gun, but its tremendous power as a projectile. None of the shots were aimed at the shore battery, notwithstanding it was easily within range. Two-thirds of the balls struck the target.

About two o'clock Lieut. Crosby, of the United States Navy, was sent by Com. Stringham with an armed tug to the mouth of Pocomoke River, for the purpose of firing upon a number of boats which are said to have been carrying supplies to the Confederates of the Eastern Shore of Virginia from Baltimore. The tug was well manned, and well mounted with guns, and the Lieutenant had orders to act determinedly. The result has not transpired here, as the *Adelaide* passed up before the expeditian returned, but about nine at night a brisk cannonading was heard in the direction of Pocomoke, and it appears that more than one party was engaged in it.

From Washington.

The *Associated Press* despatches this morning are devoid of interest. The Washington correspondent of the organization furnishes the following items:—

WASHINGTON, July 30.—Frederick W. Lander was this morning appointed a Brigadier-General by the President. He will have command of the Rhode Island and part of the Massachusetts regiments. This appointment, which will be approved by the people, was made by the earnest recommendation of Gen. McClellan, Gov. Sprague, of Rhode Island, and Senator Carlile, of Virginia. Gen. Lander was previously offered the command of the Rhode Island troops by Governor Sprague. Ex-Gov. Stevens, of Washington Territory, has accepted the appointment of Colonel of the 79th New York regiment of Highlanders. About six Government clerks have resigned to-day, owing to the passage of the Virginia Ordinance providing that any citizen of that Commonwealth holding any office under the Government of the United States after to-morrow shall be forever banished from that State and declared an alien enemy; and further that any citizen who may hereafter undertake to represent the State in the Congress of the United States, in addition to the penalties above prescribed, shall be deemed guilty of treason, and his property confiscated to the use of the State. Other resignations will probably take place to-morrow owing to this ordinance.

The same authority states that the rumored advance of Beauregard upon Washington is discredited. The usual daily adulation of Gen. McClellan is gone through with.

From Harper's Ferry.

The correspondent of the *Associated Press* at this point is master of the art required of him.—He puffs Banks and disparages the Confederates. Two paragraphs are to the following effect:

The Second Virginia Regiment, under Colonel Allen, is most severely cut up also. The men are greatly dissatisfied with their officers, and are unwilling to go farther. They cannot recruit in the Valley of Virginia.

There are troops at Winchester, but drafted militia. These escape and return to their homes almost as rapidly as they are brought in. They are in complete disorder, no discipline prevailing.

The first is a gross falsehood. The regiment is composed of men from the Valley of Virginia, yet they cheerfully left Winchester to fight at Manassas. In the engagement they lost only 123 men, of whom but 17 were killed, though others may die. But little recruiting will be needed to fill their ranks. They were at last accounts still at Manassas, and concerning their disposition for further service, the voracious correspondent could of course know nothing. The following is the remainder of his despatch:

The whole army embraced in the command of Major General Banks, and three companies of the Massachusetts Second is lying on the Maryland side of the Potomac, which is by *far a more healthful region than Harper's Ferry*. The column is now being rapidly reinforced by way of Hagerstown and Baltimore. Gen. Banks has his headquarters at a farm-house about two miles below the Ferry. The batteries planted here are so stationed as to command all the crossings of the Potomac.

From the West.

CAIRO, July 29th.—John Bird, the owner of Bird's Point, is about to be moved from there by the officers in command, himself, family, negroes, and belongings, being considered incumbrances. He naturally takes his "coercion" very hard. The abrasion of the bank at Bird's Point is greater than it was ever known before. The ground is washing away at the rate of ten feet a day. It has been necessary to remove several small houses, and the St. George Hotel will go into the river unless it can be moved back. Its foundations are nearly gone now. The troops at Bird's Point do not expect an attack, but hold themselves in readiness for a fight at any time. It is reported that Gen. Hardee is making his way towards Bird's Point from Pocahont as.

The U. S. Marshal advertises for sale three lots of property seized as contraband at the commencement of the blockade, including 876 sacks of corn, some carboys of vitriol, a lot of wagon pieces, a flat boat load of lime, ditto of coal, &c. The trestle work on the Cairo and Fulton railroad, ten miles this side of Charleston, was cut by some secessionists on Sunday. A man suspected of secessionism had been arrested at Charleston and taken to Bird's Point. Nothing was found against him and it was understood that he was to be taken back on Monday. On Sunday a party of thirty or forty mounted men came in from the back country, and cut the post of the trestle, so that the train might drop through. The plot was discovered, however, and their kind intentions frustrated.

