The Press.

FRIDAY, FEBRUARY 28, 1862.

EXTRACT FROM THE LAST SPEECH OF STEPHEN A. DOUGLAS.—"The conspiracy to break up the Union is a fact now known to all. Armies are being raised, and war levied to accomplish it. There can be but two sides to the controversy. Every man must be on the side of the United States or against it. There can be no neutrals in this war. There can be none but patriots and traitors."

THE LATEST WAR NEWS.

The Navy Department has received official despatches from Commodore Goldsborough, which will be found on our first page. Our fleet, after leaving Hatteras, destroyed four rebel vessels and captured a fifth. Commodore Goldsborough states that our forces took undisturbed possession of Edenton, in addition to capturing a number of cannon, together with two schooners loaded with corn and cotton. Many of the Elentonians professed sentiments of loyalty to the Government. General Burnside and Commodore Goldsborough had issued a conciliatory proclamation to the people of North Carolina.

A recent number of a newspaper published in Verona, Italy, declares that the pirate *Sumpter* will no longer attempt depredations on American commerce, but be held at the disposition of Garibaldi and of an expeditionary force, which will disembark with him in Albania or Dalmatia, while another party, under Nicotera, would invade the Pontifical States. The *Sumpter*, at last accounts, was at Tangiers, Africa.

An executive order in relation to State prisoners has been issued by Secretary Stanton. The order commissions Major General Dix, in Baltimore, and the Hon. Edward Pierpont, in New York, to examine the cases of State prisoners remaining in the military custody of the Government, and to determine whether the public safety demands their continued confinement.

In Select Council, yesterday, something out of the usual routine of business came up, which deserves honorable mention in the "Latest War News" column. Mr. Fox, of the Twelfth ward, offered a preamble, accompanied with resolutions, urging the authorities at Washington to fit out a Southern expedition from this city, and requesting our representatives in the "City of magnificent distances" to use all proper means for the furtherance of the object. The preamble and resolutions were agreed to.

We are informed upon telegraphic authority (which is conceived to be much more reliable in its assertions since the bulletin of Secretary Stanton) that General Curtis has taken possession of Fayetteville, Ark., capturing a number of prisoners, stores, etc. Before leaving, the rebels burned a portion of the town, probably as an intimation that they are not to be trifled with. They then crossed the Boston mountain precipitately. The latter desperate movement, to be fully appreciated, must be read in close connection with the following extract from a letter found by our troops in Price's camp. It is dated "Dover, Arkansas, December 17, 1861," and was written by James L. Adams, who applied to Price for a surgeonship:

"Our men over the Boston mountains pen and swing the mountain boys who oppose Southern men; they have in camp thirty, and in the Dardanelle jail seventy-two, in the Clinton jail thirty-five, and have sent twenty-seven to Little Rock. We took up some as low down as Dover. We will kill all we can get, certain; every one is so many less. I hope you will soon get help enough to clear out the last one in your State. If you know them they ought to be killed, as the older they grow the more stubborn they get."

But the above atrocious as it is, does not do full justice to the fiendish spirit which animates the Arkansas traitors. The despatch which brings us the intelligence of the taking of Fayetteville by our troops, likewise informs us that some forty-two officers and men of a Missouri regiment had been poisoned at Uniontown by eating drugged food, purposely left behind by the enemy. One of our officers had died from the effects of the poison, and a number of others had suffered severely.

A despatch from Camp Hollows, Arkansas, dated February 24th, states that our troops took possession of Fayetteville at eleven o'clock on the preceding morning, and that Price and McCulloch were then beyond Boston mountain.

The purpose of the allied intervention in Mexican affairs has been construed in some quarters to mean something more than mere conquest of the unhappy republic. The Washington correspondent of the New York *Evening Post* says: "It is suspected at the State Department that the purpose of those Powers, after having got complete possession of Mexico, is to operate against this Government, and in favor of the rebellion from that point. It is further believed that the rebel commissioners in Europe are in favor of the allied occupation of Mexico, with the understanding that the new Government which is to be constructed will acknowledge the independence of the Southern Confederacy."

The fall of Fort Donelson has paralyzed the whole South, and drafting must ere long be commenced. The New Orleans *Bee* condemns the Confederate Government for not sending sufficient numbers of troops to the West, and yet, in the very next sentence, admits the impossibility of such a procedure, by urging that a general call to arms has become necessary to oppose even a show of resistance to our victorious army. The Governor of Alabama has called for twelve regiments, *which must be obtained*. The Governor of Georgia also calls for twelve regiments, and states that, if the requisition is not filled by the 4th of March next, a draft will be ordered.

