Terms of Publication. THE TIQUA COUNTY AGITATUE is published may well pedding the rings and waster to guescriber: the very reasonable price of the very reasonable price of the price o isti a man can be brought in dabited the

negeneral prister. The County, fast Astraron is the Official Paper of the County, fast Astraron is the Official Paper of the County, it is large and standily increasing circulation read to the county of payage to any subscriber within the county of payage to any subscriber within the county of payage to any subscriber within the county of the county, and the county of the county of the county of the county, and the county of the cou is an adjoining County. adjoining County.

CHISTAL POUNTAIN HOTEL. DAVID HART, Propriestors at A.

The undersigned begs to to insounce to his old The understone regressive to amplicate to his old friends and to the public generally, that he has taken possession of the old stand and fitted it of in good style, and intends to keepfit as a Memberance Hotel. We pairs will be spared to accommodate the traveling to be a good stabling and a good hostler always on public. Good stabling and a good hostler always on bublic. Good stabling and a good nostrer siways o hand. Prices to suitable times. (. DAVID HART.

IAS. LOWREY & S. F. WILSON.

DICKINSON HOUSE Maj. A. Field,
Guests taken to undifferent the Depot free of charge.

J. EMERY, knd 2h mod) TTORNEY AND COUNSELLOR AT IAW Wellsboro, Tioga Co., Pa. Will descret his explusively to the practice of law. Gellections

made in any of the Northern counties of Pennsylvanis. PENNSYLVANIA HOUSE.

Corner of Main Street and the Approper Phelisboro, Pal. J. W. BIGONY, PROPRIETOR This popular Hotel, having been re-fitted and re-furnished throughout, is now open to the public as a drst-class house.

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Gaines, Tioga County, Pai.

This is a new hotel deaded within easy access of the best fishing and hunting grounds in Worthern will be spread for the accommodation at the dames and the travaling country. rai no pains will be spired for the account

G. C. C. CAMPELL, BARBER AND HAIR DRESSER.

SHOP in the rear of the Post Office. Everything in as be done in the city affons. Preparations for reporing dandruff, and heautifying the hair, for sole heap. Hair and whiskers dyed any color. Call and year. Wellsboro, Sept. 22, 1859.

THE CORNING JOURNAL. George W. Pratt, Editor and Proprietor.

Spublished at Corning, Steuber, Co. N.Y., at One Daller and Fifty Cents per year, in advance. The Journal is Republican in politics, and has a circula-There are the point and the state of St

WELLSBORO HOTEL,

WELLSHOROUGH, PA. TOPRIETOR.
(Formerly of the United States I att.) Having leased this well known and purpler House, clicits the patronage of the public. With attentive sad obliging, waiters, together with the Proprietor's thowledge of the business, he bopeato with the star of those who stop with him both pleasant and igreeable. Wellsboro; May 31, 1560. - 41 C 14 4

E. B. BENEDICT, M. D.,

WOULD inform the public that he is permanently located in Elkland Boro, Tioga Co. Pa., and is prepared by the type years experience to treat all discuss of the eyes and their appendances on scientification and that he can cure without fail, the dradful disease, called St. Vitus' Dange, (Chore Sancti Viti.) and will attend to any other business in the little of Danie and Survey. the line of Physic and Surger Elkland Boro, August 8, 1860

WELLSBORO GYMNASIUM.—This nesc-VV ciation meets every preming at ROYS HALL, to premote healthful exercise and muscular develorment. Members have access to the Hall at all of the day. The dues are 50 cents per month, to pay or lights, room-rent &c Wellsboro, March 5, 1862.

TROY AGADEMY

TROY, BRADFORD CO., PA S. G. COWDREY, A. B. Frincipal,

CALENDAR-1862. Spring Term begins Feb. 25th,—Ends May 12th.
Summer "May 20th,—"TAS: 4th.
Fall "Sept. 9th,—"Nov. 24th. Fall " Sept. 9th,
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Term's Tuition, \$2 to \$6.

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For circulars or other information, address. Troy, Jan. 30, 1862.-tf.

