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WEEKLY STATE SENTINEL,

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ELDER, HARKNESS, & BINGHAM

Proprietors.

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ELDER HARKNESS, & BINGHAM.

"The Constitution as It Is, the Union as it was."

BY WILL S. HAYS.

The country we so dearly loved,
Which love shall still remain,
To warm the hearts of Democrats,
And make it one again;
The Nation cries aloud on those
Who ask for honest laws,
The Constitution as it is,
The Union as it was.

CHORUS—Then rally, boys, rally!
Join us in the cause,
The Constitution as it is,
The Union as it was.

The good old ship will brave the storm,
The pilot will be true;
No danger while the Democrats
Will constitute her crew;
"No North, no South, no East, no West,"
They only know one cause,
The Constitution as it is,
The Union as it was.

CHORUS—Then rally, &c.

The North and South have acted wrong,
And they will wrong remain,
Till honest, old-line Democrats
Will make them right again;
A million voices then will shout,
Amid the world's applause,
The Constitution as it is,
The Union as it was.

CHORUS—Then rally, &c.

Then rally, "Old Democracy,"
And to the cause prove true;
The only hope!—a nation's eyes
Are looking now to you.
Arise and shout to all the world,
Regardless of all its flaws,
The Constitution as it is,
The Union as it was.

CHORUS—Then rally, &c.

Let Abolition find its grave,
Secession sleep beside;
And give our "Little Mac" the helm,
And let the old ship glide.
Down with the wrong, up with the right,
And give three loud huzzas
For the Constitution as it is,
The Union as it was.

CHORUS—Then rally, &c.

The Address of Vallandigham.

We publish this week the address of Mr. VALLANDIGHAM, to the people of Ohio, accepting the nomination for Governor. No one can read the bold and manly sentiments of the distinguished exile, so eloquently expressed, without feeling indignant at the perpetrators of the great wrong. Mr. VALLANDIGHAM has been guilty of no crime against the Government, and his only offense was that his judgment and conscience could not approve the policy of the Administration. He may in this have erred in judgment, but we believe him more true to the great principles of liberty and right, upon which our republican government is based, than the men who exiled him because they had the power to do so. Mr. LINCOLN said, "We are making history," and the men who now boldly stand up for the rights of the citizen, to secure which the fathers of the Republic "pledged their lives, their fortunes, and their sacred honors," will have fame and a name when those who trampled them under foot will only be remembered to be execrated.

The Chicago Times, in commenting upon the address of Mr. VALLANDIGHAM, remarks:

We print this morning the manly, lofty, and feeling address of Mr. Vallandigham to the people of Ohio. Few will read it whose brows will not mantle with indignation that an American citizen, and he an eminent scholar and statesman and patriot, guilty only of an excess of devotion to his country, should thus be wronged, insulted and outraged. Few can read it without the stinging consciousness that every Democratic citizen is wronged, insulted and outraged in Mr. Vallandigham's person. The original proceedings against him, utterly unwarranted in law—his banishment a bald, mean, malicious usurpation—the military order under which he was convicted and sentenced has been defied and spit upon by the whole Democracy of Ohio, and is today dead and despised. Mr. Pugh, in his speech before the Democratic State Convention at Columbus, defied it and spit upon it with ten times the contempt it had been treated by Mr. Vallandigham. Mr. Pugh is not arrested. None of the hundred others who have openly and boldly followed Mr. Pugh's example are arrested. Why does Mr. Vallandigham still suffer? What petty meanness or malicious spite stimulates the continued pursuit of him?

And the pursuit of him does not consist simply in his continued banishment. We have already informed the public of the government interdict laid upon the transmission to us by telegraph of his address to the people of Ohio. We have yet to inform the public that a government interdict is laid upon all telegraphic messages from Mr. Vallandigham Messages from him to his wife are suppressed! Our reporter whom we sent to Mr. Vallandigham, when he had been refused the telegraph for the transmission of Mr. Vallandigham's address, resorted to the express, and that was denied him! From the time that our reporter attempted to transmit the address by telegraph from Buffalo until he left Detroit for this city, he was dogged by a government detective. Had he placed a copy of the address in the post office for transmission, no doubt the mails would have been rifled by official authority!

