

under a charge of "notable contempt," and stirring up sedition against the King and government, the judges delayed granting the writ, their pitiful evasions gave rise to the statute whereby it was enacted. That if any person be committed by the King himself or by his privy council, he shall have granted unto him, without any delay, upon any pretense whatever, a writ of habeas corpus upon demand, or motion made to the court of king's bench or common pleas, who shall thereupon examine and determine the legality of such commitment, and do what to justice shall appertain, in delivering or remanding such prisoner.

Thus we see how much better the liberties of the people are protected in England, than in America, under the rule of the Republicans, who assume more power over the people, than the King and parliament together. Abraham Lincoln arrests a man with not even a charge of stirring up sedition, but on a charge of no crime whatever, commits him to a dungeon, and no power in America can procure his release, or bail him for one hour, while in England, persons charged by the King himself, with notable contempt, and stirring up sedition, against the government, are released on a writ of habeas corpus, and are tried by a jury. Blackstone says: "To refuse to bail any person available is an offence against the liberty of the subject, in any magistrate by the common law, as well as by the habeas corpus act."

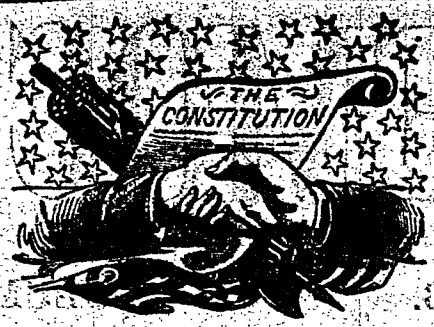
While the American people were yet under the law of England, the writ of habeas corpus was always regarded as sacred. "Thomas McKean, one of the signers of the Declaration, and afterwards Governor of Pennsylvania, was Chief Justice of the State during the war. Twenty persons were confined in Philadelphia on treasonable charges, and the popular excitement against them was extremely violent. Application was made to the Chief Justice for writs of habeas corpus on their behalf which were granted. This act, at a period of peculiar public agitation, created great dissatisfaction among the more violent of the people. He considered himself called upon to justify his proceedings. He stated in a letter to John Adams that the writs were applied for agreeably to the English Statute, which formed a part of the Code of the Pennsylvania laws, and has always been esteemed the palladium of liberty. Before the statute of Pennsylvania was enacted, the habeas corpus was esteemed to be a prerogative writ, and if the King and his whole council committed any subject to prison, yet by the opinion of all the judges a habeas corpus act ought to be allowed and obeyed. "Thomas McKean was an intimate friend of Jefferson. When the Constitution was shown to Jefferson, he said the clause which says Congress shall not suspend the writ of habeas corpus, except in cases of rebellion or invasion," he replied that he would not have it suspended for a day. "I would have a bill of rights, said he, providing for the eternal and unremitting force of the habeas corpus law, and trials by jury. Thomas Jefferson would never have shut men in prison as Lincoln has done. He would never have forbidden freedom of speech or of the press, for he was a Democrat whose creed is summed up in the amendments to the Constitution—and who gave all the liberty to the people of America which they have enjoyed, since the foundation of the government. The party in power were never in favor of freedom of speech, freedom of press or freedom of conscience. Men of their principles omitted all these rights from the Constitution, and the Democrats added them thereto. As the Founders of Christianity and their disciples were persecuted by anti-Christians, in the name of Christianity; so the men whose principles are the foundation of our free Government are persecuted in the name of liberty by the lovers of Despotism to day. Remember that Jefferson said "Civil and religious liberty stand or fall together." "when one dies, the other dies also."

The Exemption Fee.

The Secretary of War, in accordance with section thirteen of the Conscription Act has just decided that three hundred dollars shall be agreed on as the sum for exemption from the draft. The commissioner of internal revenue in each congressional district has been authorized by the Secretary of War, and directed by the Secretary of the Treasury to receive from drafted persons who desire to pay it for the purpose of exemption the money specified. On the receipt of this sum the collector of internal revenue shall give drafted persons paying it duplicate receipts. One copy of these receipts shall be delivered to the board of enrollment on or before the day in which the drafted person is required to report for duty, and when so delivered to the board the drafted person shall be furnished by the board with a certificate of exemption, stating that such person is discharged from further liability under that draft, by reason of having paid the sum of three hundred dollars.