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THE undersigned wishes to announce to his for-mer Customers in Sullivan and vicinity, that ner Customers in Sullivan and vicinity, that the thirthstanding his embarrassments for the last six months they will find him at his shop in Mainsburg with a good new stock of Iron and material ready to vait on them on reasonable terms. March 19, 1862, 68. 40 PO 364 1799

CORNING WHOLESALE DRUG AND BOOK STORE. DRUGS AND MEDICINES, PAINTS AND OILS.

WINDOW GLASSIEAD INTE KEROSINE OIL, ALCOHOL, BOOKS AND STATIONERY,

ZAVIDIPERHELL. Combry Metchanta supplied with these sticles a

NEW YORK PRICES. Corning, Feb. 26, 1862, 3 3

MILLINERY MRS. M. W. SHEARMAN, MILLINER,

NEW YORK AND ELMIRA. NVITES attention to her assortment of

New Spring Goods, ambracing every description of French and American Mill nery,

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Small Advance

Hooms 22 Bleecker Street, A Cork. and 137 Water Street, Aim ra, N. Y.

COUNTY AGITATUH. KOOIT er in and Lain instruction with the control of the

Devoted to the Artengion of the Area of Freedom and the Apread of Bealthy Reform.

ANOTHER THERE SHALL BE X WRONG UNRIGHTED, AND UNTIL "MAN'S INHUMANITY TO MAN" SHALL CEASE, AGITATION MUST CONTINUE.

VOL. VIII. WELLSBORO, TIOGA COUNTY, PA., WEDNESDAY MORNING, MAY 14, 1862.

SPRING AND SUMMER GOODS. JEROME SMITH Has now on hand a large and extensive stock of DRY GOODS,

HATS & CAPS,

e DOOTS & SHOES dans of the land had been groceries: READY-MADE CLOTHING, W. C.

HARDWARE, GLASSWARE WOODENWARE &c.

which is uniquely the largest ascoment ever brought into the country and will be sold at prices that must give entire satisfaction. And I would in-site, purphasers, generally, to call and examine my assortment of Black and Figured Dress Silks,
Worsted Goods, Merinoes,

Las Ladies, Cloth, Opera Flannels, Long and Square Shawls, Black and Figured Delaines, and Cassimeres, &c., Les

And in fact. The West-assorting to of 🚊 🤉 LADIES DRESS GOODS ever brought into this county. I have also a large stock of

DOMESTIC GOODS, CLOTHS & CASSIMERES. SATINS, FULL CLOTH.

TWEDDS, & KENTUCKY JEANS. Purchasers will find that the place to buy good goods and at low prices, is at the store of Wellsboro, April 23, 1882.

J. M. SMITH, AS removed to the New Store on

Market Street, Corning, First door, east of, Hungerford's Bank, and directly opposite the

Dickinson House. where he is now, receiving, and will constantly keep

· COMPLETE ASSORTMENT, ! OF FANCY AND STAPLE DRY GOODS. BOOTS AND SHOES,

Merrimacs......121c.

FAMILY GROCERIES, &c., which will be sold at the Lowest Prices for Ready Pay Only. He sells good Prints for

Denims.....123e Heavy Sheetings......121d and other goods equally low. The citizens of TIOGA COUNTY VISITING CORNING.

are cordially invited to Give Him a Call. Corning, April 23, 1862.

I NPARALLELED ATTRACTION! Grand Display of Elegant

NEW SPRING GOODS AT Dormaul's Bee Hive.

Goods, New Mohairs, New Balzorines, N Battellas, New Poplins, New Polle de chevres, New Weol De Laines, Yard wide English Prints 124cts,

Fine chintz figured De Laines locts.

Ten thousand yards fast color Madder Prints at 62 cents.
Five thousand dollars worth of Black Silks; a good

quality at 50 continue worth of the state of opened. ... Chath and Silk Mantles, latest neuveautes, suc Dlivia, McClellan, Clotildecte. Ladies Cloth all shades

of color.
Shawls, Brooke, Thyhet, Stella, Black, Silk etc., at less than 50 cents on the dollar.
Wool Flunnels at 16 ets per yard.
Chambre for shakers only 8 ets. White Brilliants only 6 cts. Embroidered Oollars only 3 cts.

Shirt Fronis, good ones only 3 cts. Rich embroidered curtains muslin 121 cts. do 25. 20, 25, 30, 35, 40 cts. worth

do do 25. 20, 29, 30, 33, 40 cts. word londle the money.