Such, fellow-citizens, is something of the persecution of Mr. Vallandigham by the partisan dynasty at Washington. Such is something of the espionage, unlawful as it is abominable, to which he and every person or interest connected with him, is subjected. Is there an example for it in modern history? Does it not cap the climax of all the follies and crimes perpetrated by this Administration?

It is especially for the people of Ohio to resent and punish these wrongs and outrages. It is especially for the people of Ohio in this case to rebuke and repulse this malicious and shameless partisan dynasty at Washington, and vindicate their own manhood and dignity and sovereignty. If they shall not do it, they will deserve to live forever under the basest partisan dynasty that has ever afflicted the face of the earth.

—The Goshen Times says the crops promise well in that region. Corn and oats are in good condition, and the fruit will be quite plenty.

The Peace Question in the Cabinet--Mr. Seward's Proposal of an Amnesty and the Old Union--The Peace Mission of Alexander H. Stephens Explained.

WASHINGTON, July 10, 1863.

I am enabled positively to announce that the question of peace has already been considered in Cabinet circles. More than that, we are actually in the midst of a Cabinet crisis, growing out of the proposition made by Mr. Seward for the issuance of a Presidential proclamation offering an amnesty to the people of the South, withdrawing the emancipation proclamation, suspending the liabilities of the confiscation act, and offering, in short, full and free pardon and protection in their personal and property rights to the people of the South, only excepting the military and civil leaders in this great rebellion. Even these, Mr. Seward suggests, should be allowed their property, but not be eligible to hold office under the Government. This proposition has been considered in Cabinet council, so far, informally, but it has developed two parties.

Mr. Bates and Montgomery Blair favor it with certain modifications, while Messrs. Stanton and Chase violently oppose it. Mr. Welles is supposed also to be opposed to it. Mr. Usher, who always votes with the President, will decide whichever way that functionary does. The President has as yet expressed no opinion on this subject, but his speech at the serenade would seem to indicate that he is trying to make good his promise to free the slaves before consenting to a peace in the present emergency.

There are a number of leading Republicans now in this city, and the matter has been brought to their notice. They have arranged a programme, which will be submitted to the President to day or to morrow, under which they are willing that peace should be declared and the Union restored. It embraces the following, which, it is stated, was suggested by Mr. Chase:

First—Slavery shall cease in the whole United States after the year 1876, the minors at that time to remain slaves until 21 years of age; and slaves over 40 years old to have the option of their freedom or to remain with their masters. Provision is made for the loyal State receiving compensation for their manumitted negroes, but no compensation will be allowed to the Rebel States.

Second—A convention shall be called to revise the Constitution of the United States, with a view to striking out the three-fifths provision recognizing slavery as a basis of representative population, and providing for the emancipation of the slaves in accordance with the above programme.

Such is the scheme of the Republicans, and if Mr. Lincoln will consent to it, and the South is willing, we may have peace within two months. Mr. Seward's proposition is being vehemently denounced in Republican circles. He is called a traitor. Stanton insists that the Rebels must be driven to the wall; that no proposition shall be made to them; that, as they opened the fight first at Sumter, so they must consent to make the first tenders of peace; that it would be humiliating, after two and a half years of war, if the United States should endeavor to open peaceful relations with armed insurgents. He insists upon war to the bitter end, and is backed by the violent Abolitionists and the enormous counteracting interests, which of course do not wish to see the great source of their profits swept away. This last party will exercise a most powerful influence upon the deliberations on this subject. They are all powerful here in all the departments. Hence it is supposed that Mr. Welles, Mr. Stanton and Mr. Chase can be relied upon for the strongest opposition to all means looking toward an early peace.

