FRIDAY AFTERNOON, AUGUST 23, 1861. A WELL-RESCRIPTED MILITIA BEING NECESSARY TO THE SECURITY OF A PRES STATE, THE RIGHT OF A THE PROPLE TO KERP AND BEAR ARMS SHALL NOT BE INFRINCED .- Constitution U. S., Amendments, ar-

tiele 2. in any house, without the consent of the Owner, such a message? How much is the indignity tacked our encampment at break of day, with 14,nor in time of war, but in a manner to be pre- lessened when it is only the office of a turnkey, ed large reinforcements within the last few days.

reasonable searches and seizures, shall not be rioand the persons or things to be seized. - Constitu- bowstring? tion 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?

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) up to the hour of publication, and fully twelve hours in advance of the morning papers.

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. sent by mail, must be accompanied by the cash. ceipt of the subscription price for nine, for the time ordered.

CONGRESS SHALL MAKE NO LAW RES | cendiary. Are there no officers whose sense of PECTING AN ESTABLISHMENT OF RELL-GION, OR PROHIBITING THE FREE EXER CISE THEREOF; OR ABRIDGING THE FREE-DOM OF SPEECH, OR OF THE PRESS. Constitution U. S. Amend. Art. 1.

-Declaration of Rights of the State of Maryland, bout-said that, "in case they should remain here chief surgeon. We have more prisoners than we Art. 38.

THEIR OATHS. regular array, who still adhere to the service parture for the hotel, saw them on the way to the ging for help and water. I have never before of-war stationed off each point and at short inter- we reached the scene of combat dead bodies lay answer for the consequences. New York is a slumof the Government, ever reflect upon the terms of boat, or was present at the reception which awaitthe oath which they have taken to support the ed them at the wharf-would think so too The Constitution, and the nature of the obligation American may "renture" on more hazardous as lieving each other's agonies and sufferings. which it imposes. General Scott, we believe, has sertions than that, without any risk of telling a taken such an oath four times during his term of lie, which its pious soul abhors. The prisoners service, apparently resorting to it as a tonic to | were "treated with marked respect." They were strengthen and sustain his wavering loyalty, or, visited by thousands of our citizens, who showed perhaps, considering that like vaccination its ef- them every attention-they were furnished with out of 720 composing the regiment when it wen tects are worn out by time, and require to be per every comfort that they needed, and with many riodically renewed. Be the cause what it may. Little articles of luxury besides, which the donors General Scott has certainly taken the oath often thought might gratify their feelings and indicate enough to have had some impression produced the heartfelt sympathy of our people. Everyupon his mind, by its repetition. Yet-we find body wanted to do something for them. Some account of the skirmish at Mathias Point: General Scott, and bundreds of army officers with | who were roughly clad were carried to the clothhim, laboring zealously and effectually to subvert ing stores and furnished with entire new suits; that Constitution which they have solemnly sworn the barbers who shaved them refused to take their to support, and cherishing at the same time the money; it was returned to them in the shops where idea, that they are simply discharging a necessa- they attempted to make purchases, and where the always reliable and sometimes even ahead of the ry but painful duty! Who can explain this extra- articles they wanted were forced upon them as ordinary spectacle?

cient either in intelligence or in education. They and "God bless you;" thousands cheered them said party, killing three and mortally wounding are neither fools nor ignoramuses. In point of by the way, and thousands received them at the one. Shells were then thrown from the Resolute professional knowledge they are at least equal to wharf, with outstretched hands, and waving hats and Reliance, when the reliefs were seen scamperthe officers of any other service; on general subjects and handkerchiefs. They were begged to return ing through the bushes dragging off the dead. they are as well-read and well-informed as the and to bring their friends with them" --cheers average of professional men. Their knowledge were given for President Davis and the Southern we have it, that the Virginia party numbered but of constitutional law is not as accurate nor as ex- | Confederacy, and as the boat pushed off, "Dixie" tensive as that of lawyers, but probably quite equal was sung with great enthusiasm. The police eight on the Resolute's boat six were killed, or so to that of most doctors and merchants, and they tried in vain to check these demonstrations; i are apt to be tally as conversant with the history was of no use; for one brief hour the pent-up feelof their own and other governments, and as tho- ing of the people found unchecked expression. roughly imbued with the knowledge and love of The American's assurance in regard to the treat- by bursting shells. free institution and the principles of well-ordered ment which would be extended to the prisoners, constitutional liberty. In the division of parties was confirmed in a manner which must have afand the political contests which have heretofore forded our contemporary the intensest pleasure, prevailed in this country, the officers of the army and which proved our neighbor to be possessed of have always been distinguished for the fairness and a better insight into the true state of popular feelmoderation of their sentiments. At this moment | ing than we had previously supposed. we doubt whether more than a very small i fraction of the number who have remained in) the service of the Federal Government, enter- wounded soldiers in the hospitals at Washing- made of certain contrabands taken often from the tain political views in common with those of the ton. Administration, or regard the principles and measures of the Republican party with any other feeling than one of disgust and detestation. The officers of the army may be military but not poslitical fanatics. How then, we repeat, are they stitutional orders and requirements of the Govern- in question, about twelve o'clack, fifty soldiers, word of rebuke, but rather a sentence of praise, is a ment! How can they consent to be the willing ed the Potomac and marched, by a circuitous rance of the proper rules of meum et funce call it his Cabinet are seeking to rear, -have reared, - one mile beyond Shepherdstown. On their way imprisonment of citizens; in the unauthorized | and signing passes to admit wives to an interview hellion. It also created quite a sensation at Sandy lated by these troops, and tior. Harris should inwith their imprisoned husbands! What an em-