From Fort Pickens.

A correspondent of the Mobile *Register* writes the following about matters around Fort Pickens:

To-day the broad, blue pennant of Com. Mervin was transferred from the Mississippi to a newly arrived frigate, supposed to be the Colorado. No new arrival in the squadron within the last twenty-four hours.

Mark Boothby, the sailor-deserter of Santa Rosa, is still below. He is allowed all privileges desired, and kindly treated by our folks—in fact, a perfect lion. He expresses himself highly delighted with "rebel" treatment, and intends to pitch his tent among them for all time to come. He is a pleasant fellow, and looked quite military, mounted on one of Clanton's horses. I asked him what sort of fellows Wilsons Zouaves were. He replied, he reckoned they were robbers, gamblers, and thieves, as a good many jackets, caps, &c., were missing since their arrival; they were terribly in want of whiskey—a scarce article on the Island. They were about 600 in number, with considerable sickness in the corps.

It is awful hot on the Island. He belongs to the Niagara, but was left ashore, with others of her crew, to perform land service. He says that he didn't like such service, and "cut stick." He has been in the navy eight years; had just arrived in Boston when the difficulties commenced; re-enlisted in the service, and sailed in the Niagara for this place. There are some over there who don't want to fight; the rest "don't care a red."

A fire occurred about noon to-day at the Navy Yard, destroying a large building, at the time occupied by a company of Louisiana regulars. No great loss, as old Brown and his naval friends have promised to knock 'em all down one of these days.

THE THIRTY-SEVENTH CONGRESS.

Extra Session.

WASHINGTON, July 30.

SENATE.

Mr. Trumbull moved that all prior orders be dispensed with and the Senate proceed to consider the Senate bill to suppress insurrection and sedition, and for other purposes. Agreed to.

Mr. Trumbull believed the bill to be the most important one that had been brought before the Senate this session.

He said he was for standing by the Constitution and putting down the rebellion. He said the object of the bill is to confer the necessary power to suppress rebellion on the military authorities. He said he well knew, as also did every Senator on the floor, that the President had committed actions which were not strictly in accordance with law, but he felt that the Executive was perfectly justifiable on the grounds set forth by his colleague (Mr. Browning) a few days ago, namely: self-defence.

Mr. Trumbull advocated the bill in all its particulars, and warmly eulogized all the acts of the President. He was followed in his remarks by

Mr. Carlile (Va.), who opposed the eighth section of the bill, which reads as follows:

And be it further enacted, That any military commander aforesaid, (Commanding General of the United States, the commanders of the several military departments and military districts,) in any district declared to be in a state of insurrection and war, may cause any person suspected of disloyalty to the Government of the United States to be brought before him, and may administer, or cause to be administered before him, the following oath:

"I do solemnly swear (or affirm) that I will support, protect and defend the constitution and government of the United States, against all enemies, whether domestic or foreign, and that I will bear true faith and loyalty to the same, any ordinance or resolution of any State convention or legislature to the contrary notwithstanding; and further, that I do this with a full determination and pledge, without any mental reservation or evasion whatever: So help me God."

And on their refusal to take such oath they shall be detained as prisoners until the restoration of quiet and peace in the locality where such arrests may have been made. And any person having taken said oath who shall afterwards be taken in arms against the Government; or found aiding and abetting its enemies and opposers, shall be subject to the same punishment prescribed for those who violate their parole, as provided in the 7th section of this bill. [Death or such other punishment as a court-martial shall direct; sentence to be submitted to the commanding officer of the military department.]

Mr. Carlile said that retaliation would be the result of its adoption and would injure rather than aid the Union cause in the South. That those who were in arms against the Government, did not regard the oath as a moral or personal obligation, and that it could not be expected. He said further that if he was taken prisoner by the Confederates, he would readily take any oath offered, and if it would save his life and thus benefit his family or his country, he would not hesitate to violate it. He applauded the other sections of the bill.

Mr. Cowan alluded th several sections of the bill, particularly the 1st, 7th, 8th, 9th and 11th, pronouncing them to be unconstitutional and unjust to those who had a right as citizens to claim protection from the civil process.

Mr. Bayard moved to postpone the further consideration of the bill until to-morrow,

Mr. Fessenden moved to postpone indefinitely.