THE LOYAL STATES.—We hear very little said in the Abolition papers, of late, about the United States. The long cherished patriotic title of "United" has given place in their vocabulary to the "Kingly title of "loyal." A single change of a letter will, ere long, doubtless, express more clearly the "faith that is in them," when the "he and the she" leaguers will demand subject submission to Royalty.

EMANCIPATION IN MISSOURI.—The Ordinance of Emancipation, passed the Missouri Convention, on Wednesday, by a vote of fifty-one to thirty. Slavery is to be abolished in 1870. Those then over forty are to be servants during life, those under twelve till they are twenty-three, those over twelve until the 4th of July, 1870.



Montrose Democrat.

A. J. GERRITSON, Editor.

Thursday, July 16th, 1863.

Democratic State Nominations.

FOR GOVERNOR.

GEORGE W. WOODWARD,
OF LUZERNE CO.

FOR JUDGE OF THE SUPREME COURT.

WALTER H. LOWRIE,
OF ALLEGHENY CO.

Election, Tuesday, October 13.

Resolved, That inasmuch as the Constitution embodies the only guarantees we have for public liberty and private right, as without it we can have no hope of protection from bloodshed, spoliation and anarchy—the man who swears at the "Constitution as it is," proves himself to be deficient in the first element of patriotism; and any officer of the State or Federal Government who swears to support the Constitution, and afterwards with that oath on his conscience, willfully violates it, is wholly unworthy of public confidence. Resolved, That among the rights which the Constitution provides to every citizen is that of being secure in his life, liberty, and property, so that he cannot be deprived of either without due process of law, a fair trial by a competent judge and jury of his neighbors, with witnesses to confront him and counsel to defend him. This is so just in itself, so necessary to the happiness of the people for whom all government is made, and so plainly written down in the Federal Constitution, and also in all the State Constitutions that any person who can misunderstand it, has not in our opinion, the mental capacity which fits him for public station.—Adopted in State Convention, 1863.

No letter was received from Mr. Gerritson in time for this week's issue. A private letter from him received on Monday night, states that they were then at Waynesburg, near the Maryland line, but since that time the 28th has moved with Gen. Couch to the vicinity of Hagerstown, Md., and should a great battle take place on this side of the Potomac, which is not now probable, Gen. Couch's militia will undoubtedly participate. The two hostile armies are in close proximity, watching each other, and a battle may commence at any hour, but it is pretty certain that Lee has facilities to re-cross his army into Va., whenever he chooses to do so.

A report reaches us as that another formidable attack was to have been made on Charleston, by the federal fleet and army, on Thursday last. Up to the time of going to press, (Wednesday noon), we have no news of the result.

The New York papers are filled with particulars of the terrible riot in that city, on Monday last. The last news represents that the riot was increasing in all the wards. The Tribune office and Greeley had a very narrow escape from the fury of the mob.

Headley's History of the War.

Among the numerous Histories of the Great Rebellion, we have seen none that has a greater claim upon the patronage of the public, than that of J. T. Headley, now publishing by Hurlburt, Williams & Co., Hartford Ct., in two volumes, beautifully illustrated with steel engravings. From a hasty glance at specimen pages of the first volume, we believe it to be candid and impartial, and is written in the graphic and attractive style, peculiar to Mr. Headley. This book is sold only on subscription. Mr. W. Gill, agent, is now procuring subscribers in this Co.

Killed and Wounded in the 141st P.V.
Com. F.—Killed, Serg. J. B. Farris. Wounded, Philip Perkins, supposed mortally; Serg. Hager, slight; Corp. P. F. Miller, Wm. Burdall, V. A. Potter, G. M. Sweet, I. H. Burr. Wounded and missing: W. D. Osborn, J. T. Osterhout, L. L. Riker.

Comp. H.—Killed: O. B. Hill, Levi P. deGraff, Geo. Chapman. Wounded, Serg. Harris, Serg. Parker Gates, John Stockholm, Joseph McSherry, F. Slade, E. Sinabach, N. Goodell, Leander, Lott, W. VanOrsdale, L. Sullivan, John Kunkle. Missing: Jacob Delamater, Geo. Stein. Capt. C. W. Tyler, slight wound in right thigh.

Stick to the Constitution.