The London *Saturday Review*, which has made itself notorious as one of the foreign defenders of the rebels, in its number for February 8th uses the following language in the course of an article on the blockade. It says:

"Whether the people of the Southern States would persist in holding their cotton if there were any chance of smuggling it to the European market, we have scarcely the means of pronouncing an opinion; but one of two things is certain—either the difference between four pence and thirteen pence per pound is insufficient to overcome the patriotic scruples of the Confederates, or else a blockade, which is certainly not the most efficient possible, has nevertheless been successful in entirely stopping a traffic which offers unheard-of profits, and on which the richest and most energetic class in the world is dependent for its salvation. The fervent orators who seek to drive this country from her neutrality forget that their denunciations of a paper blockade do not altogether harmonize with their unfortunately too true pictures of the sufferings which it is entailing on Lancashire."

Congress Yesterday.

SENATE.—Mr. Davis, of Kentucky, offered a substitute for the confiscation bill, which was ordered to be printed.

The case of Mr. Starke was resumed. The amendment of Mr. Sumner was lost, (yeas 18, nays 26), and the original resolution as reported by the committee (i. e., that Mr. Starke be allowed to take the oath) was agreed to, (yeas 26, nays 19). The oath was then administered.

The bill to increase the efficiency of the Medical Department of the Army was passed with amendments.

HOUSE.—The Upton case being taken up, it was decided, by a vote of 73 yeas against 56 nays, that Mr. Upton was not entitled to a seat.

Mr. Dawes, of Massachusetts, from the Committee on Elections, made a report, accompanied with a resolution, declaring Mr. John P. Verree entitled to a seat from the Third Congressional district of Pennsylvania. The subject was postponed.

A resolution was adopted calling on the Secretary of War to communicate to the House the report and correspondence of the St. Louis Commission, appointed to examine claims against the Western Military Department.

Pennsylvania Legislature.

SENATE.—Mr. Connell presented resolutions of the Board of School Directors of the Twenty-second ward, Philadelphia, approving of the bill to reorganize the Board of School Controllers. The bill has met with no opposition, we believe, except from the members of the Board themselves, and will probably become a law.

HOUSE.—The special order was a further supplement to the act regulating common schools. The supplement, which provides that twenty-two days shall constitute a school month, instead of twenty-four, as heretofore, was adopted, and the bill postponed for the present.

PUBLICATIONS RECEIVED.—From S. C. Upham, 405 Chestnut street, the *Illustrated News of the World*, of February 8, with fine portrait, engraved on steel, of Lord Derby, and *Illustrated London News*, of same date. Also, something in the manner of "The Sociable Snake," so well known to juveniles, The Game of Secession, or Sketches of the Rebellion. It has several good portraits of notabilities, North and South, and several other sketches referring to the progress and punishment of the Rebellion.

ENGLISH PICTORIALS.—From W. B. Zieber, South Third street, we have advance copies of the *Illustrated London News* and *Punch*, both of the 8th inst.

The Suppression of War Intelligence.

Although there is a disposition in some quarters to complain of the late order of the War Department in relation to the publication of war news, the wisdom and justice of the policy which dictated it cannot be questioned. It is not intended, we believe, to suppress any details respecting battles which have actually occurred, but is only designed to prevent the enemy from learning the position and strength of our armies and their contemplated movements. It is utterly impossible for a great campaign to be successfully conducted when the opposing generals are fully informed of the power and plans of those who conduct it. One great cause of the triumph of our armies in Kentucky was the careful concealment of the movements of our forces from the reporters of Northern papers. Of this restriction they loudly complained, but it doubtless had a most important influence in securing the brilliant victories over which the whole nation now rejoices.

It is alleged by some, who complain of the late order, that the enemy gain all the information that is valuable to them before it can be transmitted to our newspapers for publication. If this statement is true, it is to be regretted; but we trust the proper authorities are doing all in their power to break up every ramification of the rebel-spy system, whether it assumes the shape of disclosures of useful information, made for the express purpose of enlightening the Southern armies, or takes the more plausible shape of gratifying the curiosity of loyal readers by publications which, in spite of all possible precautions, reach the rebel lines almost as soon as they fall into the hands of those for whom they are specially intended. If spies in the pay or interest of the rebels still infest our camps and Departments, they should speedily be detected and consigned to the doom which the laws of war and the usages of all nations pronounce upon such dangerous foes. But, simultaneous with the destruction of the open spy system, should be the prevention of the imprudent publication in Northern journals. It will be of little use to adopt half-way measures, and it would be folly either to spare any possible precautions to disarm the professional spies and to fetter the press, or to effectually stop the disclosures of the chosen spies of the rebels, and to leave the press unfettered. The army may well say, "A plague on both your houses."

Nothing that can with propriety and entire safety be published, will, we presume, be suppressed under the new arrangement. If our soldiers gain a battle, a full description of their heroism and valor will be placed before the public. If they meet with disaster, in due time the American people will learn all the unfortunate particulars.

