

Massachusetts, New Hampshire, Connecticut, Delaware, Pennsylvania, Maryland, North Carolina and South Carolina, eight of the twelve States which originally made up our Union, explicitly declared that the military power should, in all cases and at all times, be held in exact subordination to the civil authority, and be governed by it; this was expressed in each Constitution in terms almost identical. It is incredible that a people who held these views, and who were jealous of their liberties, and who thus retained State authorities under their immediate control, would give to the Commander of the Army of the United States this despotic power—a power which the crown of Great Britain has not been permitted to exercise for nearly two centuries.

The measure of power to be exercised under our Government is fixed by the Constitution. To make the maxima of other governments or the usages of other nations the rule here, would give sanction to every outrage, tyranny and wrong. It would undo what was done by our fathers who formed our government; it makes the practices of despotism or the principles of monarchy higher authorities than the written Constitution of our Republic. The unlimited, uncontrolled despotic power claimed under martial law is of itself a reason why it cannot be admitted. The fact that it is inconsistent with the purposes, spirit, and genius of our institutions, is conclusive against the claim set up for its control over an extent of country and a diversity of interests which never existed in the despotisms or monarchies drawn to justify it.

New York and other States consented to make up the General Government only upon the assurance that the original Constitution should be so amended as to secure more perfectly the rights of States and citizens. These articles were added by the unanimous vote of the States:

ARTICLE 4.—"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 person or thing to be seized."

ARTICLE 5.—"No person shall be held to answer for a capital or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war or public danger. * * * nor be deprived of life, liberty, or property, without due process of law."

The want of these restraints in the original instrument endangered its adoption. They were inserted to satisfy the public demand. We are now told that they are of no avail, in any part of our country, when the Executive shall see fit to declare, there is war or insurrection in any section of this land.

Such pretensions are in plain contradiction to the plain language of these clauses—and to their settled legal effect. If any differences of construction be possible, our Constitution provides for their determination. These questions will be carried before the proper judicial tribunals. If the theory of martial law is upheld by them, we will submit, and have the Constitution amended. If it is held to be unfounded, it must be given up.

So sacred did our fathers hold constitutional rights, that they placed them beyond the reach even of the majority of our people. Written constitutions are made, not only to carry out the wishes, but also to restrain the power of the majorities, and to uphold and protect the rights of minorities. They give the humblest citizen the right of religious freedom against the whole power of our people. No matter how large a majority may be, it must not interfere with rights of persons, of property, or of conscience.

The President himself holds his place not by the will of the majority, but by virtue of the provisions of the Constitution, which placed him in his office by the votes of about 1,800,000, against the votes of about 2,800,000 who did not agree among themselves as to opposing candidates. He continues rightfully to hold his office, although the popular majorities, even in the State which placed him there, have in the recent elections declared themselves politically opposed to his administration. The majority are still bound to respect his constitutional rights, to uphold his powers, and to sustain his acts done within the limits of rightful authority.

The rights of States were reserved, and the powers of the General Government were limited, to protect the people in their persons, property and consciences in times of danger and civil commotion. There is little to fear in periods of peace and prosperity. If we are not protected when there are popular excitements and convulsions, our Government is a failure. If Presidential Proclamations are above the decisions of the Courts and the restraints of the Constitution, then the Constitution is a mockery. If it has not the authority to keep the Executive within its restraints, then it cannot restrain States within the Union. Those who hold that there is no sanctity in the Constitu-

tion, must equally hold that there is no guilt in the rebellion.

We cannot be silent and allow these practices to become precedents. They are as much in violation of our Constitution as the rebellion itself, and more dangerous to our liberties. They hold out to the Executive every temptation of ambition to make and prolong war. They offer despotic power as a price for preventing peace. They are inducements to each Administration to produce discord and incite armed resistance to law, by declaring that the condition of war removes all constitutional restraints. They call about the National Capital borders of unprincipled men, who find in the wreck of their country the opportunity to gratify avarice or ambition, or personal or political resentments. This theory makes the passion and ambition of an Administration antagonistic to the interest and happiness of the people. It makes the restoration of peace the abdication of more than regal authority in the hands of those to whom is confided the government of our country.