That Constitution we so much venerate and respect, not because it is perfect, for any man can suggest an improvement, but because it is immutable, because it is not a shifting base. It is a bargain, not a belief. There is nothing vague about it, nothing which the "wayfaring man, though a fool," can err about. When a man talks about our independence, our country, he uses phrases which men may interpret differently, as the vested states give an example of; but when he says the Constitution, a man can go to his desk and get a copy of it, and talk without difficulty. As the carpenter always carries a foot-rule in his pocket, by which he instantly sets to work and measures, so that there is no guess work and no confusion, the American pulls out his written Constitution and reads, and reflects, and judges.

All our present difficulty arises out of the fact that once, in the general satisfaction, we neglected that instrument, and so bitterly have we paid for our carelessness; that the lesson, burned deep into our hearts, will never be forgotten. When Napoleon, in the haste of necessity, sold Louisiana to the United States, and Jefferson, in the same haste of necessity and pressure of circumstances, bought it, that great statesman honestly avowed that he and the Senate had no constitutional right to do so, that they had exceeded their jurisdiction; and he was most anxious for an amendment to the Constitution which would give the right to future administrations to do that under the law which he had done without law. Had his advice been taken, the terms under which that and future acquisitions should be held by the federal government as trustee for the states, as *cuius que trusti*, would have been defined, and we should have been spared the bitterness of the last forty years, culminating in this war. But as all were agreed and all delighted with the acquisition, his wish was unheeded. Jefferson did not palter with the truth. He did not claim that necessity justified him, and excluded censure. He said, like a man: "I did what I had no right to do, but I did for your interest and advantage; I ask you to exonerate me, and adopt my act formally."—World.

An immense Mass Meeting of the Democracy of Luzerne and Susquehanna counties, was held at Benton Centre on the 4th inst. More than 8,000 persons were present, and the greatest enthusiasm prevailed. The Meeting was addressed by Messrs. Silkman, Wheeler, Merrifield and Guild.

State Editorial Convention.

In accordance with a resolution passed at the Editorial convention, held in the Senate chamber, at Harrisburg, on the 18th ult., the Democratic Editors are requested to meet in the city of Lancaster on Thursday the 16th day of July, 1863, at 11 o'clock, A. M., for the purpose of consultation and united action in political campaign upon which we have entered. A general attendance is earnestly desired, as business of great importance to the profession will come before the convention.

Geo. Sanderson, President.
Lancaster, June 23, 1863.

The Rebels at Chambersburg.

The Valley Spirit, published at Chambersburg, makes its first appearance on our table since the rebel invasion of the State, about four weeks ago. It contains a lengthy and interesting article on the occupation of the village by the rebels. We clip the following relating to rebel officers:

General Lee and staff entered town with the corps of Hill, and made their Headquarters, for two days, in what is commonly known as Shetter's woods, about a fourth of a mile east of town. The General is a stoutly built man, apparently about fifty years of age, with gray hair and a stiff, scrubby gray beard. He was dressed very plainly, with not a single mark of his rank about him, wearing a black slouch hat without ornament, dark blue or black military cape, and plain gaiter pants. The men with whom he conversed speak of him as a rigid disciplinarian, but think he is the greatest general all the world has ever produced. "Old Bob Lee," as they all call him, whatever may be his real ability, at least possesses the unbounded confidence of his men, and herein lies the great secret of his previous successes.

Among the celebrities of the army we succeeded in seeing Lee, Ewell, A. P. Hill, Longstreet, Early, Rhodes, Pickett, Wright, E. T. Johnson, Imboden and Stewart. Ewell lost a leg at Antietam; and when riding in a carriage to his saddle, Early also seemed to have a wooden leg; Hill, Rhodes and Pickett are comparatively young men; Imboden and Stewart are well up in years. Colonel Battles of Alabama, was the first provost marshal of the town. He established his headquarters in the Court House, he was courteous and gentlemanly, and his guard, with scarcely an exception, behaved well. Afterwards the guard was changed every day, and we had some rough customers to deal with. The promises and pledges made one day were invariably broken the next; and interference with private property finally became the rule and not the exception.

Col. Charles J. Biddle—Letter from Hon. G. W. Woodward.