Hostery, Kid Gloves, to suit the most fastidious.

Nice white cotton hose only 6 cts.

Cloth, Cassimeres for Gent's and Boy's wear, as mmense assortment from 10 de upwards, fine all wool Cassimeres only 75cts.

Millinery Goods, wholessie and retail, at New York

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Trunks, Valiges, cheap. Hoop Skirts, best quality and style, 20 per cent less than elsewhere. Save your money, buy your Goods at
DORMAUL'S BEE HIVE,

136 Water St., Elmira, N. Y Bimira, April 9, 1862. apr. 17-m6.

War! War for the Union! TAHE undersigned would respectfully inform his sold friends, customers, and the public generally,

GEST CABINET AND CHAIR SHOP on Main Street, opposite H. W. Dartt's Wagon Shop there he intends to keep constantly on hand a gene ral assortment of

Cabinet Ware, and of the bestensterial, and Sylle best workmen Also Coffine made to order, and as cleap as gan be procured elsewhere, accompanied with a Harre, Also Charrs of every variety from the BEST down to the CHEAPEST, to

Suit Purchaseri. Also Turning of all kinds done to order and to suit CUSTOMERS.

The undersigned having had many, years experi-ence; both in France and in this country, fields conf-dent that he cannot be excelled in either of the above. Franches of mechanism—and further would recommand the public to

bis workmanship and prices before purchasing els where, JACOB STICKLIN.

J. W. BAILEY & CO.,

UNION STORE,

Are epening a fine Stock of NEW GOODS

rust bought at "PANIC PRICES," and will be sold FOR CASH, at a little ABOVE COST, if possible - EVERYBODY Call and see the New Goods and Prices.

P. S. All persons having ausettled accumats on P. S. All-persons having currents accumulate in our Books, are requested to settle the same by Cash of Note, is medically, as we intend to sell on the pay down system; until further advices from the sent of war.

J. W. BAILEY & CG. Wellsboro, July 31, 1861.

"LIST OF THE KILLED."

Mothers who sit in damb terror and dread, Holding that terrible list,
Fearing to look least you see mid the dead
The made of the boy yeu have kissed—

Kissed e'en as those who in anguish and pain, Kias precious faces of clay. Sen as you would had you shuddering lain, That dear one in grave-robes away.

I bity you, sitting with faces as white, Striving to parry the blow;
I know how that name will torture your sight;

Can fathom the depth of your woe, By the pang that rent my desolate heart, By this crushing weight of dispair, I know how you too will shudder and start, Reading that dearly-loved name there.

I know you'll hush that passionate cry, Thinking of bim as he lies,
With beautiful face upturned to the sky, Death veiling the glorious eyes.

Fighting he fell!" Does a feeling of pride Lighten your grief as you think! How have was the boy that went from your side How he would not falter or shrink?

The mother's love triumphs. Men call wome Ah, well, perhaps it is so! I know there are tears e'en now on my cheek For the boy that's lying so low.

I know that I start at each step on the stair, With wistful glance turn toward the door, Thinking, perchance, that my durling is there Peace, heart, he can come nevermore.

But still there's a thought that softens my woe Above there's a glorified list;
And one day I'll hear with rapturous glow The name of the boy I have kirsed

CONFISCATION OF PROPERTY. SENATOR WILMOT'S SPEECH.

On the 30th of April, the Bill for the confisation of the property of the rebels in arms against the Government, being before the Senate. Mr. Wilmont said :

Mr. President, the second section of the bill reported from the Judiciary Committee, is an tion safety and peace. act of emancipation, giving freedom to the slaves of those who, during the present rebellsociast the slave, he shall establish his loyalty support it. before an order shall be made for the surrender. confiscation to the national Treasury of both after the passage of this act, be engaged in the seizure and appropriation by the commissioners tricts where the rebellion makes the holding of the obligation to defend our national existence. courts impossible, and after condemnation by

ly to work out the great result of universal

emancipation. Special guarantees are claimed for the proreach him.