Mr. Breckinridge said the bill appeared to combine in eleven sections every thing atrocious that has been perpetrated upon any free people in the last five hundred years, and the introduction of such a bill in the Senate was the most gloomy commentary on the degenerate character of the government that could be offered.

Mr. Trumbull asked if anything had been offered in the bill that had not already been done by the President.

Mr. Breckinridge said if the discussion was continued, and an answer to that question was asked for, he would show that no matter how unjust or unconstitutional the acts of the President were, that this bill goes far beyond it.

Mr. Clark, of New Hampshire, moved that the bill be laid on the table, on which the yeas and nays were called, as follows:

Yeas—Messrs. Bayard, Breckinridge, Bright, Clark, Cowan, Fessenden, Johnson, of Tenn., Johnson, of Mo., Latham, McDougall, Pearce, Polk, Powell, Saulsbury and Thompson—15.

Nays—Messrs. Anthony, Bingham, Browning, Carlile, Chandler, Collamer, Dixon, Doolittle, Foot, Foster, Grimes, Harlan, Harris, Howe, King, Lane, of Indiana, Lane, of Kansas, Morrill, Pomeroy, Sherman, Sumner, Ten Eyck, Trumbull, Wade, Wilkinson, Wilmot and Wilson—27.

It was agreed to postpone the bill until to-morrow, at 1 o'clock.

Mr. Hale submitted the report of the Committee of Conference on the disagreeing vote of both houses on the bill to provide for the construction of one or more iron-clad ships or floating batteries and for other purposes.

After the report had been debated, a vote was taken, when it was ascertained that no quorum was present.

On motion of Mr. Powell the Senate adjourned.

HOUSE OF REPRESENTATIVES.

Mr. Spaulding of New York, offered a resolution naming Friday, the 2d of August, for the adjournment *sine die* of the Senate and the House, the Senate concurring. Passed.

Mr. English, of Connecticut, from the Committee on Military Affairs, reported a bill for the temporary increase of the number of midshipmen in the Naval Academy—each member of Congress to nominate one, as in the case of cadets.

The bill was passed.

The House went into the Committee of the Whole.

Mr. Rice, of Massachusetts, from the Committee on Military Affairs, introduced a bill appropriating $1,200,000 for the construction of twelve side-wheel steamers of light draught and great speed, to be commanded by officers of the Navy, to pursue privateers in creeks and rivers.

Mr. Burnett objected. The President and Secretary of the Navy are already empowered to provide by purchase or otherwise such vessels as may be required for the war. He alluded to the charges against heads of Departments of fraud and peculation, with which the country is rife—charges brought even by men of their own party; and now he wondered at the power and privilege with which these very men would endow them. Perhaps this bill is an invitation to the Secretary of the Navy to come to Boston and purchase there, *ad libitum*, from the files of ships which, with furled sails, are rotting at the wharves.

Mr. Burnett objected to the head-long style in which this Congress had transacted business.—What was the object of this bill? For what were these ships to be built, where were they to be employed, and how? Let us know something about the bill before we pass it.

Mr. Wickliffe, hating piracy next to murder, approved the bill.

Mr. Rice disclaimed any intention of aiding the mercenary interests of his constituents, and explained that the vessels are for especial service.—He moved that the Committee rise, but yielded to

Mr. Burnett, who explained that he had not said that he objected to the bill, but he did object to the hasty and slovenly legislation by which this Congress had rushed such bills through by gag-law. He merely wished to know more about the bill.

Mr. Dawes, of Massachusetts, then called up the Oregon contested election case, and offered a resolution giving the seat to Mr. Shiel.

Mr. Stevens, of Pennsylvania, moved that neither Mr. Shiel nor Mr. Thayer be considered entitled to their seat in this House, but that the seat be considered vacant. Referred.

The resolution of Mr. Dawes was then passed, and Mr. Shiel sworn in.

Mr. Potter, of Wisconsin, from the select committee appointed to ascertain the number of persons now employed in the several departments who are known to entertain sentiments hostile to the Government, and have refused to take the oath of allegiance, reported, *in part*, that on investigation they found the action of the House on the subject wise and necessary; that the appointment of the committee has been fully justified by the disclosures from well authenticated facts. Having found it impossible to complete their labors, the committee ask leave to set during the session of Congress with power to take testimony. Agreed to. Adjourned.

[TO-DAY'S PROCEEDINGS.]

