

IMPORTANT SUBJECT.

MILITARY POWER OF THE PRESIDENT.

ABLE OPINION OF JUDGE CURTIS.

But this proclamation and these orders create no offenses not known to any law of the United States...

It is no longer remains to be suggested that if the ground of action announced by the President is tenable...

It is obvious that if no private citizen is protected by the safeguards, thrown around him by the express provisions of the Constitution...

This power is certainly not found in any express grant of power made by the Constitution to the President...

The necessary result of this interpretation of the Constitution is that, in time of war, the President has any and all power which he may deem it necessary to subdue the enemy...

But the military power of the President is derived solely from the Constitution; and it is as sufficiently defined there as his purely civil power.

make himself a legislator, and enact laws governing the citizens of the U. States, and erect tribunals, and create offices to enforce his penal edicts upon citizens? Does it mean that he may, by a prospective executive decree, repeal and annul the laws of the several States...

He is general-in-chief; but can a general-in-chief disobey any law of his own country? When he can, he surrenders to his rights as commander, the powers of an usurper; and that is a military despotism.

The framers of the Constitution thought it wise that the powers of the commander-in-chief of the military forces of the United States should be placed in the hands of the chief civil magistrate.

Besides, all the powers of the President are executive merely. He cannot make a law. He cannot repeal one. He can only execute the laws.

Are the great principles of free government to be used and consumed as means of war? Are we not wise enough and strong enough to carry on this war to a successful military end without submitting to the loss of any of our great principles?

But there is also martial law. What is it? It is the will of a military commander, operating without any restraint, upon the rights upon the lives, upon the property upon the entire social and individual condition of all over whom this law extends.

Will any one be bold enough to say, in view of the history of our ancestors and ourselves, that the President of the United States can extend such law as that over the entire country, or over any defined geographical part thereof...

stitution and laws of the United States in time of peace; but not unknown to that Constitution and those laws in time of war. The power to declare war includes the power to use the extraordinary and necessary means effectively to carry it on.

What, then, is his authority over the persons and property of citizens? I answer that over all persons enlisted in his force he has military power and command; that over all persons and property "within his sphere of his actual operations in the field," he may lawfully exercise such restraint and control as the successful prosecution of his particular military enterprise may, in the honest judgment, absolutely require.

The military power over citizens and their property is a power to act, not a power to prescribe rules for future action. It springs from present pressing emergencies and is limited by them.

He has no more lawful authority to hold all the citizens of the entire country outside of the sphere of his actual operations in the field, amenable to his military edict, than he has to hold all the property of the country subject to his military disposition.

It is manifest that in proclaiming these edicts the President is not acting under the authority of military law; first, because military law only extends to the persons actually enlisted in the military service; and second, because these persons are governed by laws enacted by the legislative power.

When, then, do these edicts spring? They spring from the assumed power to extend martial law over the whole territory of the United States; a power for the exercise of which by the President there is no warrant whatever in the Constitution.

A meeting of the editors of New Jersey is to be held at Trenton on Thursday December 4th, to consider the best course to pursue in view of the rapid rise in the prices of paper and printing materials.

News of the Day.

Terrible Explosion at Jackson, Miss.—Forty Young Girls Burned to Death.

As was briefly mentioned last week, a terrible explosion occurred in the Confederate cartridge manufactory at Jackson, Miss., on the 4th inst.

The immediate cause of the catastrophe can never be known. From sixty to one hundred girls were usually employed. It would seem that the full set of hands were not at work on the day of the explosion.

"After the explosion the building burst into flames, and shocking to tell, nothing could be done to aid the sufferers, or rescue them from the fearful ravages of the fire that raged furiously through the shattered building; for among the finished work packed away to send off when called for, was a considerable number of shells.

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Garibaldi—His Condition. The friends of Garibaldi will be shocked to learn that his life is in a very serious danger, and they will be equally surprised to hear that if he dies, he will be not less the victim of bad surgery than of heartless politics.

Latest from New Orleans. New York, Nov. 25.—The steamship Roanoke, from New Orleans on the 15th, and Havana on the 20th inst., arrived at this point to-night.

Brigadier General Patterson. The Philadelphia Inquirer gives the following version of the manner in which the late Brigadier General Frank Patterson met his end.

He shot himself with a pistol through the heart, about 10 o'clock on Friday morning, while laboring, it is supposed, under temporary aberration of the mind, he having been very low-spirited and despondent for the past two weeks.

Getting Ready to Advance. By all late advices from the West and Southwest we gather that our leading Generals are reorganizing and strengthening their armies preparatory to their making a simultaneous advance into the Cotton States, Arkansas and Texas.