We must rightly comprehend the unparalleled wickedness of slavery, and the desperate versal suffrage and the wide diffusion and in and this can only be secured at the expense of crease of knowledge were sources of constant, individual and national freedom. dread. For years they have kent the neace only on the terms of their domination and our subjection. They have governed the country, shaped its foreign and domestic policy, controlled its legislation on all questions of interest to themselves, and administered, in their own hands or through northern men subservient to them, every high office of State. A more imperious bligarchy hever ruled a government.

The freemen-the democracy of the nationin the election of Abraham Lincoln, yindicated emigrants known as redemptioners. No one their right to administer the Government, and ever claimed that property in the service of an in the first hour of victory were met by the apprentice was specially placed under national very overthrow this Government? The nation ever, the Constitution were all that slavery has the right of self-defense, of self-protection claims for it in this respect, the paramount law -the right to make secure its peace and safe of self-preservation is not the less obligatory

by, in the war it has provoked, perils the ma- on the nation. Whatever we deem necessary, tional existence. It is the immutable law of in the exercise of an honest and sound discretion, nature and of nations, that a State shall pre- as a means of preserving national existence, serve itself, that it may destroy whatever enemy threatens its life.

Vattel, a writer of caution, and of high: authority on national law, lays it down that-"A State has a right to everything that can secure it from threatened danger, and to keep

at a distance whatever is capable of causing its ruin. A nation is obliged to preserve itself, and the law of nature gives it the right to evetything without which it could not fulfill this "The law of nations is originally no more

than the law of nature applied to nations. We call that the necessary law of nations that consists in the application of the law of nature to nations. It is necessary, because nations are absolutely obliged to observe it. The necessary law of nations, being founded on the nature of things, is immutable. Whence, as this law is immutable, and the obligations that arise from it necessary and indispensable, nations can neither make any changes in it by their conversations, dispense with it themselves, nor recipromally with such other ?

Again, Mr. Ruwle, in his view of the Constitution, in speaking of our duty to maintain the

Union; shys : "In every aspect, therefore, which this great ubject presents, we feel the deepest impression of a sacred obligation to preserve the Union of our country; we feel our glory, our safety, and our happiness involved in it; we unite the interests of those who coldly calculate advantages with those who glow with what is little short of fillial affection, and we must resist the attempt of our own citizens to destroy it with the same feelings that we should avery the dagger of the parricide."

Slavery is the parricide that now aims at the vational life. We must bind the criminal in perpetual bonds, if we would secure to the na-

The right of a state to preserve itself, is clearly set forth by Vattel; nav, it is obliged ion, shall take up arms against the United so to do by a necessary and paramount law .-States, or in any manner give aid and comfort | Every writer of authority on the law of nations to said rebellion. The bill itself declares their agrees with Vattel touching the right of nationemancipation without the intervention of court al self-defense. The law is consonant with reaor commissioners, and provides that in any pro- son and justice and the common sense of manceeding by the master to enforce his claim kind, and needs no citation of authorities to

The law being established, the only question of the slave. The bill also provides for the open for examination are, the nature of this Government, and the hos ile character of the the real and personal estate of rebels who shall, enemy by which it is assailed. If we are a lengue of independent States, each having the rebellion, or in giving it aid and comfort, and right to withdraw at pleasure, and for causes who are beyond the United States, or, if within the sufficiency of which each may judge, then the United States, and beyond the reach of its the confederate States are right in the indepen-"divid process." The bill does not per se work a dence they assume, and the war on our part is forfeiture, but the forf-iture takes place after a war of subjugation. Bagrant and unjust. Our right to carry on the war can only be defended appointed to act within these States and dis onethe ground that we are a pation, bound by