Of the same nature is the recent Proclamation of Emancipation. The President has already signed an Act of Congress, which asserts that the slaves of those in rebellion are confiscated. The sole effect of this Proclamation, therefore, is to declare the emancipation of slaves of those who are not in rebellion, and who are therefore, loyal citizens. It is an extraordinary deduction from the alleged war power, that the forfeiture of the right of loyal citizens, and bringing upon them the same punishment, imposed upon insurgents, is calculated to advance the success of the war, to uphold the Constitution and restore the Union. The class of loyal citizens who above all others are entitled to the protection of the Government, are those who have remained true to the flag of our country. And yet the sole force of this proclamation is directed against them. May not this measure, so clearly impolitic, unjust and unconstitutional, and which is calculated to create so many barriers to the restoration of the Union, be misconstrued by the world as an abandonment of the hope or the purpose of restoring it—a result to which the State of New York is unalterably opposed, and which will be effectually resisted.

We must not only support the Constitution of the United States and maintain the rights of the States, but we must restore our Union as it was before the outbreak of the war. The assertion that this war was the unavoidable result of Slavery is not only erroneous, but it has led to a disastrous policy in its prosecution. The opinion that Slavery must be abolished to restore our Union, creates an antagonism between the Free and Slave States which ought not to exist. If it is true that Slavery must be abolished by the force of the Federal Government—that the South must be held in military subjection; that four million of negroes must, for many years, be under the direct management of authorities at Washington at the public expense; then, indeed, we must endure the waste of our armies in the field, farther drains upon our population, and still greater burdens of debt. We must convert our Government into a military despotism. The mischievous opinion that in this contest the North must subjugate and destroy the South to save our Union, has weakened the hopes of our citizens at home and destroyed confidence in our success abroad.

THE CENTRAL AND WESTERN STATES.

It is a suggestive fact, affording instruction and hope for the future, that the theories which have exercised an evil influence upon our National politics, did not originate in what may be called the heart of the Union, among the intimate and well acquainted populations of the Central and Western States, where the States permitting and forbidding slavery are in actual contact, nor in the portions traversed by the great east and west lines of commerce and intercourse. They have been developed almost entirely in two sections comparatively isolated by position, traditions, and peculiar habits of thought, and least connected with the more homogenous mass of our people. There have been extreme Northern views and extreme Southern views; but also the broader and more tolerant views of the more populous Central and Western States. These extend on both sides of that indenturing boundary between "Slave" and "Free" States, which is not a line of opposing opinions, but of intermingling interests. Their plains are interlocked by confluent rivers, and not divided by mountain ranges. These States are a region of harmonizing views and sympathies. They are not only bound together by peculiar interests, but also by strong reasons for resisting a division on that boundary, which would make them frontier States, which would replace their cordial intercourse by hostile relationships, and throw upon them all the greatest and sharpest evils of the separation. Thus, while they do not share the passions and prejudices of those extreme States which strive to enlist them in the contest, they have motives of the highest interest to restore the old order of things, and of the gravest apprehension from a separation. The war blights and destroys the hopes and the happiness of this region, while the sections whose passions and interests kindled it are mainly remote from

the terrible suffering it has caused.

The Western and Central States enlisted warmly in a war for the Union and Constitution. The northern tier of "Slave States," (except Eastern Virginia) earnestly supported the Government in its policy while it was consistent with this purpose, which was known as the "Border State policy." Both the Administration and Congress then declared their sole purpose to be to restore the Union and maintain the Constitution. When the Administration abandoned this policy, and took up the views of extreme Northern States, it lost, at the late election, nearly all the political support which the Central and Western States afforded in the election of 1860 and 1861.

While the North cannot hold the Southern States in subjection without destroying the principles of our government, the great Central and Western States cannot control the two extremes. They will not accept the views of either as safe guides in the conduct of public affairs. This is shown by the political history of our country during the past four years. When it was believed that the late Administration was controlled by the views of the Gulf States, it lost its power in the Central and Western region. The opposing party, to gain public support, were obliged by assurances and resolutions, to repel the charge that they would interfere with slavery in the States, and they denounced, as unjust, the imputation that they held the views of the abolitionists of the extreme Northern section. Without these pledges they could not have gained political power.

When the Gulf States seceded, the Central Slave States, by large majorities, refused to act with them. They sought to avoid war and division by the Peace Conference held in Washington. Unfortunately the dominant leaders of the party which had succeeded at the election of 1860, overlooking the fact that this was done by the vote of about 1,800,000 against a divided opposition of 2,800,000, rejected all terms of compromise and conciliation, as inconsistent with the results of the election, and attempted to govern and control an agitated and convulsed country strictly by the opinions and sentiments of a minority.