But there is something terrible in the thought, that, while hundreds of thousands of our brave soldiers are periling their lives in defence of our liberties, and for the preservation of our noble Republic, those who are quietly reposing at home should desire to add, in any way, to their dangers by announcing to their deadly foes where they can be conveniently attacked, how their movements can be frustrated, and how they can most easily be slaughtered. Eager as we may be to obtain the "latest intelligence," we should not be reckless and wicked enough to pay for it the fearful price of the lives of companies or whole regiments of our brave troops, who may be unnecessarily sacrificed solely on account of knowledge gained by the enemy through premature disclosures from the Northern press. No man should be unwilling to wait for a few hours or a few days for news of battles lost or of victories won, if, by keeping him in temporary ignorance, there was a reasonable prospect that the chances of the success or the safety of any portion of our vast army would be improved.

The Desperate Counsels of the Southern Journals.

The late numbers of Southern journals which have reached us almost universally fall back upon the doleful theory proclaimed in the manifesto published some time ago by HOWELL COBB, TOOMBS, & Co., as the only one which can, with any show of plausibility, be invented to justify a hope that the fantastic dream of Southern independence can ever be realized. They urge the people of the South to fall back when necessary, as the Russians fell back before NAPOLEON, burning their cities, devastating their homes, destroying their plantations, and retreating to swamps and impenetrable fastnesses. They say that they cannot be conquered—that every true man and every true woman will perish before they will submit to the restoration of the Union.

But it is a noticeable fact, that with these fierce counsels are nearly always mingled denunciations of some who are supposed to be unwilling to obey them. The editors who cater for the sanguinary tastes of the "chivalry" are fully conscious that they have many in their midst who have not the least desire in the world to offer themselves up, like Hindoo widows, upon the funeral pyre of Southern independence. There are millions in the rebellious States who never loved Secession well enough to indulge in such melo-dramatic and fatal grief over its grave, and who would much rather jeopardize their lives to save the Republic than destroy them on account of the failure of the conspirators to dissever it. The success of our Government in already restoring its authority over districts which, at one time, resounded with as much blatant bombast as now tickles the ears of the traitors in the regions not yet redeemed by the triumphant march of our armies, proves how easily a succession of future victories will crush the rebellion in the States which are at present controlled by the conspirators. Besides, it is a noticeable fact that, in actual battle, the armies of the enemy, whether they are attacked on the open field, in entrenched camps, or in strong fortifications, show quite as much readiness to flee or to surrender, as to perish in defence of their posts. They have not evinced in any of their late conflicts any excess of the spirit which induces some armies to "die all—die nobly—die like demigods." At Hatteras Inlet, at Port Royal, at Fort Henry, at Roanoke Island, at Fort Donelson, at Clarksville, at Nashville, they had little disposition to win "victory or death." There are doubtless many brave men in the Southern army—many who will willingly meet death in the bad cause they have espoused—but there has been no proof given that they are more ready to continue forever a hopeless and desperate conflict than the people of other countries who have been easily conquered.

That the leading conspirators, who know how richly they merit the fate of felons, and see that their doom is clearly foreshadowed, should desire to draw down in one common ruin the whole people whom they have misled and betrayed, is, perhaps, natural enough. But it is only a new proof of their selfish wickedness; and the very fury of their passions, and the terrible nature of the sacrifices they ask the people of the South to voluntarily and foolishly submit to, may assist to dispel the delusions of those who are now actively sustaining the rebellion, and incline them to seek shelter and protection under the flag of the Union.

Mexico.

A telegraphic despatch from Washington informs us that the President's recent nomination of General SCOTT as Minister Extraordinary to Mexico, has been withdrawn on account of the ill-health of the veteran hero. As the foreign complications which threaten the peace of the Mexican Republic are as far from adjustment as ever, and as the destiny of the land of CORTEZ may not be without its influence on our own future history, the necessity of nominating a new minister for the delicate mission would seem to be unquestionable.

"WHEN rogues fall out honest men get their dues," is a proverb perhaps as trite as it is true; but it received so pointed an illustration in a late speech of Mr. BOYCE, in the rebel Congress, at Richmond, that we cannot forbear quoting it. In criticising the action of the Southern army, he said: "We have to learn from the enemy. When the battle of Manassas was lost, SCOTT was set aside. McDOWELL was never more heard of. *They have evinced an extraordinary energy; when one man failed they took another; they searched until they found one of military power, and now we begin to feel the result of their policy.*" This is a peculiarly significant and sincere acknowledgment of the energetic manner in which the war against the rebellion has been conducted by the Administration, and shows how fully the traitors are learning to respect and fear a power they defied and, at one time, pretended to despise.

LETTER FROM "OCCASIONAL."

WASHINGTON, February 27, 1862.

Whatever may be said of the strong and stringent order of Secretary Stanton in regard to the publication of information as to the movements of the army, that measure will interfere sadly with sensational newspapers and enterprising correspondents. Hereafter you must look for reliable intelligence to the morning bulletins of the associated daily telegraphic reports. It is not believed that this arrangement will be a permanent one, but, while it lasts, those who have flourished upon the exciting intelligence of indefatigable news gatherers will be forced to content themselves with plain facts and unmistakable results. Great mischief has undoubtedly been the result of the rivalry between the agents of different journals at this point, who, however loyal, have, in most cases, thought more of supplying the latest intelligence than of withholding that which might expose the plans of the army to the common enemy. Let us be content to await the sequel of events now in rapid and forward progress.