What eveny puts our safety in peril; assails the courts, in districts where they can be held, with war our unity and life? All enlightened of the property seized, upon proceedings in and impartial men will give the same answer. rem. as in prize cases, or cases of forfeiture Slavery is that enemy-the deadly and persis- all circumstances. Conventional law rests up setts. tent fue of the nation. Slavery has erganized I will consider briefly of both features of the for the overthrow of the Government the greatwiff. The second section, the providing for the est rebellion in history, and without cause, save emancipation of the slaves of rebels. I sustain; its fear and hatred of republican institutions. in the whole length and breadth of its provi- The nation was prosperous and happy; life and sions. While I shall claim for the Government property were secure; we enjoyed a freedom full power over the subject of slavery, I would given to no other people, a prosperity full to not at this time go beyond the provisions of overflowing. Every blessing and every right this bill. I would to-day, give freedom to the was ours. The Government was only felt in slaves of every traitor; and after that would the protection it gave and in the blessings it confidently look for the early adoption of the conferred. The armed revolt of the slaveholdpolicy recommended by the President, gradual- ers against a Government so just and beneficent is the most detestable crime on record .-Slavery arms brother against brother, and imbrues the nation in fraternal blood. It offers tection of slavery. Exemption is demanded alliances with foreign despots and consents to for it from the hazards and necessities of war. the establishment of monarchies on our conti-Greater security is attempted to be thrown nent. Does any Senutor on this side of the around it than is accorded to any other inter- Chamber doubt that slavery is the immediate est or right. I deny the legality of this preten- cause of our troubles? If not, then I claim sign in behalf of stavery. It has no constitution his support for such measures against slavery tional basis. Its claims of peculiar sacredness, as shall make it powerless for future mischief. and for special protection, are an insult to the I demand indemnity for the past, security for nation. Life and liberty are made secondary to the future. The nation must never again pass the safety and preservation of slavery. The under the yoke of the slave power. We must property of the nation is to be subjected to have no reconstruction re-establishing the domheavy contributions, the lives of tens of thou- instion of slavery. We shall deserve, and will sands of its citizens sacrificed, hundreds of receive, the scorn and execution of the civithousands of widows and orbhens cast upon the lized world if we step back from the plain duty charity of friends for support, all that we pos- before us. We must give the country lasting sees. life and property, are at the disposal of the peace; we must cripple forever the power of Government; slavery alone claims exemption. slavery, and enfranchise the nation from its intile cause of the rebellion, the parent of all the sofent rule. Slavery has made and unmade calamities that threaten and afflict us. This built up and torn down at pleasure. It has great revolt against the integrity and sover-enforced upon the Government and country righty of the nation has no other foundation novel and unwarrantable constructions of the than slavery. Democratic government is a per Constitution by threats of disunion and blood.

petual danger to slavery. The government of It is an element of constant disturbance and an oligarchy is demanded as security for its danger. Mr. Calboun earlier saw and more perpetuity and power. Here is the cause of clearly comprehended than his cotemporaries the rebellion with its immense sacrifices of life the irredoncilable antagonism between freedom and trensure. Amidst the sacrifices of this hour, this universal wreek of interests, shall ness that, as early as 1814, Mr. Calhoun bethe slaveholding traitor, grasp securely his hu- came satisfied that the two systems of society man chattel? Not, sir, if my voice or vote can and labor could not both stand under one Government; that slavery must go the wall, or a dissolution of the Union was inevitatable. He devoted his life in giving strength to slavery. determination with which it makes war on the and thus preparing for the conflict which he Government, or we shall fail to deal with it as saw must sufely come. What Mr. Calhoun our security and peace demand. For thirty saw in 1814 is now the philosophy and fixed years slaveholders have looked with fear and belief of the leaders of the South, This war hatred on our free system of government. Uni- on their part is for the perpetuity of slavery,

The Constitution is continually pushed for ward in support of the inviolability of slavery. Sir, I deny that the constitution contains any special guarantees in behalf of slavery. It provides for the surrender of persons owing labor or service escaping from one State into another to the person to whom such labor or service is due. This is as applicable to apprentices as to slaves; and, at the time the Constitution was framed, embraced a large number of armed rebellion of the slaveholders. Shall sla protection because of this provision. If, how-

that we have the authority of law to do. This doctrine is clearly recognized in the late special message of the President to Congress recommending national aid to the liberating border States. It is sound law, and has both reason and authority in its support. Slavery is not only the cause, but one of the great supports of the rebellion. Slaves do much of the work of the rebel army-throw up the intrenchments and build the fortifications of the enemy. Their labor, in a large degree, furnishes the means of support to the armies employed against us, and gives to the confederate States the little credit they have either at home or abroad .-Yet slavery is the one thing we must not disturb. We must not directly attack it, even though the nation perish through our forbearance. To no other interest do we accord this exemption from the dangers and necessities of