The following letter from the Hon. G. W. Woodward, addressed to Col. Charles J. Biddle, (which we find in the Philadelphia Age), explains itself. It proves what the people already know, and what has been repeatedly demonstrated, that in the hour of danger, Col. Biddle is always ready to sacrifice his life to the honor and safety of his State and country. Col. Biddle is ready to serve as a common soldier in the ranks, or in any sphere that may be open to him. To comment on this act would be an insult to the patriot. We can only repeat, Judge Woodward's wish that Col. Biddle, "may take enough men with him to expel the invaders from our borders."

As to Judge Woodward's letter, the people will see from it, that the Democrats, true to their patriotic instincts, have selected the right man for the right place. In the hour of danger, Judge Woodward knows but one duty—that of saving the state and the Union. With a man of such principles, true to the Constitution and the Union, the Democrats will yet save our glorious Commonwealth from ruin and disgrace.

LETTER FROM HON. G. W. WOODWARD.

HON. CHARLES J. BIDDLE:

Dear Sir:—I have received the communication of your wish "to resign the position of Chairman of the Democratic State Central Committee, in order to give as a private soldier, or in any sphere that may be open to you, your whole exertions for the defence of our invaded Commonwealth."

As the Chairmanship was accepted by you with the express understanding that it was not to prevent your compliance with any call to military service that you might deem obligatory upon you, I cheerfully consent, so far as I have any interest in your movements, to your resort to arms in the defence of the State. Indeed, much as I should regret to lose your services at the head of the Committee, I nevertheless earnestly desire you to go, and, if possible, to take with you men enough to expel the invaders from our borders.

The Governor's Proclamation of the 25th inst., is a specific demand for State defence. "You will be mustered into the service of the State," he says, "for the period of ninety days, but will be required to serve only so much of the period of the muster as the safety of our people and honor of our State may require."

There ought to be such an instant uprising of young men, in response to this call, as shall be sufficient to assure the public safety, and to teach the world that no hostile foot can, with impunity, tread the soil of Pennsylvania. I am, very truly, yours,

GEORGE W. WOODWARD.

Philadelphia, June 29, 1863.

Great Ratification Meeting at Dundaff.

The largest mass meeting ever held in Susquehanna county, was held on Saturday, the 27th ultimo, at Dundaff. To give some idea of the number we need only refer to the fact that there were several processions, one of which we saw ourselves, and counted eighteen four horse teams, and one six horse, and over fifty two horse teams, besides buggies in a large number. The conveyances were not there for the purpose of making a show, but were filled to their utmost capacity with untiring Democracy, their wives and daughters. The credit of this procession is claimed by Lenox, Abington and Benton townships. Other processions were told were very large. The large number of beautiful flags furnished abundant evidence that the Democracy, although goaded on from one degree of madness to another by the satraps of the party in power, cannot forget the stars and stripes; neither will they willingly see a single star fall from the political firmament. They are now, as ever, like Webster, Clay, Cass, and other patriots in 1850, in favor of Union upon equal terms. They claim no exclusive rights for their own. State over another, but would see equal and exact justice meted out to all, irrespective of location.

The day was one long to be remembered by the Democracy of Susquehanna and Luzerne counties.—Lackawanna Register.

Rebel Invasion in Indiana.

INDIANAPOLIS, July 5.—Gen. Morgan's forces, composed of infantry, cavalry and artillery, and numbering from 6,000 to 8,000, have crossed into Indiana and captured Corydon, our forces falling back.

The rebels are supposed to be marching on New Albany and Jeffersonville, where large quantities of supplies are stored.

Troops are being organized throughout the State and sent forward rapidly. Business is entirely suspended, and citizens are forming themselves into military organizations. A regiment has been raised here since last night.

It is reported that two citizens were killed at Corydon, when the rebels entered that town.

A HEAVY LOSS.—One of the heaviest losses by the invasion into Pennsylvania is the Hon. Thaddeus Stevens of Lancaster. Besides losing thousands of dollars in mules, horses, and cattle, his extensive and valuable iron works in Adams county were destroyed by fire. The loss of Mr. Stevens is estimated at from \$75,000 to \$100,000.

THE RECENT REBEL COMMISSION.

It is stated that Messrs. Stephens and Ould, who recently sought to lay a communication from the Confederate States before the Government at Washington, were the bearers of propositions for an armistice, and that time was selected because of the panic caused by the invasion of Pennsylvania by Lee, and (as they supposed) before any decisive battle had been fought, to make such request.

The Ohio Vallandigham Committee.