It is almost impossible to predict the exact policy of the Administration and its friends on the important questions that must arise after the defeat of the rebels. Great diversity of opinion exists among those who entertain a patriotic desire to reach and occupy a common ground. This is but natural, in view of the enormous and unprecedented magnitude of the issues involved, and the destinies to be disposed of. Many favorite theories and dogmas must be either changed or given up, in consideration of the interests dependent upon prudent and patriotic action. Fortunately, the Administration of Mr. Lincoln has more than three years to run, during which period the designs of the still active enemies of the Union and secret sympathizers with treason can be baffled and counteracted, and the ascendency of the Constitution restored and secured for all time to come.

OCCASIONAL.

Mr. Gregory, M. P., for the South.

The South is unfortunate in its Parliamentary champion in the House of Commons. Mr. WILLIAM HENRY GREGORY, member of Galway county, is an Irishman of very small account. He has reached his grand climacteric (having been born in 1817,) and to him might be applied the apostrophe—

"Even now, though youth its bloom has shed,
No lights of age adorn thee."

Nothing was heard of Mr. GREGORY until last year, when he assumed the position of advocate-general for the Southern traitors. He had spent a summer in the South, we believe, which he boasts of as giving him familiar acquaintance with all places, all parties, and all politics in the United States. Yet the man is no tyro in parliamentary life. He represented Dublin city from January 1842 to July 1847, when the electors, dissatisfied with their Orator Mum, permitted him to retire. The next ten years were passed, we have heard, on the turf—but the slight circumstance of not paying his horse-racing debts threw him out of the sporting line, and, by some influence yet unexplained, he was elected member for Galway in 1857, and re-elected in 1859. His landed property is in the West of Ireland.

Mr. GREGORY, professedly that anomalous nondescript a "Liberal-Conservative" (which is equivalent to a mild hyena or a white raven), really is that worst sort of politician—a Tory Irishman. It runs in his blood. For many years, greatly to the grief of his oppressed countrymen, WILLIAM GREGORY, his uncle, was perpetual Secretary of Ireland, acting under MANNERS, the Chancellor, and SAURIN, the bigoted Attorney-General, as the constant evil genius of the island. He feathered his nest warmly during his long continuance in office, and the present representative of Galway and of the South inherited the property they accumulated. That he has not been able to preserve it all, is, perhaps, more his fault than his misfortune—considering *how* it went.

The policy of the British Government has been to rule Ireland, by misgovernment. *Divide et impera*—the unchristian precept of ruling by dividing a people—might be assumed as the motto of her Irish policy. Whenever the Viceroy was liberal, the Chief Secretary was the reverse, and *vice versâ*. But, whatever the personal changes, one man remained in office, overriding the scanty liberalism of his superiors—nominally Under-Secretary for Ireland, but actually superior to his chief, superior in power even to the Viceroy himself. Whoever else quitted office, WILLIAM GREGORY remained, a living incubus upon his native land, universally hated, with "curses not loud but deep" accompanying the utterance of his name. His nephew, the present member for "the South" in the British Parliament, is equally intolerant—he is every way worthy of his mission.

His employers have omitted to keep him well-informed as to the *actual* condition of "the so-called Southern Confederation." Hence, there is a great discrepancy in what he said, in the House of Commons, on the 6th instant, and what Mr. JEFFERSON DAVIS said, on the same subject, when inaugurated, on the 22d. Mr. GREGORY talked to the British Parliament of "a paper blockade," of "the utter inefficiency of the blockade," and so on, but Mr. JEFFERSON DAVIS, who may be supposed to know *something* of the subject, reluctantly but fully confessed that the blockade deprived the South of all chance of exporting cotton, tobacco, rice, or any other of its natural products. It is clear from this that Mr. GREGORY ought to receive a new brief from his clients—equally unfortunate in a bad cause and such an advocate as himself.

Southern Logic.

Judging from his inaugural address, Mr. JEFFERSON DAVIS is qualified to fill the chair of Logic in one of the Universities of the Flying Island of Laputa. He is not only a philosopher *sui generis*, but also a remarkable optimist. He reminds one of the physician who as his patient successively enumerated all the bad symptoms of a mortal ailment, kept on exclaiming, while life was fluttering and ebbing away, "excellent symptoms"—despite of which the sick man breathed his last. Mr. JEFFERSON DAVIS assured his discontented auditors at Richmond, last Saturday, that all their misfortunes were for the best, and that there was something satisfactory and consoling even in "the serious reverses" which, he was fain to admit, the rebellious conspiracy has recently experienced.

He carries out this optimism, and rather rejoices at the existence of the blockade. He includes it among the "corresponding benefits" which, in his catalogue, are to be set off against "the material sacrifices of the past year." He says, "if the acquiescence of foreign nations in a pretended blockade has deprived us of our commerce with them, it is fast making us a self-supporting and an independent people." Here, with all respect to Professor DAVIS, we submit that a blockade which deprives the South of its commerce cannot precisely be called *pretended*. It was to effect this—it was to cut off the commerce of the South that the blockade was established, and has been somewhat effectively maintained.