Mr. President, I come now to consider the bill as an act of confiscation. Here its provisions are not as broad and sweeping as its oponents represent It is not a general act of confiscation against the property of all rebels, but against the property of such only as shall e beyond the reach of judicial process. The bill is based on the principle that if the rebel can be arrested, and punishment inflicted upon him through the courts, his propecty is not molested. But if he abandon his property, and flee the country, or be within territory where the rebellion has overridden the authority of the United States, the bill proposes, after condemnation in court, or by military commissioners when no courts be held, to take and sell his property, placing its proceeds in the national I reasury. I favor the amendment adopted on Thursday last, of the Senator from Ohio, [Mr. Sherman. I desire to reach only the property of the leaders of the rebellion. To the masses of the southern people, who have been grossly deceived. I would grant an amnesty, a full and free pardon.

Three grounds of objection are made to this bill. It is claimed to be in contravention of the law of nations; violative of the Constitution of the United States; and that its passage would be most impolitic, driving our enemies to desperation, and sowing the seeds of bitter enmity for generations to come.

I will consider, briefly, the objections preenson, labored learnedly to make good the first ground of objection. He cited authorities of tled against him, both on general authority and by the decision of our own courts.

National law rests upon the law of nature, conventional law, or treaties, and upon general customs which, by common consent, have the those nations only that are parties to them -General customs or usage have the authority of nation has the right to decide for itself under what circumstances and to what extent it will submit to a custom or usage. This must of freedom of nations. Vattel savs:

"The natural society of nations cannot subsist, if the rights each have received from nature are not respected. None would willingly renounce its liberty: it would rather break off all connection with those that should attempt to violate it. From this liberty and independence it follows that every nation is to judge what its concience demands; of what it can or cannot do; of what it is proper or improper to be done. In all cases where a nation has the liberty of judging what its duty requires, another cannot oblige it to any given action. For attempting this would be an injury to the lib-

erty of nations." As an independent member of the commonwealth of nations, we alone determine when and how far we will be bound by the customary law. Upon the hypothesis, then, that the measure before us is in conflict with international law, still our right to enact it cannot be questioned.

Should we pass this bill, what power will annul it within our jurisdiction, on the ground that the law of nations is violated? If national law is invaded nations must come to its support. Does any Senator believe that the pas sage of this bill would provoke towards us the hostility of nations? Would the foreign min isters resident here, protest on behalf of their respective Governments? Sir, we know they would not, and for the best of reasons; the bill does not impinge on the national law. So much of the bill as is a measure of emancipation would be hailed with joy throughout the civil zed world. For this we would receive the plaudits instead of the censure of nations.

I have thus fur considered the case on the hypothesis that the bill is violative of national aw, and presented the ground that we are bound to obedience by our consent alone. But the law is well settled in favor of our right to seize and confiscate the property of an alien enemy in time of war, and who, at the time of seizure, is engaged in peaceful commerce. The case is greatly strengthened against a rebel in arms. The point was decided in our supreme Churt, in the case of Brown vs. the United States. (8 Cranch, 110. The points raised for

adjudication were: 1. May enemies' property found on land at the commencement of hostilities be seized and condemned? And

2. Is an act of Congress, authorizing such seizure and condemnation, necessary; or does the right follow a declaration of war? The opinion of the court was delivered by Chief Justice Murshall. On the first point, the

court says: Respecting the power of the Government. no doubt is entertained. That war gives the sovereign full right to take the persons, and configure the property of the enemy wherever found, is conceded. The mitigation of this rule,

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which the humane and wise policy of modern times has introduced into practice, with more or less affect the exercise of this right, but cannot impair the right itself. That remains undiminished, and when the sovereign authority shall choose to bring it into operation, the judicial department must give effect to its will.?

Kent, in commenting on this case, says: "However strong the current of authority in favor of the modern and milder construction of the rule of national law on this subject, the point seems to be no longer open for disscussion in this country. It has been definitely settled in favor of the ancient and sterner rule, by the Supreme Court of the United States. The effect of war on British property, found in the United States, on land, at the commencement of war, was learnedly discussed and thoroughly considered, in the case of Brown; and it was decided as upon as settled rule of the law of nations, that the goods of an enemy found in the country, and the vessels and cargoes found affoat in our ports, at the commencement of hostilities, are liable to seizure and confiscation; and the exercise of the right vested in the discretion of the sovereign of the nation."