SENATE.

WASHINGTON, July 31.—A communication was received from the President, in answer to a resolution, transmitting a report of all instructions given to Foreign Ministers in reference to the rebellion. Laid on the table, and ordered to be printed.

HOUSE OF REPRESENTATIVES.

Mr. Bingham, from the Judiciary Committee, reported back the Senate bill transferring the control over the District Attorneys and Marshals from the Secretary of the Interior to the Attorney General. Passed.

Mr. Blair, from the Committee on Military Affairs, reported a bill providing for the monthly pay of the troops. Passed.

Mr. Vallandigham offered the following resolutions, which were objected to by Messrs. Lovejoy and Washburne:

Whereas, Jas. E. Harvey, Minister to Portugal, did, in the months of March and April last, convey confidential and important information from time to time to the rebel authorities of South Carolina in regard to the movement of the Government of the United States for the suppression of the rebellion in said State; and whereas, the said Jas. E. Harvey has subsequently declared in a public communication, that all of the despatches by him sent to the rebels in South Carolina, were first shown to members of the Administration thereof—therefore

Resolved, That the President of the United States be requested to ascertain what members of the Administration were thus concerned in aiding and abetting treasonable communication with the rebels; and, if not incompatible with the public interests, to forthwith remove said persons from authority under him, and to recall the said James E. Harvey.

On motion of Mr. Lovejoy it was resolved that the thanks of this House are due and hereby presented to the eight regiments of Massachusetts volunteers for their alacrity and patriotism in responding to the call of the President, surmounting obstacles by sea and land which traitors interposed to impede their progress to the defence of the National capital.

Mr. Julian offered a resolution, which was adopted, that the retention in office here and throughout the country of men of well known Secession sentiments merits the reprobation of all loyal citizens, and hereby receives the reprobation of this House.

THE CONFEDERATE CONGRESS.

RICHMOND, July 24, 1861.

Congress met at 12 M. Appropriate prayer was offered by Rev. Mr. Woodbridge.

Mr. Bocock, of Va., announced the presence of Mr. James M. Mason, of that State, who was ready to qualify as a delegate of the Congress. The presence of Mr. Roger A. Pryor was also announced; whereupon the gentlemen were sworn in at the Secretary's desk.

Mr. Macfarland, of Va., submitted a report, with accompanying resolution, from the Select Committee, appointed to co-operate with the Mayor of Richmond in making provision for the wounded.

The report recites the action taken by the citizens' meeting in Richmond, (already published,) and says that the proceedings met the exigency in a spirit of broad and considerate sympathy. There is no duty to which our fellow-citizens, nor their representatives and agents, are prepared to respond to more spontaneously and liberally than that which summons to the consolation and relief of their intrepid defenders. It would not become the Congress of the Confederate States to permit the city of Richmond to take to herself the whole charge of providing for the wounded and sick of the army, which, under the blessing of Providence, triumphed gloriously at Manassas. It behooves Congress to provide the funds necessary to meet the outlay which may attend the execution of their honorable design. Therefore,

Resolved, That the sum of five thousand dollars be placed at the disposal of the Secretary of the Treasury to be expended in securing the comfort of the officers and men of the army, who were in the battle at Manassas, and may be removed to the city of Richmond under the resolution of the Common Council.

The resolution passed unanimously.

Mr. T. R. R. Cobb, of Georgia said: I rise, Mr. President, to announce facts too well known to all the members of this Congress, and which the saddened facts before me convince me are deeply felt by all of this body. The mortal remains, sir, of our late beloved colleague, Francis S. Bartow, of Georgia, lie in the other end of this Capitol, which has been temporarily made a charnel-house for the illustrious dead.

I confess, sir, that this is one of the saddest duties of my life, and one which I must acknowledge my incompetency to discharge. To indulge in formal generalities would illy comport with the feelings of the House, and to give utterance to the suppressed feelings of my heart would scarcely be appropriate in such presence. The deceased was my friend, and loved me as Jonathan did David. You, Mr. President, knew him longer, and, therefore, loved him better. The speaker eloquently recited an incident that had taken place between himself and his deceased colleague, at the time that Congress was in session at Montgomery. The deceased had been the Chairman of the Committee on Military Affairs, and in this important position had brought many valuable measures before the House, which he (Mr. Cobb) had the greatest confidence and pleasure in assisting by his enfeebled powers. Once only he had differed from him in a single point, and on leaving the session of Congress in which the difference had occurred, the speaker, in jest, made a remark to his friend, which he instantly saw wounded him. Deeply regretting that he had given the wound, he begged him to forget it. Again that night he saw him, and his friend still seemed distressed by the remembrance of the wounding remark. The speaker retired to bed in pain and uneasiness at the unpleasant incident in a life-long friendship. At last he sought the chamber of Colonel Bartow; he found him also restless under the recollections of the day; but the gallant deceased divining the mission of his friend to be again to ask forgiveness, rose without a word, and in a gush of tears, silently clasped him in his arms. Such continued the speaker, was our friendship. Such, Mr. President, was my loss.