Mr. DAVIS adds: "The blockade, if effectual and permanent,"—*If?* Why, it *has* deprived the South of its commerce!—"could only serve to divert our industry from the production of articles for export, and employ it in supplying commodities for domestic use." Farther on, he enumerates the articles of export so produced, which the blockade keeps on Southern ground,—they are cotton, sugar, rice, tobacco, provisions, timber, and naval stores. The export of these has entirely ceased, thanks to the "pretended blockade," and the productive industry of the South does *not* apply itself to supplying commodities for domestic use. In fact, the rebellion has mainly suspended labor in the South, and afforded such license to the "peculiar institution," that were the Rebellion to cease to-morrow, and the Union once again be *in statu quo*, the owners of estates in the South would find it difficult to organize one half the labor which they used before the war.

No doubt, the South has a large amount of articles fitted for export. If, as Mr. DAVIS says, the blockade is only "pretended," how has it happened that the cotton, rice, sugar, and other articles of the exchange, which constitutes commerce, remain in the South? A blockade which retains these, surprisingly resembles a reality.

MRS. LYDIA JANE PIERSON, a well-known authoress, died at her residence, near Adrian, Michigan, a few days since. She was a native of Middletown, Connecticut.

THE mercury in the thermometer, on Saturday morning, at Chatham, New Brunswick, was thirty degrees below zero.

FROM WASHINGTON.

Special Despatches to "The Press."

Executive Order No. 2—In Relation to State Prisoners.

WAR DEPARTMENT,
WASHINGTON CITY, Feb. 27, 1862.

It is ordered, first, that a special commission of two persons, one of military rank and the other in civil life, be appointed to examine the cases of the State prisoners remaining in the military custody of the United States, and to determine whether, in view of the public safety and the existing rebellion, they should be discharged, or remain in military custody, or be remitted to the civil tribunals for trial.

Second. That Major General John A. Dix, commanding in Baltimore, and the Hon. Edwards Pierrepont, of New York, be, and they are hereby, appointed commissioners for the purposes above mentioned, and they are authorized to examine, hear, and determine the cases aforesaid ex parte, and in a summary manner, at such times and places as in their discretion they may appoint, and make full report to the War Department.

By order of the President,
EDWIN M. STANTON, Secretary of War.

Letter from the King of Siam.

The KING OF SIAM, in his letter accompanying valuable presents, says: Elephants are regarded as the most remarkable of the large quadrupeds by the Americans, so that if any one has an elephant's tusk of large size, and will deposit it in any public place, people come by thousands crowding to see it, saying it is a wonderful thing. For this and other reasons he offers to procure and send elephants, to be let loose to increase and multiply on the continent of America.

The President, in reply, remarked that this Government would not hesitate to avail itself of so generous an offer if the object were one which could be made practically useful in the present condition of the United States. Our political condition, however, does not reach a latitude so low as to favor the multiplication of the elephant, and steam, on land as well as on water, has been our best and most efficient agent of transportation in internal commerce.

A National Foundry.

Senator WILSON's bill, reported by him from the Military Committee to-day, as amended, retains the main features for the establishment of a national foundry, provides for selection of a site on the tide-water of the Hudson river, or New York harbor, and appropriates one million dollars for the erection of buildings and other expenses incurred under the act.

Nomination of Gen. Scott Withdrawn.

It is understood that the nomination of Lieutenant General SCOTT as Minister Extraordinary to Mexico, made by the President recently in view of the foreign complications in that country, has been withdrawn. The most intimate friends of General SCOTT say that, while appreciating the high honor sought to be conferred, he is reluctant to undertake such duties on account only of the present state of his health.

Col. BEALL, First Cavalry; Major CHANDLER, Fifth Infantry, and Major UNDERWOOD, Eighteenth Infantry, have been placed on the retired list by order of the War Department.

A Description of Fayetteville, Ark.

Fayetteville is a flourishing post village, and the capital of Washington county, Arkansas—200 miles northwest of Little Rock. It has an elevated and picturesque situation, and numerous springs of pure water. It has two large and flourishing schools, and is the centre of an active trade. It contains a U. S. land office, three churches, and a handsome court house. It has a population of several thousands.

Confiscating Plan of Senator Davis.

The following amendment is intended to be proposed by Mr. DAVIS, of Kentucky, to Senate bill 151, to confiscate the property and free the slaves of rebels.