The outbreak of war involved our whole country in its excitements. The States of Delaware, Maryland, Kentucky and Missouri, and the western part of Virginia, adhered to the Union. The purpose then avowed by the Administration and asserted by Congress, as to the objects of the war, gave to the Administration overwhelming majorities at the election of 1861, in all the loyal States. All engaged hopefully and unitedly in the work of upholding our Constitution and of restoring our Union to its former condition. When this policy was changed, and it adopted the sentiments of the extreme Northern States, and discarded those of the Central and Western States, a remarkable political revolution was the result.

EXTREMES WILL NOT PREVAIL.

It has been assumed that this war will end in the ascendancy of the views of one of the extremes of our country. Neither will prevail; for neither can command the support of the majority of the American people. The great Central and Western States, which have the largest share of the population and resources of our country, will not accept of either class of purposes. This is the significance of the late elections. Their determination is to defend the rights of States, and the rights of individuals, and to restore our Union as it was. It will be restored by the Central and Western States, both free and slave, who are exempt from the violent passions which bear control at the extremes. It is a fact full of hope that the prejudices between Northern and Southern States are not held on the line of contact, but in the sections most remote from each other, and separated by the great controlling regions and resources of the country. Those of the Central Slave States, which rejected the ordinance of secession, which sought to remain in the Union, and which were driven off by a contemptuous, uncompromising policy, must be brought back. The restoration of the whole Union will then be only the work of time, with such exertion of power as can be put forth without needlessly sacrificing the life and treasure of the North in a bloody and calamitous contest. We must not wear out the lives of our soldiers, nor exhaust the earnings of labor, by a war for uncertain ends, or to carry out vague theories. The policy of subjugation and extermination means, not only the destruction of the lives and property of the South, but also the waste of the blood and treasure of the North. The exertion of armed power must be accompanied by a firm and conciliatory policy, to restore our Union with the least possible injury to both sections.

To make this Union, New York gave up a vast and rightful political power in the Senate. It has proved a greater blessing than the most hopeful expected. To save it we have made great sacrifices of blood and treasure. Is it not also worth a sacrifice of passion? Shall we let it be torn to fragments without one conciliatory effort to preserve it?

THE UNION MUST BE PRESERVED.

There is but one way to save us from demoralization, discord and repudiation. Our Union must be restored, complete in all its parts. No section must be organized beyond the unavoidable necessities of war. All must be made to feel that the mighty efforts we are making to save our Union are stimulated by a purpose to restore peace, prosperity and happiness to every section.

The vigor of war will be increased when the public mind and energies are concentrated upon the patriotic, generous purpose to restore our Union for the common good of all sections. It cannot be so united upon any bloody, any barbarous, any revolutionary, or any unconstitutional scheme, looking merely to the gratification of hatred, or purposes of party ambition, or sectional advantage. Every exertion of power, every influence of persuasion, every measure of reconciliation, must be used to restore this Union to its former condition. Let no one demand that the blood of his neighbor shall be shed; that the fruits of the labor of our citizens shall be eaten up by taxation, to gain this end, and then refuse to give up his own passions, or to modify his own opinions, to save our country and to stop the fearful waste we are now making of treasure and life. Let no one think that the people who have refused to yield this Union to rebellion at the South will permit its restoration to be prevented by fanaticism at the North.

CONCLUSION.

The pervading sentiment of the great controlling sections of our country will not only save our Union, but it will do so in a way harmonizing with the genius of our institutions, the usages of our people, and the letter and spirit of our Constitution. It will manifest itself in the customary manner by discussion and political action. The framers of our Constitution foreseeing that events would render it necessary for the people of the several States, not only thus to address our Government, but also to produce a concert of purpose and action between different communities, provided in the Constitution, that "Congress shall make no law abridging the freedom of speech, or of the press, or the right of people peaceably to assemble and to petition the Government for a redress of grievances."

Our present alarming condition naturally calls for such expressions of public opinion with respect to the objects of this war, and the spirit in which it should be conducted, and the end for which it should be waged, when the public will is clearly expressed it must be recognized and respected by Government. It will also make itself effective in our frequently recurring elections, which peacefully and rapidly form a body of Government in harmony with its purpose. It will influence Congressional action, or it may lead to a convention of the States.

The condition of our country is not hopeless, unless it is made so by passions and prejudices which are inconsistent with the Government of a great country. This war, with all its evils, has taught us great truths, which, if accepted by our people, will place the future relations of the various sections of our Union on the firmest basis. It has made us know the value of the Union itself not only in our internal but in our foreign relations. It has given us a wisdom and knowledge of each other, which had we possessed earlier, would have averted our present calamities.