Mr. Cobb continued in an eloquent recital of the life of the illustrious deceased. He was born on the 18th day of September, 1816, and would have been forty-five years of age on his next birth day. He was a native of Georgia: had graduated at the University of that State, and had proceeded to the study and practice of law, in which he distinguished himself for ability and a remarkable order of eloquence. He had never been much in public life, until he had been called to represent the people of Georgia in the Confederate Congress. He had been twice forced by the importunities of his party—that party headed by the great man whose fame had been commemorated in marble in the enclosure of the Capitol—to serve in the Legislature of his State, and, in one of his terms of service, had almost, by his own unaided efforts, urged and accomplished the completion, by the State of Georgia, of the great internal improvement that was the basis of her prosperity.

The circumstances of the death of the gallant deceased were told by the speaker in eloquent conclusion of his remarks. While the battle was raging, Col. Bartow had ridden up to Gen. Beauregard and said: "Show me what now is to be done, and if human effort can accomplish it, I will do it." The General replied, with pointed finger, "that battery must be taken." Instantly seizing the standard of his own regiment, and accompanied by the Virginia forces, Col. Bartow led the van of the gallant and desperate assault. A ball wounded him slightly and killed his horse. Again mounted, he led and cheered his men.—The next wound was a ball, which entered his heart. His last words were memorable. "*They have killed me, but never give up the field!*"

Mr. Cobb concluded the affecting tribute to the deceased by saying that, in a few days, he hoped to be himself in the field, and to follow in the footsteps of his beloved friend, sustained by that same Christian faith in which Col. Bartow had lived and acted and died.

The following resolutions of respect to the memory of the deceased were moved by Mr. Cobb:

Resolved, That Congress has heard, with unfeigned sorrow, of the death of Hon. Francis S. Bartow, one of the delegates from the State of Georgia; that the national exultation for a glorious victory, achieved by our arms, is checked by the heavy loss sustained by the Confederacy in the death of one of her most efficient Commanders; and that, as his colleagues, we feel a peculiar loss to ourselves in one who had won our esteem and gained much of our affection.

Resolved, That with pleasure we record our admiration of his heroic defence on the field of battle; of the action of this Congress in which he participated so largely; and find some consolation for his death in the conviction that his noble self-sacrifice will serve to establish the work which he so boldly aided to begin.

Resolved, That we appreciate the loss which Georgia, his native State, has sustained in the death of one of her noblest sons; and that we tender to the bereaved the sympathy of hearts, to some extent, stricken by the same blow which has crushed their own.

Resolved, That a copy of these resolutions be communicated to the family of the deceased.

Resolved, That in respect for his memory the Congress do now adjourn.

Mr. Hill, of Georgia, made a speech of some length, paying an eloquent tribute to the illustrious dead! He said that Colonel Bartow had been distinguished in his devotion to the Union. A member of the old Whig party, the Union had been his idol, and his mind was closely and long-wedded to the idea that the Union of the United States was inseparable from the civil liberty of the country. But the later development of events and the policy of the Washington Administration decided him to another opinion; and at the time of the separation of Georgia, that State had no more ardent or devoted Secessionist within her borders.

Mr. Mason, of Virginia, was anxious to testify to his happy estimation of the chance that had introduced him to the prized acquaintance of the gallant dead whom the country mourned. He had made the acquaintance of Col. Bartow when the forces that he commanded were in the neighborhood of Winchester; and in his house there, the deceased had been a welcome and honoured inmate. No mere courage or bravery had made Col. Bartow a soldier; a sentiment of even higher devotion than these—a sentiment of noblest patriotism—stimulated his soul; and though any man might die, it had been given to him they mourned to show how a hero could surrender his life to his country.