| tion involves? Can they salve their consciences | or their bonor with the poor excuse that they are only obeging orders?

Suppose the Commandants at Fort Melleury and to have all the prisoners in their respective dun- and a gentleman of irreproschable character. geons-forts we cannot call them, since to such | Mr. II. commanded a Confederate or State regibase uses they are condemned—strangled in their ment of 650 men in the battle, and lost 142 killed, cells-would they obey? Would they not hurl wounded and missing. Subjoined is the report of \ with indignation their commissions in the face of Mr. Hughes: No Soldier shall in time of peace be quartered | the officer who should dare to send or bring them) scribed by law .- Const. U. S., Amendments, art. 3. not of an executioner, which they are called upon The attack was made simultaneously at four difto assume-when it is only the liberty, not the life | ferent points, Gen. Lyon on the west, Gen. Siegel The right of the people to be secure in their of the citizen, which is ordered to be taken away on the south, Gen. Sturgis on the north, and some persons, houses, papers and effects, against un- without trial and without law? Is it a less crime other column—General Sweeney's, I think—on The Caliello. to kill a man by inches, to stop his breath by the lated, and no Warrant shall issue, but upon proba- slow processes of confinement, and the lingering formed for the battle. The forces engaged were search of privateers. ble cause, supported by Oath or affirmation, and torture of a prison, than to desputch him by the about equal on each side, the Federals having the particularly describing the place to be searched, shorter and easier method of the halter or the advantage in position and heavy artillery.

has arisen, army officers have been found ready marshaled for the conflict, and hared their breasts and willing to assume and exercise the discretion- to the storm of hattle. The Louisiana troops, the ary powers rested in them by the President, to suspend the writ of Anheas corpus. Everywhere each other in this great and bloody day. For six we believe, wherever the question has been tested, ded. Seven times by on was repulsed from the the judges have decided that the President has no western heights, by the Missouri and Arkansapower to suspend the writ of Asbens corpus, and | forces, and seven times regained his position. | can confer no such authority upon another. In had a strong force of regulars posted with Totten's entering the army, men do not cease to be citizens; they neither lose the rights nor escape the obligations of citizenship. The chief of those obligate Weightman's brigade of Missouri forces at the tions, which is to support the Constitution and the southwest, including his fine lattery of artillerylaws, is made especially binding upon every of having been victorious at each point-rallied to licer, by the oath which he takes, and which Gen. Scott has renewed four times during his military exteet. Can any officer suppose that an order Gen. Price and Gen. Slack were both actively from the War Department or from the President and gallantly urging forward this column, when "That no man ought to be taken, or impresoned, can relieve him from the obligation of this oath, Gen. Slack was severely wounded and taken from h "or disseized of his freehold, liberties or privi- or from the obedience which every citizen owes to "leges, or outlawed, or exiled, or in any manner | the law of the land? Will any officer pretend to a "destroyed, or deprived of life, liberty, or pro- say that such an order is more imperative upon now filed his column in on the right of my regi-"perty, but by the judgment of his peers, or by him as a soldier or as a citizen, than the law of ment, in Gen. Slack's division, where he fell mor-"the law of the land."—Declaration of Rights of the land as expounded and enforced by the deci- tally wounded, near Totten's battery, covered all lo | sions of the Courts? Is the order of General Mc- 1 Clellan or of Secretary Cameron to take prece teries were captured by the State and Confederate dence of the writ of the Supreme Court or the forces, and routed in every direction, except on mandate of Chief Justice Taney? We cannot be the beights west, where Lyon commanded in perlieve that officers of the army, who still adhere to son, and made his last and most desperate struggle. the service of the Government, have sufficiently Gen. Parsons now advanced with his battery of reflected upon these questions. Otherwise, where my's right, while Wouldruff's Arkansus battery we now hear of one resignation, we should hear mowed down his left. At this point of time Gen. of twenty. Since the Battle of Manassas, we have McCulloch came up, and directed Slack's division heard of several officers who have resigned, and to charge Totten's buttery in front, and the Arof others who mean to resign, from sheer dis- kansas troops on the right flank. This was the gust and indignation at the ill-behaviour of the tains all the latest news by mail and telegraph, volunteers, the incapacity of the civilian Gene troops. On both sides the men were moved down reports. rals whom the Government has appointed to like the ripe harvest before the sicle. My own re-| command them, and the general mis-management | FOR SALE by 411 the principal newsmen in this which prevails throughout the entire Department. city and throughout the South. Persons desiring Are there not men who are prepared to put their lattery driven from the heights, and his whole Agencies for the sale or distribution of the Paper resignations upon the higher and nobler ground, that they are unwilling to soil their honor as soldiers and gentlemen, by the violation of their with to support the Constitution. We know of the case of an officer in the Navy, a native of the District of Columbia, deeply attached to the Union, prisoners, several stand of colors and a large THE usual discount in favor of Newsmen and and who had fully made up his mind to remain quantity of good arms. Agents. Postmasters and others forming Clubs in the service; he was ordered to assist in burning l the Gosport Navy Yard; he obeyed his orders, . or ten copies will be sent to one address, upon re-Confederate service. He could not brook the in- B. J. Brown, of Ray, killed: Captain Enyard, of sult of being assigned the duty of a common in- Rives' regiment, killed: Lieut. S. S. Hughes, of