I have also just learned the probable contents of Stephens' communication to the Government of the United States. It will be remembered that it was on the 4th when he asked to come on to Washington; and the scheme he was instructed to unfold had been arranged in Richmond before it was known that Lee was defeated in Pennsylvania, and when the Rebels had abundant reason for believing he would defeat the Army of the Potomac. They were also, however, aware that Vicksburg was certain to fall, and after it Port Hudson. It was believed that they could take advantage of the victory, as they supposed, of Lee, before the Washington Cabinet were aware of the capture of Vicksburg. It was the intention of Davis to offer a plan of peace, including the restoration of the Union, but on terms somewhat different from those generally understood by that phrase. Davis' scheme will be found sketched in the speech of Mr. Hunter, of Virginia, immediately previous to the rebellion. He proposed, in fact, separate governments for the North and South, but only one President.

This was to secure the Southerners from all interference with their property, and take the negro out of our national politics, but would include our foreign policy for both sections. It is a complex scheme, providing for two Congresses to settle the domestic concerns of the North and South, though but a single Executive. Davis shrewdly hoped that on the heels of the destruction of the Army of the Potomac, with Washington, Philadelphia and Baltimore within his grasp, the Cabinet at Washington would be willing to make terms for the restoration of the Union, even if it was a Union only in name. The refusal of the Government to listen to negotiations, the defeat of Lee's army and the capture of Vicksburg, put an entirely different face upon the aspect of the war; and the Rebels, with all their insolence and assumption, would not dream of offering any such terms again to the Federal Government. It is a great point gained that the Rebels were willing for reunion even when they expected a victory in Pennsylvania. Recent events will make them still more willing to listen to reason.—[Cor. N. Y. Herald.

From the Vicksburg Cor. of the N. Y. World.

Grant's Interview with Pemberton.

At half-past three o'clock General Grant, with his staff and several Generals, went to the rendezvous appointed, which was a small vale where fig trees and peach and apricot had bloomed in happier days—a hill on either side. On the crest of either hill, only about four hundred feet apart, were the forts of friend and foe, and between these were rifle pits filled with men. It was a strange sight; thousands of men who had been striving for each others' blood for two months past, who had never seen each other, though often within ten feet of each—it was a strange sight to see these men looking over the earthern breastworks in silence, without arms, at the foe with whom they had contended.

Men looked in eyes of men to read only hate. On the one side they looked as though they had passed along a path of powdered limestone, where thousands of feet had trodden it to impalpable dust. The others soiled, but well lead. The one with cap, the other with a pale slouch hat that shaded him from the sun.

It was one of those scenes that fill the mind with wonder—that bring the problem of life and the mysteries of philosophy up like hidden ghosts, and, like him whom the reverend ghost of Samuel quailed, sinks back and feasts again.

At the southern crest of the circle of hills appeared three horsemen. One of them—the first—was tall, of about forty-seven years of age, clad in gray, and mounted upon a bay horse. Upon his chin was a beard *a la Napoleon*; his eye of a dark that might be black; his hair of the same; complexion brown. The next was upon a gray horse; clad like the first He too was tall, gray eye, brown full beard, brown hair, full forehead, and a pleasant look that indicated "I may be mistaken in this, but I think you are the ones to blame." The third was about the hight of the others; but rather broader at the shoulders, though small at the waist. His hair was soft and long, his beard of a chestnut the same as his hair, and of the style known as English, very fine teeth, and if I were woman, I could kiss him, so kissable was his mouth. Of course I am losing sight of the fact that he was a Rebel.

Such were Pemberton, Bowen and Montgomery. Perhaps it is well to divest ourselves of prejudice at times and look at things as they are.

On the other crest came heroes. Their pictures are in all parlors, their names are on all lips. The leader, one who will live while history shall endure and fame sings the praises of those who battle for their country, came as quietly as the winds that met him, as modestly as the passion flowers that crept at his feet. All felt his presence, as we ever feel the influence of greatness when goodness is its handmaiden.