Strike out all after the enacting clause and insert the following:

That from and after the passage of this act, all the property and rights of every kind, tangible or intangible, or mixed, corporeal or incorporeal, and every right whatever, legal or equitable, in possession, reversion, or remainder, or in action, of each and every person being a citizen of the United States, who shall hereafter be engaged in levying war against the United States, or shall be adhering to their enemies, giving them aid and comfort, shall be forfeited for and during the natural life of the owner thereof, to each and all the loyal citizens of the United States, who may have heretofore, or who shall hereafter, suffer loss and damage by reason of any forfeiture, confiscation, conversion, appropriation, or seizure of any property, estate, or rights of what kind soever, of or in the United Stations, and choses in action to them belonging, by the pretended Government of the so-called Confederate States of America, or by any pretended government of any other of the United States; or by any person or persons in the civil, military, or naval service of the said Confederate States, or any of them, or any pretended Government of any other of the United States; and all the right, title, interests, and estate, legal or equitable, in possession, reversion, or remainder, or in action, in and to any property or estate, and all other rights, &c., herein declared to be forfeited, of the owners thereof so forfeiting the same, for and during the term of their natural lives respectively, shall vest in all such loyal citizens of the United States as may have heretofore, or as shall hereafter, suffer loss and damage in the mode and manner aforesaid and in the manner herein before set forth; and shall also vest in the loyal representatives of each and every officer, soldier, sailor, or marine, or other person in the military or naval service of the United States, who may have heretofore, or shall hereafter die in such service; and also to all persons who have heretofore, or shall hereafter, suffer permanent disability of body or mind in the military or naval service of the United States during the existing war of rebellion. *Provided*, That all the property, estate, rights, &c., so forfeited and vested, shall be subject to a prior lien for the payment and satisfaction of all the debts and liabilities of the persons so forfeiting the same.

SEC 2. *And be it further enacted*, That the legal representatives of all deceased persons, who may be entitled to the benefit of this act, shall be held and adjudged to have sustained damages to the amount of five thousand dollars, in right of such deceased person; and the damages of all other persons to whom they are secured by this act, shall be assessed by a jury to be empanelled and sworn for that purpose.

SEC. 3. *And be it further enacted*, That all persons entitled to send under this act, may institute proceedings, in their own name, against any person or persons having in his, her, or their possession or custody, any property, estate, rights, money, bonds, obligations, or choses in action, hereby made subject to the satisfaction of their claims, and shall have a lien on the dispositions and sale of the same, and of the produce thereof, in the form and nature of an attachment, in any district, circuit, or other court of the United States, of any State or Territory in which the subject of the suit may be; and such court may adjudge and order the same, or so much thereof as may be sufficient, to be sold upon such terms as may be equitable and proper, and the proceeds to be paid to the claimant or claimants in satisfaction of his, her, or their damages. Any number of persons may institute proceedings under this act as actors, and against any number of persons having the possession or custody of any property subject of the suit; and no objection to the pleadings may be made, from time to time, to bring new parties, either in the nature of plaintiffs or defendants, before the court. But the actors shall have their claims defined in the order in which their respective pleadings were filed; and in cases where there are more actors than one, and their pleadings were filed jointly, or at the same time, and the funds arising from the suit will not satisfy all their claims, they shall be paid pro rata.

SEC. 4. *And be it further enacted*, That the several courts in which proceedings under this act may be instituted, may from time to time adopt such rules, forms, and modes of proceeding in relation to conveyance and service of process, and all other points as shall be reasonable, convenient, and equitable, to give operation and effect to it. But the court shall not have power to require any other terms whatever to be imposed upon any purchaser of property, estate, rights, &c., sold under this act, to have the same forthcoming at any future time; nor shall it in any case adjudge costs in favor of any disloyal person or persons.

SEC. 5. *And be it further enacted*, That all rights arising under this act shall be assignable, either in law or equity; and the assignee or assignees may sue for the rights so assigned, in his, her, or their own name or names.

SEC 6. *And be it further enacted*, That all suits under this act shall be commenced within five years next after the submission of all the States and Territories of this union to the authority, Constitution, and laws of the United States; but the representatives of deceased persons shall have one year thereafter to institute suits. And this act shall have no operation or effect whatever until the expiration of thirty days from the day of its passage.

THE WAR IN ARKANSAS.

CAPTURE OF FAYETTEVILLE.

THE UNITED STATES TROOPS POISONED.

DEATH OF CAPTAIN DOLFERT.

ST. LOUIS, Feb. 27.—The following despatch was sent from headquarters, to-day, to Major General McClellan, Washington:

Gen. Curtis has taken possession of Fayetteville, Arkansas, capturing a number of prisoners, stores, baggage, &c. The enemy burnt part of the town before leaving. They have crossed the Boston Mountain in great confusion. We are now in possession of all their strongholds.

Forty-two officers and men of the Fifth Missouri Cavalry were poisoned at Mudtown by eating poisoned food which the rebels left behind them. The gallant Captain Dolfert died, and Lieut. Colonel Deutch and Captain Schman have suffered much, but are recovering. The indignation of our soldiers is very great, but they have been restrained from retaliating upon the prisoners of war.

R. W. HALLECK, Major General.

CROSS HOLLOWS, Ark., Feb 24.—Our army is waiting for supplies, and will not be likely to move for ten or twelve days. Price and McCulloch are beyond the Boston Mountains. Our troops took possession of Fayetteville at 11 o'clock, yesterday morning. The ruins of the town were smoking when the troops entered.