assigned the duties of a genderme or a turnkey?

WE THINK SO. half-encouraging sort of way-speaking of the THAT THE LIBERTY OF THE PRESS Confederate prisoners, who arrived the evening many more whom I cannot now mention. before, and left again in yesterday afternoon's "a month, we venture to add that they would be know what to do with them. We cannot feed "invariably treated with marked respect." We like and mounded bindle marked well, and all their following language: think so. We think anybody who visited the geons were invited to come in after their defeat [gifts. When they left their hotel, hundreds as-] The officers of the army as a class are not defi- sembled to see them off, and bid them "farewell" and about lying on the beach, but just as they

Br official reports there are now 700 sick and

Release of Mr. Boteler. The Boonshoro' (Maryland) Odd Filloc says:

. Boteler, of Virginia, had been captured on Mathias' on Thursday last. No comment is offer-| Monday night of last week, by Federal troops, | ed upon this act of Garresting contrabands," able to reconcile with their consciences and their and taken to Sandy Hook and placed in the hands upon the waters of the Potomac alone, but upon oaths, the obedience which they pay to the uncon- of General Banks. It appears that on the night | the very land and farms of the proprietors; no instruments of such a despotism as Lincoln and route, for Mr. Boteler's residence, which is about finigger stealing. upon the ruins of the Constitution they are they came across two men, whom they made fail) sworn to support? In the illegal arrest and in the line. They arrived at the house about three I A. M., and caught Mr. Boteler "napping," and soon apprised him of the object of their visit. That peat of the 9th instant, contains the following) searches which have been made of their per- gentleman immediately gave himself up and was items: sons, houses, and effects; in the suspension of brought under a strong guard to the Maryland of the liberty of the press, military officers Regiment, under the command of Col. Leonard, manifested by its inhabitants, but Northeastern preparations have been made by the teamsters and pre-to-do-so, unless it appears that he called out prehave played the most conspicuous part, and been above. Shepherdstown, and not to Sandy Hook, on account of the arrest of Baxter, Nelson, the the most active and efficient agents of Govern- as we were before informed. Here he remained suppression of Brownlow's paper, and the capture At this moment, army officers high in until four o'clock next day. His case was inves- of Capt. Thornbury, who was leading a company position and in character, are acting in the capa- tigated but nothing actionable was found against into Kentucky to assist Lincoln, his company city of Government jailors, the keepers and turn- him, and under the care of several officers be was being routed by the cavalry sent against him, taken out of camp, released and sent home. The himself shot and captured, and thirty of his men the Kentucky Legistature, because the Union encourage proceedings which might bring on a keys of political prisons—while General Scott, men thought he was to be sent to General Banks, driven back to Tennessee, forty escaping into party has not the requisite majority of two-thirds. collision between the civil and military authorisms. driven back to Tennessee, forty escaping into relieved of more important duties by General and when they understood what disposition had Kentucky. Two or three companies having gone McClellan, devotes his leisure to the examination | been made of him, we understand their indigna- from Eastern Tennessee into Kentucky to assist

position which they are occupying, or the viola- localities, and the new crop in those places will the Unionists in that State; this should be looked breeze. Another white banner is to be raised, tion of their solemn obligation which that posi. be entirely destroyed.