If the interest of different sections of our country are conflicting in some respects, they are so balanced and adjusted by nature, that there is an irrepressible tendency to intercourse, harmony and Union. This tendency must in the end overcome mutual misapprehension. We have also learned the great mutual strength of the North and South, and amid all the bitterness of feeling engendered by the war each section has been taught to respect the power, resources and courage of the other.

We must accept the condition of affairs as they stand. At this moment the fortunes of our country are influenced by the results of battles. Our armies in the field must be supported; all constitutional demands of our general government must be promptly responded to.

But war alone will not save the Union. The rule of action, which is used to put down an ordinary insurrection, is not applicable to a wide spread armed resistance of great communities. It is weakness and folly to shut our eyes to this truth. Under no circumstances can the division of the Union be conceded. We will put forth every exertion of power; we will use every policy of conciliation; we will hold out every inducement to the people of the South to return to their allegiance, consistent with honor; we will guarantee them every right, every consideration demanded by the Constitution, and by that fraternal regard, which must prevail in a common country; but we can never voluntarily consent to the breaking up of the Union of these States, or the destruction of the Constitution.

Humbly acknowledging our dependence upon Almighty God, and repenting our pride, ingratitude and disobedience; let us pray that our minds may be inspired with the wisdom, the magnanimity, the faith and charity, which will enable us to save our country.

HORATIO SEYMOUR.

Montrose Democrat.



A. J. GERRITSON, Editor.

Tuesday, Jan. 20th, 1863.

THE UNION AS IT WAS.
Before abolition, secession, etc., disturbed its harmony.
THE CONSTITUTION AS IT IS;
Enforced and respected in all sections of the country.

Young men desiring to attend a Commercial College at Brighton, Pittsburgh, or at Philadelphia, New York, etc., can obtain information of practical preliminary studies by calling upon or addressing the editor of this paper.

All private Letters intended for the editor of this paper should, until further notice, be addressed to

A. J. GERRITSON,
House of Representatives,
Jan. 13. Harrisburg, Pa.

Democratic Committee Meeting.

The Democratic County Committee met pursuant to notice, and townships not before filled were filled, so that the Committee as at present organized is as published below:

Auburn, H. P. Carter—Ararat, B. H. Dix—Apocan, Michael Nolan—Bridge-water, Abel H. Patrick—Brooklyn, Ami Ely—Clifford, Adam Wells—Chocoma, J. Kimble—Dimock, C. J. Lathrop—Dundaff, H. S. Phinney—Friendsville, M. S. Handrick—Franklin, J. L. Merriman—Forest Lake, C. D. Cobb—Gibson, Benj. Dix—Great Bend township, Simpson Barnes—Great Bend borough, I. Reckhow—Herriek, Henry Lyon—Harmony, L. Norton—Harford, A. Carpenter—Jessup, Zenas Smith—Jackson, O. H. Perry—Little Meadows, P. Smullin—Lenox, A. J. Titus—Lathrop, D. Wilmarth—Liberty, D. O. Turrell—Middletown, Nelson Camp—Montrose, C. M. Gere—New Milford township, Wm. Harding—New Milford borough, Geo. Hayden—Oakland, Levi Westfall—Rush, N. D. Snyder—Silver Lake, Lorenzo Stone—Springville, I. B. Lathrop—Susquehanna Depot, A. W. Rowley—Thompson, Chester Standard.

On motion, J. B. McCollum was appointed Corresponding Secretary of the County Committee for the ensuing year.

On motion, C. M. Gere, J. B. McCollum, J. L. Merriman, A. H. Patrick and D. Brewster were appointed a Committee to prepare a Circular of Instructions for the use of the members in the several townships.

C. M. GERE, Ch'n.

D. BREWSTER, Sec'y.

J. L. MERRIMAN, Sec'y.

The Roll of Honor.

We propose to publish, the first week in February, a list of the names of those who pay for the DEMOCRAT during the month of January, with the amount paid by each, in cash. This will show who are our friends—who are aiding us to sustain the paper. Those who pay for the year in advance will be duly accredited for their generosity in the printed list. Give us a good list for January. New subscribers will look well in this Roll of Honor. Shall we have your name, friend?

3w.

The Latest News.

We have to record a cheering Union victory in Arkansas. On Sunday last, the expedition up the Arkansas river, under McClernand and Porter, compelled the surrender of Arkansas Post, a rebel stronghold about 100 miles from the mouth of the river. Our loss is at present set down at 200; that of the rebels at 550. By the surrender, from 5,000 to 7,000 prisoners, with a large stock of military stores, fell into our hands.