The rebels are badly demoralized. A Louisiana and a Texas regiment are with McCulloch.

FROM THE SOUTH.

Call for Troops—Draft Threatened.

LOUISVILLE, Feb. 23.—The New Orleans *Bee* confesses to the magnitude of the calamity at Fort Donelson, and condemns the neglect and apathy of the Confederate Government in not sending sufficient numbers of troops Westward. It says a general call to arms has become an inevitable necessity.

The Memphis *Avalanche*, of the 22d, says that the Governor of Alabama has called for twelve regiments from that State, and if not forthcoming other measures will be used to fill the requisition.

The Governor of Georgia calls also for twelve regiments from that State, and says if the requisition is not filled by the 4th of March a draft will be ordered.

A company near Kingston, Barton county, is preparing to turn out one thousand pounds of saltpetre from a saltpetre cave in that vicinity.

The peach and plum trees in Rome, Georgia, are blooming, and the wheat crop is promising, and almost too forward.

Cotton cards are being manufactured in Dawson, Georgia.

From San Francisco—The Inundation.

SAN FRANCISCO, Feb. 26.—The steamer *St. Louis*, from Panama, has arrived.

The weather is better, but the late rains interrupt the communication with the interior. Most of the streets of Sacramento are navigable by small boats.

THE WAR IN TENNESSEE.

CHICAGO, February 27.—A special despatch to the *Times*, of this city, dated Clarksville, the 23d instant, gives the following gloomy account of the state of feeling among the people there: It says there is but one Union man in the town, and he is sixty years old, or he would have been killed long ago. The Hon. Cave Johnson, who was a powerful advocate of the Union until the war commenced, is now as powerful an advocate on the other side. He says that the only effect of our successes will be to drive the people of Tennessee into the mountains and render them desperate.

There is not a spark of Union feeling here, and no one pretends to disguise the fact. The people of Clarksville glory in Secession, but, at the same time, they are trembling lest their town should be burned. There was a large quantity of rebel stores, a portion of which was carried off and the remainder destroyed. The rebel leaders shipped a thousand negroes last week from Clarksville.

From the Upper Potomac—Six Soldiers Drowned.

SANDY HOOK, Feb. 27.—Six soldiers were drowned in the Potomac yesterday by the upsetting of a boat. They all belonged to Company P, of Col. Geary's regiment. Their names were as follows: Abram Spicer, Alexander Helverson, John Wood, — Arilep, and John Torode. The unfortunate men would not have met with the disaster, had they not become alarmed at the screaming of the boat.

Rebels Driven from Missouri.

SIXTY PRISONERS CAPTURED—EXPLOSION AT COLUMBUS.

ST. LOUIS, Feb. 27.—Col. Wood's cavalry has driven the rebels out of Dent, Texas, and Howell counties, Missouri, and taken sixty rebel prisoners.

A Cairo despatch says that a heavy rumbling explosion was heard yesterday, in the direction of Columbus. The rebels are supposed to be blowing up their entrenchments.

XXXVIITH CONGRESS—FIRST SESSION.

WASHINGTON, Feb. 27, 1862.

SENATE.

A NATIONAL FOUNDRY.

Mr. WILSON (Rep.), of Massachusetts, reported back from the Committee on Military Affairs the bill providing for a national foundry and furnace, with an amendment striking out the provision for a furnace.

SUBSTITUTE FOR THE CONFISCATION BILL.

Mr. DAVIS (U.), of Kentucky, offered a bill as a substitute for the confiscation bill. Ordered to be printed.

MEDICAL DEPARTMENT OF THE ARMY.

On motion of Mr. WILSON, the bill to increase the efficiency of the medical department of the army was taken up.

Mr. SHERMAN (Rep.), of Ohio, called the attention of the Senate to the very large increase in the salaries of surgeons contemplated by the bill. He said he was willing to increase the number of surgeons, and would not vote for an increase of salary.

Mr. GRIMES (Rep.), of Iowa, moved to add "or the medical corps of volunteers," so that they could be selected from volunteers as well as the regular army.

Mr. WILSON (Rep.), of Massachusetts, moved to amend, so as to provide that the additional surgeons be selected from the medical corps of the army. Adopted.

Messrs. NESMITH (Dem.), RICE (Dem.), and BREWSTER (Rep.), opposed the amendment, as calculated to disorganize the medical corps of the army, and allow any one to select such as mere political and medical quacks.

CIVIL APPROPRIATION.

Mr. PEARCE (Dem.), from the committee of conference on the civil appropriation, presented a report, which was agreed to.

MEDICAL DEPARTMENT OF THE ARMY.

The Senate resumed the consideration of the bill to increase the efficiency of the medical department of the army, the question being on Mr. Grimes' amendment, that the surgeon general, medical inspectors, &c., be selected from the volunteers as well as the regular army.