The Bettle near Springfield, Missourk We give below an account of the late battle near Springfield, Mo., contained in the St. Joseph (Mo.) Gazette Extra, and written by J. T. Hughes, who, longitude 67 10 west, at 7 A. M., discovered a Fort Lafayette were to receive orders to-morrow | the Gazette says, is "a lawyer of Plattsburg, Mo.,

On the morning of the 10th General Lyon attaken somewhat by surprise, but in hot-haste soon I red harvest of death now commenced. The can-Everywhere we believe, wherever the occasion both sides immense. In quick succession the hosts Arkansas, the Texans and Missourians rivalled schooner.

battery around his person. The Missouri troops at the north, the Louisiana troops at the southeast and south, and General division, which had better the brunt of the fight immediately desputched outside the harbor the way from Springfield, having been liberated after decers bring on their proof, or stop their infamous up to that time, for five or six hours unsupported. but not disabled. He continued to lead his wing on to victory most gallantly. Gen. Weightman it from the enemy. Meanwhile the enemy's batpoured out upon the ranks of any American giment was then decimated, and Churchill's and | McIntosh's Arkansas regiments suffered most severely. Here Gen. Lyon was killed, Totten's strife of that most bloody day. It is certain we have gained a great and decided

Mr. Hughes, in a postscript adds: We have lost a great number of our officers. will name some of them: Gen. Slack, severel. [wounded; Gen. Weightman, killed; Lieut. Col. the Austin, of Col. B. A. Rives' regiment, killed; Col. my regiment, killed, and my own brother; Capt. \ Bainbridge, of Clinton, wounded severely; Capt honor is equally touched by the affront of being Thomas McCarty, of Clay county, severely wounded, and a great many more. About forty others of my regiment, including the Clay county buttalion, have been buried on the battle-field. Amos The American of yesterday, in a putronizing, Stout, of Clay, killed: R. D. Kelley, and John Brooking, of Clinton, killed, and James Porter. and Samuel Brooking, wounded, and a great

victory over the Federal troops. We captured 13

of the enemy's best cannon and all the accompa-

nying carriages and ammunition. Also some 400

General Lyon's dead body was given up to his \

names of the killed, wounded and missing of the | First Missouri Regiment, from which it appears 77 were killed, 93 seriously wounded, 125 not seriously, and 17 prisoners and missing; total 31

____ The Affair at Mathias Point.

The Port Tobacco Times gives us the following

Much ado is made by the Administration papers over the little affair at Mathias' Point last Thursday, and reports as far from reality as can be immagined are circulated. That model paper the Washington Evening Star, whose information is larmy, informs us that six men, on Thursday last. attempted to go ashore, for the purpose of capturthirty men." Now, from more reliable sources fifteen, all told; they fired but one round, and of the boat. Shells were thrown into the bushes, but certainly "nobody hurt." Grimes' house. I in which nobody dwelt, was torn to pieces inside

I great hubbub, however, and lamenting the death of master's mate Puller, the Star informs us that the master's mate had done great service to the (Government, in capturing boats, for which he invariably went boldly on shore. This in all pro- captain of a secession company which was in reg- our liberty. bability is substantially true, but the Nur makes | ular drill." The charge was simply absurd, and) I no mention of other things captured on shore b the same party time and again. No mention is very farms and fields of Virginia, by the same party and convoyed to Washington, for confisca-) tion or other purposes. No comment is made by the model Star upon the just retribution which We stated last week that the Hon. Alexander awaited these worthies and which met them at

The second second second second From East Tennessee.

A letter from Knoxville, says the Memphis Ap-

of find in Southeast Tennessee a much better Hook. However, Mr. Boteler was set free. form (for, Magoffin of the fact, so that he can teen Union. The Union majority is therefore only those who seek to execute it." Judge Garrison either arrest them or have them driven out. We ten. ---The Rio Janeiro papers of May 25th, state | learn this morning that the Eastern Tennesseans officers have reflected duly, either upon the ignoble that a disease has attacked the coffee plant in some are going over in hundreds to Kentucky to Join town, Conn., last week, still floats proudly in the

Operations of the Privateers.

The back Cordelie, Captain Roberts, arrived at 1 New York from Montovia, via St. Thomas 8th Inst., reports:-August 10, latitude 22 12 north, schooner, pilot-boat build, to windward, running down for the bark, and apparently full of men. Captain R. then kept off, when the schooner made chase, and after pursuing ber for an bour, and not being able to gain on her, she hauled ber wind and gave up the chase, and stood to the south-west. She was painted entirely black, and

L I showed no colors. Capt. R. also reports that while at St. Thomas intelligence was received there from Port Spain. Trinidad, to the effect that the privateer Sumter if | had put into that port to coal, and also to land) phia, which reasel was taken as a prize by the

The United States steamer Keystone Rate, Scott commander, sailed from St. Thomas 8th inst...

The schooner J. W. Congdon, Capt. Williams, The arrived yesterday from Mayaguez, P. R., which port she left 11th inst., reports that just previous to his sailing a Spanish fisherman had arrived port, and reported having the day previous. the Mona passage, supplied the privateer Jo Daris with 6sh, and afterwards saw her take a

> By an arrival from Ponce, P. R., at New York jesterday, we glean the following intelligence, extracted from a letter on board, dated: "Posca, P. R., August 6, 1861.