Mr. Chesnut, of South Carolina, said that the cloud that darkened Georgia in the loss of her illustrious son, would extend its shadow over the whole land of the South. He had known the deceased. He had seen his dead form on the field at Manassas, the burning eye of courage draped in the sleep of death, and the cold form lying still and insensate in the atmosphere that swelled with the sounds of the victory he had aided to obtain. No tribute of admiration, no expression of sorrow, no offering of tears, could be given to the brave and noble deceased to which his own heart did not make the fullest response.

The resolutions of respect referred to were then put to the vote and unanimously adopted

Congress adjourned until to-morrow.

The Mission of Col. Taylor to Washington.

The following is the correspondence referred to as document A by Jeff. Davis, in his Message to the Confederate Congress.

JEFF. DAVIS TO PRESIDENT LINCOLN.

RICHMOND, July 6, 1861.

To Abraham Lincoln, President and Commander-in-Chief of the Army and Navy of the U. S.:

SIR: Having learned that the schooner *Savannah*, a private armed vessel in the service and sailing under a commission issued by authority of the Confederate States of America, had been captured by one of the vessels forming the blockading squadron off Charleston harbor, I directed a proposition to be made to the officer commanding that squadron for an exchange of the officers and crew of the *Savannah* for prisoners of war held by this Government, according to number and rank." To this proposition, made on the 19th ult., Capt. Mercer, the officer in command of the blockading squadron, made answer on the same day that "the prisoners (referred to) are not on board of any of the vessels under my command."

It now appears by statements made without contradiction in newspapers published in New York, that the prisoners above mention were conveyed to that city, and have been treated not as prisoners of war, but as criminals; that they have been put in irons, confined in jail, brought before the courts of justice on charges of piracy and treason, and it is even rumored that they have been actually convicted of the offences charged, for no other reason than that they bore arms in defence of the rights of this Government and under the authority of its commission.

I could not, without grave discourtesy, have made the newspaper statements above referred to the subject of this communication, if the threat of treating as pirates the citizens of this Confederacy, armed for its service on the high seas, had not been contained in your proclamation of — April last; that proclamation, however, seems to afford a sufficient justification for considering these published statements as not devoid of probability.

It is the desire of this Government so to conduct the war now existing as to mitigate its horrors, as far as may be possible; and with this intent, its treatment of the prisoners captured by its forces has been marked by the greatest humanity and leniency consistent with public obligation; some have been permitted to return home on parole, others to remain at large under similar conditions within this Confederacy, and all have been furnished with rations for their subsistence, such as are allowed to our own troops. It is only since the news has been received of the treatment of the prisoners taken on the *Savannah* that I have been compelled to withdraw these indulgences and to hold the prisoners taken by us in strict confinement.

A just regard to humanity and to the honor of this Government now requires me to state explicitly that, painful as will be the necessity, this Government will deal out to the prisoners held by it the same treatment and the same fate as shall be experienced by those captured on the *Savannah*; and if driven to the terrible necessity of retaliation by your execution of any of the officers or crew of the *Savannah*, that retaliation will be extended so far as shall be requisite to secure the abandonment of a practice unknown to the warfare of civilized man, and so barbarous as to disgrace the nation which shall be guilty of inaugurating it.

With this view, and because it may not have reached you, I now renew the proposition made to the commander of the blockading squadron, to exchange for the prisoners taken on the *Savannah* an equal number of those now held by us, according to rank.

I am, sir, yours, &c. JEFFERSON DAVIS.

President and Commander-in-Chief of the Army and Navy of the Confederate States.

COL. TAYLOR TO JEFFERSON DAVIS.

RICHMOND, July 10, 1861.

To His Excellency Jefferson Davis, President of the Confederate States:

SIR—In obedience to your instructions, I left the city of Richmond on the morning of the 7th July at six o'clock, A. M., as bearer of despatches to His Excellency Abraham Lincoln, President of the United States.—At Manassas I receiv d from Gen. Beauregard a letter to Gen. McDowell, commanding the United States forces at Arlington. From Manassas I proceeded to Fairfax Court House, where I was furnished by Gen. Bonham, an escort of fourteen cavalry, under the command of Lieut. Breckinridge, of the Virginia cavalry. Proceeding on the direct road to Alexandria to its junction with the road to Arlington, met a detachment of cavalry under the command of Col. Porter, United States Army, about three miles from the Junction, from which place I sent back my escort. Capt. Whipple, United States Army, accompanied me to Arlington, where I arrived about four