The committee has been in session here a day or two, preparing a reply to a very extraordinary communication from the President, in which he (the President) bargained in substance to let Vallandigham "home," if these gentlemen will bargain in return to keep guard over Vallandigham and to see he does no mischief, and pledge themselves generally to execute the general Republican Ohio programme—the President all the while insisting upon the very points at issue—the validity, legality, and justice of the arrest, viz:

That he (the President) had the right and the power to arrest Vallandigham, or to re-arrest him, if in his (the President's) judgment it should be for the public good,—he (the President) being the sole judge of that "public good."

Under such circumstances, of course, these gentlemen could have done nothing else, but to respectfully reply to the President, as like men in England did to Charles I. and to King James, who was deposed in 1688, for just such "prerogatives," as Mr. Lincoln lays claim to as being part of the Executive, or "monarchical branch of the government." All of these claims have, of course, to be settled in the end by the people—as were the petition of right under Charles I., and the bill of right under William and Mary, after the deposition of King James. Upon this "petition of right" and "bill of right," the issue will now go from the White House to the people of Ohio—as did like issues when Charles I. went to the block, or when King James went off from England to France and Rome.

The President doubtless will publish his correspondence in a few days, if the rebel general Lee, meanwhile, does not impose upon him (the President), his own creed of an "arbitrary arrest," and trial by drum-head court-martial, which, unfaithful as Mr. Lincoln is to the constitution, and his oath to support it, we trust General Meade will forbid Lee's doing, inasmuch as such an "arrest," whether perpetrated by a Lincoln or a Lee, is sadly to be deplored as putting an end to all Constitutional Government.—N. Y. Express.

This gentleman, who has caused so much excitement in the Northern States, and who was banished to the Southern States, for a stated period, arrived here on the Confederate steamer Lady Davis, from Wilmington, on Sunday last. It is reported that Mr. Vallandigham is on his way to Canada, there to await coming events.—Bermuda Gazette June 23.

"Peeping Tom."

Captain Cuts, late Judge Advocate at the Court-Martial of the Hon. Clement L. Vallandigham is now being tried in Cincinnati, upon the following charge:

"In this, the said Captain James M. Cuts, 11th Infantry, U. S. A., did, on or about the 11th day of April, 1863, while occupying room No. 78, Burnett House, Cincinnati, Ohio, in the afternoon of said day, attempt to look through the key-hole of room No. 80 of said house, occupied by a gentleman and his wife, and did, in the evening of said day, at about half past 11 o'clock, after said lady had retired to her room, and while her husband was in the corridor below, said lady being at the time partially undressed, previous to retiring, take a valise or portmanteau from his room and place it in one of the open halls of the house, against the jamb or door of said room occupied by said lady, placing himself thereon, did look through the ventilation blind or transom light, in or over the door, into said room, as said lady was undressing. This to the great outrage of the feelings of the lady and her husband, and to the great scandal and injury of the service." He plead guilty to the charge.

The Chicago Times, once the organ of Stephen A. Douglas, makes the following comment on this hopeful brother-in-law of the late Illinois Senator:

"It was eminently fit and proper that the official who presided at the military trial of Vallandigham, and aided by every means in his power in the outlaws perpetrated, should be guilty of scandalous offences against female modesty, and when detected and called to account, should seek refuge behind official screens. It is a libel upon manhood that such men live to say naught of the criminality of giving them authority over the liberty and character of other men in whose presence they are not fit to stand. It speaks volumes for Gen. Burnside's discernment that men of his creation step out of the judicial chair into the depths of vulgar depravity. The man who presided over the fate of a scholar and statesman, doffs the ermine to peep through the keyhole of a lady's chamber. The individual who arbitrated the destiny of the Democratic party one day, stands tip-toe the next, and looks through a lattice at a disrobing lady; and, caught and confessed, runs like a paltry coward to his superior officer to shield him from just castigation. It was for such a man that the dramatist invoked the scorpion lash in every honest man's hand to dog him naked through the world. It is through such men that decency is outraged and justice defeated."

There is one dire omen of defeat to our army in Maryland. Senators Wilson, Chandler, and several members of the War Committee have gone to the front. It is a remarkable fact that they have been present at every defeat of the Army of the Potomac. The only battles they did not take part in, excepting those of the peninsula, were Antietam and Gettysburg, our two most signal victories. General Meade ought to send them to the rear, and put them in the guard-house till the fight is over.