"Since my last, quite an excitement has been raised among us owing to the news of the arriva. at the Capital of the privateer brig Jeff. Daris, Captain Coxetter, 10 guns, 120 men. Previous to his entering the port he sent in a boat, with an i lofficer and ten men for provisions, but, as ther an eye on his movements. The Captain of the they make the following statement: having specie on board.

more, and gave the Captain a passport, described cattle, and fed on raw corn, which we had to lion. Their fears lend a thousand rumors to their to be a formidable looking document, having in roast ourselves. Unly once, a little flour was imaginations. They imagine "traders" among us, the corner a large Sevesion flag, stating that as given to us. We cannot complain of the manners and one paper even speculates on "a riving" in this long as the Captain of the Frances Jane has this, observed towards us by most of the men, and city! Well, God knows how mon the Republiover with wounds. I received his sword to keep no privateer will touch him. Our last mail from were particularly well treated by General Price's cans may drive the people mad, but one thing we 18t. Thomas reports the privateer steamer Sumter | body guard. at Curacua, from Ciensuegos, where she had en- | On the day when we lest we were sworn not to city unless the Republicans percebe it. It is a fixed tered, having in charge six prizes. We have but take up arms again against the Southern Confed- rule in all governments that as you bind down two ressels in port, both to sail for New York in letacy. The officers who were with us were rettee the people you provoke insurrections and disorders, a few days. One is the brig Ecke, of and from tained. They are treated well and are out on and as you give latitude and freedom, you have Raltimore, which ressel has been reported by some parole. Their names are as follows: Major Al- peace and safety. Austria has an insurrection as a privateer, having been overhauling vessels bert, of Siegel's Riflemen; Lieutenant Shaefer, of every six weeks; Italy before Garibaldi gave the two hundred miles north-west of Porto Rico. - Siegel's Artillery; another Lieutenant of the Third | people freedom, was a volcano constantly belching She is an old trader bere, and well known. On Regiment, whose name we could not learn; Lieu- forth fire and smoke, and so it is the world over. the 4th instant, about noon, an American war | tenant Engleberg, of Co. B, First Regiment; Sur- It is human nature. steamer passed the entrance of the harbor, stand- | grons Hausseler and Franklin. We were ascorting close in, under slow headway, with colors ed by a company of Confederates to the Jefferson ask is the simple right to differ with it as to policy. tlying, and bound towards St. Thomas, immedia | City Road, and thence to make our way home. ately after passing the port she steamed off very | The liberation of these prisoners seems to con-

Greene, arrived yesterday from St. Johns, P. R., | but the inference is that now Major Sturgis liber- not vindicate itself in the arena of discussion. If which port she left July 30. Captain G. reports: ares his prisoners (all but the officers,) on the editors—having nearly all the leading papers, The privateer Jeff. Davis, of Charleston, S. C., same terms, i. e., on taking the oath. As for the with a great proportion of the talent of the press Commander M. Coxetter, 5 guns (one large one officers, they will doubtlessly be exchanged ac- on their side-cannot successfully vindicate the on a pivot,) and a crew of 60 men; after cruising | cording to the forms of war. off St. Johns, P. R., for three days, went in on the afternoon of the 28th for water, &c., and sailed again on the evening of the 29th, the commander of which reported having taken seven ves- | York city from Arnold Harris, Esq., now a priso- | ingly, but if their offence simply be for opinion's sels, and having some provisions on board, had ner of war at Richmond, by a friend of that gen- sake, don't add hypocrisy to persecution. released one vessel bound North, putting a num- tleman. It will be remembered that Messrs. Har- The freedom of the press is something over which ber of prisoners on board of her; reports also ris and McGraw went towards Fairfax Court Congress nor the President has any control. No having released several vessels bound North at the House, on the Monday evening after the battle, in power, upon this subject, was delegated in the supplications of the wives of the masters. The search of the body of Colonel Cameron, of the Constitution of the United States to any depart-Spanish Government sent out the war steamer | Seventy-ninth Regiment, who was killed .-- | ment of the Federal government. Mr. Jefferson,

also arrived at New York yestertay from Aspin- was taken in consequence of the course pursued just as much right, dietate to ministers of the Goswall, and reports: 12th instant, latitude 22 13 N., by the Government at Washington, in refusing pel what sentiments they should preach, as to us what longitude 83 12 15., was chased by a lonk black to recognize the Confederate States as belliger- see shall write. If certain opinions are treasonable schooner, supposed to be a privateer. It blowing ents, to send or reply to flags of truce and the like. they are treasonable anywhere, and the clergyfresh at the time the Webster showed them her They naturally regarded the visit of Mesers. Har- man who preaches the glorious Gospel of peace, beels. After pursuing some three hours she gave ris and McGran as an attempt to obtain an indi- may, e:e long, find his calling gone.

The Blockade.

President, according to the act of Congress ap tured forth, even on a mission of humanity." He to smother. These men hang like fiends around proved on the 13th ultimo, all the ports lying adds:

nied and discussion may prove synonymous with sent everywhere through the woods and for miles defeat.''