They met—and who shall read their hearts? The memories of youth seemed not to impress them. Both dismounted. Colonel Montgomery said, "General Grant, General Pemberton." They shook hands like strangers—

"Alas! they had been friends in youth."

After a few words about terms, which Pemberton insisted on and Grant ignored, the latter said, "Let us step aside;" and even the birds refuse to tell me further of the conversation.

Gen. McPherson and Gen. A. J. Smith, with Gen. Bowen and Col. Montgomery were left alone. Gen. Grant smoked his cigar all the time, while Gen. Pemberton broke off twigs of grass and wound them around his fingers. At 6 P. M. the interview closed, and our Generals mounted their steeds and returned to headquarters. The men on each side watched with almost breathless interest this strange scene, that may change the destinies of a nation.

The terms agreed upon, if conjecture is to be relied upon, are these: The Rebels are to be paroled in Vicksburg, the officers to retain their horses, and the whole to be allowed eight days' rations.

This arrangement is much better than that we should transport them and feed them until they are exchanged. They can not serve again until exchanged, nor will they at all, except a few. It convinces them of the humanity of our Government; that the object is not what they have been told, but it is useless to fight when submission brings them again to their homes.

Thus ends one of the most memorable sieges of history. Bravely has it been defended, and magnanimously was it treated.

The New York Express, in commenting upon the foregoing, remarks:

Contrast this magnanimous conduct of a lofty soldier, whose name is now enrolled high in the list of fame, with the mean, shuffling off of Alex. Stephens by the little men of Washington. Grant invites Pemberton to an interview, and when in interview, embarrassed by the aids about him, says let us step aside. What was done aside the whole world now knows. In this spirit the great Napoleon often acted when victor, and in this spirit, after the battle of Solferino, the present Napoleon invited the Emperor of Austria to his famous interview in the Lombard cottage.

The Conscription—The Riots.

The Tribune, under this head, has the following:

"The first man we ever heard advocate a general conscription for the prosecution of the war for the Union was Archbishop Hughes, in his sermon directly after his late return from Europe, last year He condemned the reliance on volunteering as hazardous, and as placing too large a share of the burden on the generous and public spirited, urging that, since the obligation to serve rested equally on all, the liability to risk should be apportioned accordingly.

"All last summer the Administration and Congress were abused by the Democrats for not having made larger requisitions and levies of men. Gen. Wilson, as Chairman of the Senate Military Committee, had expressed the opinion that we had men enough in the field, if properly impelled and handled, to crush the rebellion, and he was assailed for it as though he had been guilty of high treason. Mr. Pendleton, of Ohio, now a leading supporter of Mr. Vallandigham, was triumphantly cited by his political friends, as on record, for a far larger levy than had yet been made to uphold the cause of the Union. It helped him and his party in the elections of last fall."

Suppose we accept all this as fact—what then? Archbishop Hughes never *sermonized* for the three hundred dollar clause in the conscription act, which, in drawing the unhappy distinction between the poor and the rich, provokes and aggravates all these rights. Archbishop Hughes never *sermonized* for a conscription that ignores the States, and places in one hand, under martial law, the militia of all the States.

The objection of thousands and tens of thousands is not to the conscription, *per se*, under the Governors of States—*that* was cheerfully endured the last summer and autumn—but to the conscription of Provost Marshals of the United States, instructed to disobey State laws and State judicial processes even. A State conscription brings together in the ranks, neighbor with neighbor, brother with brother, friend and companion with friend and companion, to serve side by side in the same company or battalion, all together; whereas this Federal conscription picks up men, singly, and takes them off to Federal depots, where they cease to see their companions or friends. The Second avenue of this city, thus rebels against a conscription which forces the conscript from all his acquaintances, when it might cheerfully submit to one that brought all into the ranks together, and gave those ranks some voice in the selection of their own officers.