Frank.—The saw-mill near the mouth of Birch-creek, owned by H. E. Shipman Esq., was destroyed by fire on Tuesday, the 26th ult.—Sullivan Democrat.



Wednesday noon, July 16.

A dispatch on the bulletin board, announces the unconditional surrender of Port Hudson, the escape of Lee's whole army across the Potomac, and that the riot in New York was becoming more and more desperate.

The Position.

Washington, July 12. The enemy's new position, which was assumed Friday, is found to run from a point in the Potomac, called Forman's ferry, into Antietam valley—to a point near Hagerstown. The rebel line is therefore shortened but apparently is much stronger than if it reached to Sharpsburg ford, while it holds the fords at Williamsport and at Forman's ferry. The rebels are throwing up intrenchments and seem to be in large force. It is not known whether they have secured any communication across the Potomac beyond sending over some wounded and receiving supplies. There was considerable skirmishing last night and this morning, our lines and those of the enemy being very close at present. A dispatch from your correspondent to night does not mention that any general engagement occurred to-day, but it is hard to see how it can be delayed much longer. The Potomac has fallen some during the past few days, but heavy showers have prevailed this afternoon, which will serve to return it to high water mark again.

A dispatch from the headquarters of the army dated 8 o'clock this evening, says all is quiet.

There was some skirmishing here to-night. There does not seem to be any fear that the enemy has crossed the river, nor that he can or will cross without giving battle.

There has been a heavy rain for three hours.

Shippensburg, Pa., July 11.

The position of the rebel army was definitely stated at headquarters this morning as follows:

Longstreet's force at Shepherdstown, Ewell's at Hagerstown, A. P. Hill's between Hagerstown and Williamsport. Their estimated strength is from fifty-five to sixty thousand men, and about one hundred and fifty pieces of artillery. Communication between General Couch's army and the Army of the Potomac is only to be had by a circuitous route.

It is rumored that Beauregard has a large force near the Upper Potomac, in Virginia, to co-operate with Lee.

Large numbers of rebel prisoners—wounded and others—are constantly being forwarded to Harrisburg and Frederick. The decisive battle does not seem imminent, before Monday. General Couch is crowding hard upon Lee's line.

Telegraphic communication extends to Shippensburg. Governor Curtin intends being with this army when it is called upon to cross the state line. He was at Gettysburg last night attending to the wants of the Union wounded. General Couch and staff are still at Chambersburg. Last night the general was serenaded by a military band, and made a brief, patriotic speech.

Colonel McIlenny and Colonel McVeigh also addressed the citizens of Chambersburg and assured them that the Confederate armies would be crushed in sixty days.

The invasion has probably cost Franklin and the adjoining counties three millions of dollars.

A Mysterious Draft.

The draft, which commences in this city to-day and which is about to be enforced all over the North, promises to be a very mysterious business. Instead of ordering a general conscription, and publicly apportioning the quotas to the several states, the administration has privately notified the several district provost marshals, and the drafting has been begun without the knowledge or information of the public. We believe this secret way of doing business is common in Russia or Austria, but it is quite new in this free country.

So far we have no assurance that it is to be an equal conscription. From the number actually drafted in Rhode Island and Massachusetts, it would seem that the call was for 300,000 men; but the number required of the counties of Warren and Essex is on a basis of 400,000. According to the Tribune, this number New York city must raise is 20,000 and Brooklyn 40,000, which is conscripting at the rate of 600,000 for the whole North. Can it be that the administration had so much more confidence in New York Conservatives than New England Republicans than the latter? This is really a serious matter, and in the absence of any official announcement by the government of the number of men it requires, how do we know but what the secret instructions of the provost marshals are to conscript heavily in the Democratic districts, and lightly in the Republican districts?

Of course it is incredible that they should do this injustice; but the secrecy which marks the machinery of the draft naturally excites comment and uneasiness. A Secretary of War who, on an occasion of great national rejoicing for victories won in small, would raise enough, and prejudiced enough to malign the majority of his fellow-citizens and apply to them an oppressive party whip, as Mr. Stanton did at the secession of the other, is equal to any injustice toward the people he dislikes. President Lincoln has issued a number of unnecessary and mischievous proclamations; but we think on this subject is very much needed, to avoid misapprehensions.—World.