Federal Invasion of Charles County. The Port Tobacco Times of resterday says.

cavalry arrived at Bryantown, in this county, one small field where four hundred Northern men and having arrested George W. Smith, Esq., were buried that day, and the burying party was corpus," that gentleman has published a letter in took their way to Washington. Mr. Smith is still at work by moonlight. well known to the citizens of this county as late Sheriff, and we must confess our utter sur- same place with thirty-three Federal officersman we scarcely know.

Marines. On entering our town, which they did | very pugnacious one at that! in two directions, meeting in the court house

Some of the soldiers got a little drunk. the contrary notwithstanding. In making this some mistake in their information, as Dr. Frank- fellows here in captivity tolerate this folly? that the Doctor was the "leader of a secession | gang which met regularly at his office, and the boarded by the keeper. Nothing wanting but and it is to be hoped the Government will, in future, find a more reliable source of information I than that now employed.

> Setzure of Newspapers by the Government. | these prisoners, made application to this Court on the New York train this morning Marshal Mill- county, to show cause why an attachment should the New York Daily News. Its sale has been to- precept were improper. tally suppressed in this city. The Marshal also Mr. Wood said: - "The Sheriff says in his reseized all the bundles of the News at the express turns that he has no power or means within his of the office of the Christian Observer, in conse- Lithe whole force of the county to execute a process, lent article on "the unholy war."

> ville. A gentleman who arrived from Perryville | fact should so appear in his return. The process resterday reports that fourteen hundred army commanded the Sheriff to bring their hodics into wagons are concentrated at that point, and that | court, and no return excuses or justifies his fail-

> Magoffin will not be impeached and displaced by and that therefore it would not be advisable to of whom nineteen hold over. Of these, eleven and if the military authorities set the process of are State Rights, and eight Union. Of the Sena- | the Court at defiance, then let the responsibility

From Missouri.

We find in the St. Louis Republican of the 20th instant, the following details of recent events: Siegel's Regiment came in last evening by the Pacific train from Rolla. Several soldiers belongling to the lows and Kansas Regiments came i They are all three months' men.

soldiers belonging to various regiments. The spectacle presented by the wounded was tion, not prohibited by it to the States, are resuch as to shock a tolerably well balanced nervel ous temperament. Here were men with hands, and that no power over the freedom of religion, feet, arms, and legs shot off, and faces mutilated. FREEDOM OF SPEECH, OR FREEDOM OF THE PRESS. Growns or complaints rarely escaped them, and in | BEING DELEGATED TO THE UNITED STATES BY THE some instances, where the parties were but slight. Constitution, nor probibited by it to the States, ly wounded, we heard occasional jokes exchanged. all lawful powers respecting the same DID OF the Captain of bark Joseph Mazwell, of Philadel- A large number of wounded were brought in on anunt aguats, and were research to the States Saturday night with the lows and Kansas regi- on recorns .- Kentucky Resolutions. ments-about 150 it is said.

Dr. Cornyn is of opinion that the killed on both \ sides were left unburied, owing to the great number and to the terrible stench which filled the air the day after the luttle. Families living in the h vicinity were compelled to leave on this account. Great numbers of horses, many of which were the field in every direction, and the sun's rays nation, "lielp me, ('assius, or I sink." "Supacting upon these, must have soon rendered the press all the Democratic newspapers, or we shall Latmosphere unendurable.

Commerce, near Calfo, came up on the steamer E. M. Ryland this morning. They were driven away by fear of an attack, or the occupation of the town by the State troops. The officers of the Ryland inform us that there is not a single family or person left in Commerce, and that the town is Journals as ours "secession sheets," in order to Lentirely deserted.

[Correspondence of St. Louis Republican.] Rolla, August 12. were not allowed to land, be went in with the who report themselves as prisoners, taken in the will give a thousand dollars a line for every one ressel. The Captain-General informed the Com- Springheld battle by the Confederates. They say that can be jurnished from our columns showing mander that he must leave within 24 hours, and | that over two hundred prisoners are now under that we have advocated accession. Let the slan-

said he was waiting for a vessel from New York all, belonging mostly to the Third and Fifth conscience or a blush of shame. Regiments, and a few of us to the Springfield "He boarded the brig Frances Jane, of Balti- Home Guard. We were enclosed in a sence like mined to drive the people of the North into rebel-

flict somewhat with the arrangement entered into martial law, the people will not be slow to con-The British brig Ada, of Walton, N. S., Capt. between Emmet McDonald and Major Sturgis, clude that it must be a very bad cause that can-