Mr. NESMITH (Dem.), of Oregon, said that the committee had considered the bill carefully. They had all sorts of theories and persons with plans before them. One spiritualist came before them and wanted the Government to employ a corps of spiritual sappers to draw wagons out of the mud, and also to be employed as clairvoyants.

After further discussion Mr. Grimes' amendment was adopted.

THE STARKE CASE.

The morning hour having arrived, the case of Mr. Starke, of Oregon, was taken up.

Mr. HOWARD (Rep.) spoke against the admission of Mr. Starke on the ground of notorious disloyalty. He said the Senate keep out a notorious traitor, who, we had reason to believe, only came here as a spy to aid in the overthrow of the Government? Certainly the Senate could keep out such a man. How does the Senate possess the power to punish for contempt? Not from the express power of the Constitution, but from the right of self-preservation. The Supreme Court had decided that the House of Representatives had power to punish *strangers* for contempt. If we could expel a private intruder or spy, could any credentials found in his pocket prevent such an exclusion if he came with the same purpose in his heart?

He contended that Mr. Starke, at the time the disloyal declarations were said to be made, must have known what was going on in the country. He referred to the affidavits of Mr. Stark's disloyal declarations, and said he believed the people of Oregon were outraged by the sending here of such a person as Mr Starke. If these affidavits are true; if the claimant entertains such views, he is not a fit man for Senator, but is in his heart a traitor. While we see mothers giving up their sons, and the people all over the country giving their lives for the defence of their country, so long as he was a Senator, he never would consent that a traitor should take his seat here, so help him God.

AMENDMENT TO THE AMENDMENT.

Mr. DAVIS (U.), of Kentucky, moved to amend Mr. Sumner's amendment, so that it will read, that the evidence is not sufficient to preclude the said Benjamin Starke from taking the oath prescribed by the Constitution; therefore, that he be permitted to take the oath and his seat.

Mr. BROWNING (Rep.), of Illinois, wanted to know whether, in voting for Mr. Sumner's amendment, it would have the effect to declare that whenever a person is appointed Senator, and accepts, he is not a member of the Senate in fact, even before taking the oath, and, therefore, that it would take two-thirds to prevent his from exercising the rights of a Senator.

Mr. SHERMAN (Rep.), of Ohio, said that Baron Rothschild was a member of Parliament eleven years without taking the oath, and the House of Representatives that year expelled two members who never took the oath at all.

Mr. BROWNING thought that Mr. Starke was a Senator already, and that the Senate might expel a man before he took the oath, but he thought it a fine way to admit a man, that we might hear his defence, and so get evidence on both sides. He thought it a precedent of great danger to give the Senate power, by a majority, to disenfranchise a State.

Mr. HOWE (Rep.) moved to add to Mr. Davis' amendment the words "until such time as satisfactory evidence can be procured of the truth or falsity of such charges." Agreed to.

Mr. HARRIS (Rep.), of New York, said that it was the wish of Mr. Starke that he be sworn in, and then that the papers be recommitted to the Committee on the Judiciary to inquire into the truth of the charges.

Mr. TEN EYCK (Rep.), of New Jersey, was opposed to any further reference to the committee. He wished the case settled now. All the evidence was here now.

After further discussion, the question was on his amendment, leaving the question on Mr. Sumner's amendment, which was disagreed to—yeas 18, nays 26.

Messrs. Anthony, Collamer, Johnson, and Fessenden explained that by their votes they did not intend to express any opinion on the question of expulsion, when that should come up afterward, but thought it best to admit Mr. Starke that they might hear his defence.

The discussion then came up on the resolution of the committee

Mr. DOOLITTLE (Rep.), of Wisconsin, moved to add the words, "That it does not prejudice any subsequent proceedings." Adopted.

Mr. TRUMBULL (Rep.), of Illinois, said that if the resolution was adopted, he thought it would end the case. It was simply saying that the senate would not look at the character of a man if he came here all covered with infamy, and not look at the charge of treason though sworn to by fifty witnesses.

The vote was then taken on the resolution of the committee, that he (Mr. Starke) was entitled to take the oath.

YEAS—Messrs. Anthony, Browning, Carlile, Collamer, Cowan, Davis, Dixon, Foster, Harris, Henderson, Howe, Johnson, Kennedy, Latham, McDougall, Nesmith, Pearce, Powell, Rice, Saulsbury, Sherman, Simmons, Ten Eyck, Thomson, Willey, and Wilson of Missouri—26.

NAYS—Messrs. Chandler, Clark, Dixon, Doolittle, Foot, Grimes, Hale, Harlan, Howard, King, Lane of Indiana, Morrill, Pomeroy, Sumner, Trumbull, Wade, Wilkinson, Wilmot, and Wilson of Massachusetts—19.

Mr. STARKE then came forward and took the oath.

THE UNION COTTON SUPPLY COMPANY.

Mr. GRIMES (Rep.), of Iowa, presented the memorial of Charles Fletcher, asking for a charter for the Union Cotton Supply Company, with power to lease or purchase lands