Three Boys Killed.

On Friday morning last, three sons of Mr. Jonathan Smeigh, of Windsor township, York county, came to their death under the following painful circumstances:

It appears that some time during the afternoon of that day, they went to dig out a rabbit that had taken shelter under the roots of a large tree which had been felled by a late storm.

Union Victory in Arkansas. SPRINGFIELD, Nov. 29.—Gen. Blunt, with five thousand Federals, attacked about eight thousand rebels, under Gen. Marmaduke, at Cano Hill, Ark.

The Late Victory in Arkansas. WASHINGTON, Dec. 1.—The following has been received by telegraph at the headquarters of the army: St. Louis, Nov. 29.—Major General Blunt, General-in-Chief—Gen. Blunt, with his division, made forced marches and attacked the enemy yesterday morning at Cone Hill.

Interesting from the Front. PHILADELPHIA, Nov. 29.—A Tribune special, dated Falmouth, the 28th, says:—In statu quo, still looking at the rebels across the Rappahannock. They are vigorously fortifying all the roads leading out of Fredericksburg, and the hills facing us.

Released. The two officers of General McClellan's staff who had been recently arrested and sent to Washington—Lieut. Col. Colburn and Captain Duene—have been released from an arrest, which appears to have been merely technical, and are ordered to report for duty; the latter to General Brannan, in South Carolina, and the former, Col. Colburn, takes charge of an important bureau in the Adjutant General's Office.

SHERRIFF'S SALE. By virtue of a writ of Venditioni Exponas, issued out of the Court of Common Pleas of Greene county, and to me directed, there will be exposed to public sale at the Court House in Waynesburg, on Monday, the 1st day of December next, at one o'clock, P. M. the following property, viz: All the right, title, interest and claim of Joseph Scott, Elias Scott and Samuel Roberts, of, in and to a certain tract of land, viz: lot A, tract of land situated in Centre town, adjoining lands of James Scott, William Scott, John Scott, heirs of Christopher Scott, William Scott, and others, containing one acre and one-half, more or less, and on which are erected a Frame Cottage, one and one-half stories high, with four rooms, and a Frame Kitchen, Frame Stable, two Tenant Houses and other necessary out-buildings, &c.

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UNION MEN TO THE RESCUE.

WAYNESBURG INVADIED.

With an Army of Clothing.

N. CLARK.

THE WELL KNOWN CLOTHING MERCHANT of Waynesburg, ever ready and willing to attend to the wants of a suffering community, has just returned from the Eastern Cities with his second arrival of the LARGEST and FINEST SELECTION of WINTER CLOTHING.

Ever offered in this market. Having bought largely and entirely for CASH, he can assure his customers and all household neighbors that the bargains offered at N. CLARK'S Clothing establishment, are just the prices will compare favorably with any similar establishment west of the mountains. His stock consists in part of COATS, FANCY VESTS, SHAWLS, CAPS, HATS, GENTS' DRAWERS, UNDERSHIRTS, PAJAMA, TRAVELING TOWELS, &c.

Having made extensive improvements in their store room are better prepared than ever to accommodate their customers. They are offering the LARGEST, BEST & GREATEST VARIETY Of Woolen Goods, Hosiery, Millinery Goods, Notions, &c., ever offered in Waynesburg, including an immense stock of Ladies' Dress Goods, Of all descriptions, Shawls, Trimmings, Velvets, Children's Plaid, Flannels, Linseys, Cloths, Jeans, Tweeds, Cassimeres, Satinets, and Yarns.

AYER'S CATHARTIC PILLS. I have tried your Cathartic Pills, and they have effected a more permanent cure of my chronic constipation than any other medicine I have ever used. They are so pleasant to take, and so powerful in their operation, that they will cure any case of chronic constipation, purify the blood, and expel disease. They purge out the food humors which breed and grow distemper, stimulate sluggish bowels, and restore the natural action, and impart healthy tone with strength to the whole system.

REGISTER'S NOTICE. NOTICE is hereby given to all persons concerned, that the following Executors, Administrators and Guardians have ordered their several accounts to be published for settlement at December Term, 1862, and the said accounts will be filed according to law, and presented to the Orphan's Court of said County and State of Pennsylvania, at said Term, on Wednesday, the 13th day of December, at 2 o'clock, P. M., for confirmation and allowance.

GREENE COUNTY, SS: In the Orphan's Court of said County, of September Term, 1862, No. 6. In the matter of the settlement of the final account of Hon. Benjamin Ross, Administrator of the Estate of William H. Huffmann, dec'd.

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