Letter from Arnold Harris. An interesting letter has been received in New Herman Cortez to maintain the neutrality of the | Mesers. Harris and McGraw were not arrested as in the Kentucky resolutions which we quote, show spies, but the former writes that the action on the this. The Constitution is also just as explicit as The schooner Joseph W. Webster, Capt. Blake, part of the commander of the Confederate army language can make it. Mr. Lincoln might, with | vidual favor which the Government would not | ask for their soldiers generally on any terms .-- press proceed from the basest and most fiendish Had these two gentlemen known that President motives. The present affords evil-disposed people The Boston Daily Advertiser, in alluding to the Lincoln was resolved to carry on the war in a an opportunity to gratify some long-cherished rereport that the Secretary of the Navy is in favor manner unknown to civilized nations, "I," writes venge—to wreak their cowardly spite which, unof immediately closing, by proclamation of the Mr. Harris, "would never, of course, have ven- der other circumstances, they would be compelled

within the limits of the Seceded States, holds the "I wish that you had been with me on that trip licious pleasure in producing all the disorder they over the battle field two days after the fight .- | can. The more the merrier for them. Nothing "It occurs to us that it is a matter of very little Rather, I wish that those men in the North who is too "Satanic" for their delight-nothing too consequence whether this is done or not, unless have sent forth armies to invade the South could hellish for their pleasure. Let the freedom of the We sometimes wonder whether officers in the Gilmor House yesterday, who witnessed their de and attended to the wounded, everywhere beg- the proclamation is issued from on board of men- have witnessed the awful scene. For miles before press be interfered with, however, and no one can the proclamation is issued from on board of men- have witnessed the awful scene. For miles before press be interfered with, however, and no one can be sometimes whether officers in the Gilmor House yesterday, who witnessed their de- and attended to the wounded, everywhere begeral and Confederate troops in one red ruin blent Government will not commit the error of trusting singly, then three or four or five together. I saw angry storm have been heard. The great social on the field-enemies in life, in death friends, re. a single point, in any controversy or difficulty two powerful Zouares in their full uniform, their problem that has met mankind at every turnwhich may arise, to its theoretical right to close corpses swollen with putrefaction to the size of the eternal hostility between capital and labor-is The St. Louis Republican gives a list of the its own port. If that right is as clear as the day, Falstaff, and blacker than Othello. Close by them vet unsolved. It is never wise to turn a simple t is not safe to depend upon it in such a matter, lay a fine looking young officer-almost a boy- opponent into a deadly enemy. But attack the or to trust to any argument less convincing han just breathing his last. He had lain there where freedom of the press, and thousands will cry for an efficient blockading fleet. If we have an effec- he fell, without help or succor, for two days of revenge moner or later, who would never have tire blockade, we know the ground on which we torture. The Southerners buried their own dead thought of it before. It is an easy matter to start a tread, and what we have to expect. If the matter first, but in the meanwhile, and before a body revolution, but a difficult one to stop it. is rested upon any claim of right, that may be de | was committed to the earth, scouting parties were

about, hunting for the wounded of both armies. barbarities committed are all false. The slaugh-On Monday last a company of United States | ter must have been immense. I passed through |

prise at his arrest. A more innovent, harmless among them Col. Corcoran. There is no chance for their regaining their freedom till the Govern-On Tuesday we received another visit from a ment at Washington comes to its senses and rebattalion of soldiers in search of arms. The bat- cognizes the Southern Confederacy as a belligertalion consisted in all of about 220 men. U.S. ent-as it has certainly proved itself to be-and a

"Ope of the officers said to me he was tired of h "The party," says the Nar, "numbered about square, they formed in line and despatched squads fighting for a Government which gave him three in different directions for the search. Their ex- chances for death-viz: to be killed in action-to amination was conducted in a very orderly and be left to die, if wounded or to be hung in retalgentlemanly manner, the officers appearing to be listion, if captured, while the only chance for life exceedingly civil. No doubt they were greatly was to run away from the battle-field. I do not disappointed in the size and appearance of our doubt these officers will be hung if any hanging town, for disappointment was visible in every happens to the privateersmen of the Sucannah face. Of course no arms or contrabands of war and other prisoners in the hands of Mr. Lincoln. were found and the battalion returned as it came. Will the President stickle longer upon the miser-I rable dodge that the Confederacy is not belligertine arrest was made, but there was evidently ent! Will the comrades and relatives of the poor after hearing his case. The charge we learn was kind as a brother. We have nothing to complain | legal and valid; in other words, were among the ... We are well treated. Beverly Tucker is as

The Baltimore Police Commissioners, State Prisoners at Fort Lafayette. SEFORE JUDGE GARRISON -- RING'S COUNTY. A. R. Wood and J. C. Van Leon, counsel for a

PRILADELPHIA, August 22.—On the arrival of Monday, for an order against the Sheriff of King's ward's officers examined all the bundles of papers | not issue against him, as for a contempt, upon the for news agents, etc., and seized every copy of ground that his returns to the attachment and

offices for the West and South, including over | control sufficient to arrest Colonel Burke, or to one thousand copies for Louisville, nearly five take the prisoners into his custody; but he does hundred for Baltimore, Washington, Alexandria not say that he had called out to his aid the posse and Annapolis. The Marshal also too possession | comitatus. The law has armed the Sheriff with quence of the publication in the last issue of a viru- and he had no right to say he had no control of power sufficient to make the arrest until he had first exerted and exhausted the power the law CONCENTRATION OF ARMY WAGONS AT PERRY- | gives him, and if that was insufficient, then the

"We are not to assume that the process cannot ---The Louisville Courier says that Governor | be excuted, or that the law cannot be vindicated,

to show cause why, &c., because I believe the Patriot.

| Sheriff to have acted in good faith in his attempt to execute the two processes, and consider his return therefore as sufficient. August 22d, 1861."