Via Nashville we get the important news that Bragg has been superseded by Longstreet. It is feared at Fort Henry that the train which left Pittsburg Landing for Corinth, has been captured by the rebels, together with its escort of 1,600 men.

Derpatches from Gens. Brown and Warren given an official account of the repulse of the rebels from Springfield, Mo., and of the harrassing chase that was made after them, resulting in a rebel loss of 300 killed, wounded and prisoners.

The privateer Alabama has captured and burned a Boston bark, and ransomed a Baltimore schooner for the sum of \$1,500, within the last few days.

New Orleans news includes the important item that Com. Farragut has sent 8

of his best ships to recapture the Harriet Lane.

The report that a number of persons were drowned in Broome co., by falling through the ice, is probably a hoax.

Since our last issue, the complete repulse of Gen. Sherman at Vicksburg, the repulse of the rebels at Springfield, Mo., the capture of Galveston, Texas, by the rebels, with the loss of the Harriet Lane and Westfield, have been confirmed. On the Potomac, all is quiet.

OUR HARRISBURG LETTER.

CARROLL HALL, JAN. 15, 1863.

The great contest for Senator is over, and passed off (on the 13th) as we hoped, with a victory to the party that deserved it, and not of the one that tried to buy a triumph. The Democratic caucus met on Monday evening, the 12th inst., and on the 6th ballot nominated Hon. Charles R. Buckalew, of Columbia county. On Monday, it seemed doubtful whether the Republican majority in the Senate would agree to go into Joint Convention; the Republican caucus met in the evening and adjourned without any nomination, but it was finally agreed that the law for a joint Convention should be observed by the Republicans, and their caucus met next morning and made a nomination which was kept secret until the balloting began!

The object of this secrecy may be readily guessed. It had been understood that Cameron had offered to buy a vote, or to pay two Democrats to be absent; and it is now alleged that he had been so far "sold," as to induce his party to come in to Joint Convention with a hope that his election was certain. But the first ballot stood: Buckalew, 67; Cameron, 65; W. D. Kelly, 1. The vote for Kelly being cast by B. Laporte of Bradford county, who was understood to be Wilmot's right hand man! It may be remembered that Laporte was one of the members who bolted from the "American" caucus in 1856, and published a protest against the nomination of Cameron on account of his base corruption, &c. The people are jubilant over the defeat of Cameron, and well may they be, for heretofore money has bought him places to which the people would not elevate him. Many Republicans seem to have no regret at Buckalew's election, but the ring managers are cross at their defeat, and threaten vengeance upon those Republicans who refused to act in harmony with the caucus programme, which means, of course, that Cameron and Wilmot have dug up the old hatchet, and will brain each other, unless, indeed, Cameron sees fit to plaster Wilmot into submission with greenbacks,—which seems doubtful since David no longer carries a district in his pocket to swear by.

As the Republican State Convention of July last took pains to endorse Wilmot, it may seem strange that he was not now the nominee; but as he could not be elected, and Cameron is said to have assured his friends that he could be, the action of the party is easily comprehended. Besides, Simon, who is always wide-awake to what is in store for the future, can see this endorsement of himself by his party as a lever with which to force poor old Abe into granting anything that he may demand.

Last evening our party caucus met to nominate a candidate for State Treasurer; and on the 1st ballot Wm. V. McGrath of Philadelphia, was nominated. The election comes off next Tuesday, when of course our candidate will be elected by one majority. The other side will vote for Henry D. Moore of Philadelphia.

The committees of the House were announced yesterday. The chairmen are:

Ways and Means, Hopkins; of Washington; Judiciary System, general, Kaine; Judiciary System (local), Brown; Pensions and Gratitudes, McManus; Claims, Beck; Agriculture and Manufactures, Weidner; Education, Early; Accounts, Rowland; Vice and Immorality, Wakefield; Militia, Jackson; Election Districts, Rex; Banks, Wimley; Estates and Escheats, Rhoads; Roads, Bridges and Canals, Hoover; Corporations, Quigley; New Counties and County Seats, Twitchell; Compare Bills, Kline; Library, Grant; Railroads, Thompson; City Passenger Railroads, Hopkins; Mines and Minerals, Wolf; Printing, Nieman; Public Buildings, Ramsey; Federal Relations, Pershing; Divorces, Royer. Warner, of Susquehanna, is on the committee on Vice and Immorality, and Mines and Minerals.