The right to seize and confiscate the property of an alien enemy, wherever found within our territory, is as clearly established as the adjudications of our own courts can establish it. He who is both a public enemy and a traitor surely cannot claim to stand in a better position than an alien enemy actually guilty of no offense. The traitors of our country occupy a very different position from that of lawful belligerants... It is true that we accord to them many belligerent rights, but we may properly treat them as traitors. As against them, we are possessed of every beligerent right, as fully as if they were an independent nation levying war against us; and we are also, possessed of all the rights of a legitimate sovereign against traitors in armed revolt. Their property cannot be reached, because they are citizens, and entitled to the protection of the Constitution !

"No person shall be deprived of life, liberty, or property, without due process of law;" that is, without proceedings, according to the course of the common law. How grossly we violate the Constitution in shooting down these citizen traitors! There can be no mietake. The violation of the Constitution is most palpable.-We take the lives of these citizens and brothers without due process of law. How absurd is all this. Those in rebellion are both traited. The Senator from Missouri, [Mr. Hender | tors and public enemies, and are amenable to the laws provided against both. An alien enemy, whose property is found among us, havweight and respectability; but upon farther | ing never himself borne arms against the counexamination he will find, I think, the law set try, this property we seize and forfeit; but if his allegience were due to us, if he had sworn to support and defend the Constitution, and then wickedly perjured himself, if he had borne commission in rebel armies, and devoted his all to the overthrow of the Government, we canforce of law. Nations are bound by the natu- not take and forfeit his property; it is under ral law, which is called the necessary law of the megis of the Constitution, and must be used nations. Of this I considered in speaking of only in the service of the rebellion. The very emancipation under this bill. It is of univer- point I am now considering was recently before sal obligation, binding at all times and under the United States district court of Massachu-

The Amy Warwick was captured on the high seas by the United States ship-of-war, Quaker City, August 10, 1861. The libel was against law only by the consent of nations, and each | both vessel and cargo. The vessel and part of the cargo were admitted to belong to citizens and permanent residents of Richmond, Virginia. The hearing was confined to the property necessity be so. The right is essential to the so owned; the question as to the rest of the cargo left for future investigation. Sprauge. Justice, delivered the opinion of the court. I give so much as bears on the point under

consideration:

"Some have apprehended that if this conflict of arms is to be deemed war, our enemies must have, as against the Government, all the immunities of international beiligerents. But this is to overlook the double character which these enemies sustain. They are at the same time belligerents and traitors, and subject to the liabilities of both; while the United States sustains the double character of belligerent and and sovereign, and have the rights of both.-These rights coexist, and may be exercised at pleasure. Thus we may treat the crew of a rebel privateer, merely as prisoners of war, or as pirates or traitors; or we may at the same time, give to a part of the crew the one character, and to the residue the other and after treating them as prisoners of war, we may exercise over them sovereign power and deal with them as traitors. The temporary non-user of such rights is not a renunciation of them, but they may be called into practical exercise."

"Mr. Wharton, in his Elements of International Law, (page 365,) so strongly maintains belligerent rights in civil war, that some of his language would imply that there were no other rights. This, however, could not have been intended; for if sovereign rights be at an end, the war is merely international. Civil war, ex vi termini, imports that sovereing rights are not relinquished, but insisted on. The war is waged to maintain them. Rose vs. Himely, (4 Cranch, 272,) was a case arising out of the exercise of sovereign rights by France in her civil war with St. Domingo. The court recognized the co-existence of belligerent and sovereign rights.

"The United States have, during the present war, exercised both belligerent and sovereign

rights. "Examples of the former, are receiving capitulations of the enemy as prisoners of war. and holding and exchanging them as such; and a still more prominent instance is the blackade which, before the assembling of Congress, was established by military authority of the Commander-in-Chief."

"I am satisfied that the United States as a nation, have full and complete belligerent rights. which are in no degree impaired by the fact that their enemies owe allegience, and have superadded the guilt of treason to that of unjust

war." The confiscation of the property of those engaged in rebellion and unsuccessful revolution is a part of the history of or vilized nations. It is deeply impressed upon, English legislation during the last century, Half the titles of the

kingdom rest upon sets and degrees of confis-(Concluded on fourth page.)