Preedom of the Press.

[From the New. York Day Book.] Resolved, That it is true, as a general principle, and is also expressly declared by one of the amend-There were several cars filled with wounded ments to the Constitution, that "the powers not delegated to the United States by the Constituserved to the States respectively or to the people:"

CONGRESS SHALL MAKE NO LAWS, RESPECTING AN ESTABLISHMENT OF RELIGION, OR PROHIBITING THE FREE EXERCISE THERMOF, OR ARRIDGING THE FREE-DON OF SPRECH OR OF THE PRESS. -- Constitution of

The wail comes up from an agonizing party just sinking beneath the waves of popular indiglose the fall elections." These are not the words A number of families, residents of the town of used by the War-Disunion press, but no one who reads the signs of the times can doubt that this is their meaning. The chagtin the Republican party feels because the Democrats would not unite with it, knows no bounds, and seeing no other way to wreak their rengeance, they call such excite popular indignation against them. Ther will not place before their renders what we say for ourselves, nor do they cite a single line to prove their charges. It is simply assertion, and A company of men have just arrived in town false assertion at that, as they well know. We steam correcte Herman Cortez, six guns, to keep taking the oath. Regarding their imprisonment, lying. We know very well, however, that they will do neither, but repeat, and re-repeat their privateer boasted of baring taken five prizes, and We numbered about two hundred and forty in falsehoods, day after day, without a twinge of

But it would even that these men were deter-

All that the opponents of the administration If their arguments against Mr. Lincoln's plan of restoring the Union are to be met by mobs or policy of the government, then, indeed, must it be sadly deficient in statesmanship. If these papers break the laws, or if their editors commit overt acts of treason, why deal with them accord-

It is evident, however, these attacks upon the all social convulsions of this kind, and take a ma-

The lilegality Confessed.

A Republican journal of Cincinnati having cri-They behaved with the utmost kindness toward | ticised the conduct of the Hon. John Sherman on the Federal troops, and the shameful stories of the supposition that he had "declined to rote his approval of the President's act in authorizing the suspension of the privilege of the writ of kaheas explanation of his position. He fully admits the "We were confined twenty-four hours in the illegality of the President's acts, but still approves of them. He says:

"The difficulty in the statement upon which you hase your article is that it is not true. I did not decline to vote my approval of the act of the President referred to, but, on the contrary, did vote my approval of that act, and declared my approval in the Senate in as strong language as I I knew how to use.

"It is true I did not vote for Senator Wilson's resolution. No vote by year and nays was taken upon it. I would have voted against it, and I am well actisfied a majority of the Republican Senators would have roted likewise. But it was not Tor the reason you state. All the Republican and several of the Democratic Senators corduilly approced and justified the acts of the President in Ibiltimore, and so declared and voted.

"Senator Wilson's resolution declared that the President's orders increasing the regular army and suspending the writ of habeas corpus were of--have a room to ourselves in the jail, and are powers delegated by the Constitution. I never met any one who claimed that the President could, by a proclamation, increase the regular army. The legal power to suspend the writ of habeas corpus has been recently claimed for the President, but I am convinced that by the plain meaning of the Constitution Congress alone must determine the cases in which the public safety requires its auspension. While I approved and justified the acts of the President, I could not say, with Senator Wilson, that they were strictly legal or within his delegated powers. There are times when our Executive officer must anticipate the action of Congress, but in such a case he assumed the baztard of a 'bill of impeachment' or a 'bill of indemuity. The President merely assumed this hazard. and in the vacancy of Congress wisely assumed a power not delegated to him by the Constitution. He places his own justification in his message on the ground of public necessity, and on this ground his acts have been approved, justified, and legal-Lized by Congress."

From Fortress Monroe.

FORTRESS MONROR, August 22.—Several experimental shots were fired to-day from the "Union" gun with an extreme range of between four and fire miles. One ball penetrated a sand bank a depth of twelve feet.

General Butler expressed himself as by no means satisfied with the trial. It is said that the General will not return to Massachusetts, but will take the field in command of the volunteers of this

The propeller Fanny and Adriatic have gone on an expedition up the bay, under the direction of Lieutenant Crosley. Heavy firing was heard to-day in the direction h of Norfolk, where the Confederates are probably

trying the range of their batteries.

--- The soldiers of the First Regiment were mustered out of service, paid off and discharged, said he would hold the matter under considera- on Friday and Saturday last. Many of them complained bitterly of being cheated in both pay This morning he notified the counsel as follows: and rations, and of other wrongs-with how "I decline to make an order requiring the Sheriff much reason we have no information .- N. II.