Senator Wilson was guilty of ignorance, willful ignorance, in extinguishing all volunteer patriotism when it was at its hight, which he did, in order to damage Gen. McClellan, who, he said, had men enough, and more than enough, to enter Richmond! The Express and other "Copperhead journals, at the time, warned and forewarned against all this, but we were only sneered at, as when in 1859-60, we were "saving the Union." What the Express and like journals asked for, was, not the 75,000 mock army of Mr. Lincoln, but for the million pronounced by them adequate at the start. The million then, under the Crittenden resolutions, was ready—aye, even a million and a half, if necessary. The Tribune and the like promised Mr. Lincoln that if he would issue his negro freeing proclamation, "swarms" from Massachusetts and "900,000" from New York and New England would rush to his side. Where are they? The President thus nearly killed off the whole spirit for volunteering, as much among the Republicans as among the Democrats. Hence this conscription.

Senator Wilson was guilty of ignorance, willful ignorance, in putting down the volunteer patriotism when it was at its hight, which he did in order to disgrace Gen. McClellan who, he said, had men enough, and more than enough, to enter Richmond.—[N. Y. Express.

A Proclamation of the President---Thursday, August 6th, set apart as a day of National Thanksgiving.

By the President of the United States.

A PROCLAMATION.

It has pleased Almighty God to hearken to the supplications and prayers of an afflicted people, and to vouchsafe to the Army and Navy of the United States, on the land and on the sea, victories so signal and so effective as to furnish reasonable grounds for augmented confidence that the Union of these States will be maintained, their constitution preserved and their peace and prosperity permanently preserved.

But these victories have been accorded not without sacrifice of life, limb and liberty incurred by brave, patriotic and loyal citizens. Domestic affliction in every part of the country follows in the train of these fearful bereavements. It is meet and right to recognize and confess the presence of the Almighty Father, and the power of His hand equally in these triumphs and sorrows.

Now, therefore, be it known, that I do set apart Thursday, the 6th day of August next, to be observed as a day for national thanksgiving, praise and prayer, and I invite the people of the United States to assemble on that oucasion in their customary places of worship, and in the forms approved by their own conscience, render the homage due to the Divine Majesty for the wonderful things He has done in the nation's behalf, and invoke the influence of His Holy Spirit to subdue the anger which has produced and so long sustained a needless and cruel rebellion; to change the hearts of the insurgents, to guide the counsels of the Government with wisdom adequate to so great a national emergency, and to visit with tender care and consolation throughout the length and breadth of our land all those who through the vicissitudes of marches, voyages, battles and sieges, have been brought to suffer in mind, body or estate and family, to lead the whole nation through paths of repentance and submission to the Divine Will back to the perfect enjoyment of Union and fraternal peace.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the city of Washington, this 15th day of July, in the year of our Lord one thousand eight hundred and sixty-three, and of the Independence of the United States of America the eighty eighth.

ABRAHAM LINCOLN.

By the President:

WILLIAM H. SEWARD,
Secretary of State.

ALLEGED ORDERS FROM NAPOLEON TO GEN. FOREY TO ANNOUNCE HIS RECOGNITION OF DAVIS IN MEXICO.—A dispatch from Paris of the 25th of June to the London Shipping Gazette contains the following:

The France of this day states that Admiral Forfait, who set sail for Vera Cruz the day before yesterday carried instructions to Gen Forey to issue a proclamation, immediately on arriving at the city of Mexico, to the effect that the French Government will recognize the Government of Mr. Jefferson Davis.

The same steamer takes out the news of the promotion of Gen. Forey to the rank of a Marshal of France.

From the New York Journal of Commerce, 15th.

The Riot.

Yesterday was a continuation of the day previous. The rain which had dispersed the mob on the night of Monday ceased at an early hour on Tuesday, and the rioters returned to their work. No sufficient measures had been taken by the city authorities to prevent a new outbreak. Indeed it was manifest that no power was at our command. It seems but the most absolute insanity on the part of the Government to attempt such a draft, after the many warnings given, without a squad of soldiers to enforce it, and when even the militia were absent from the city. We stand amazed at the recklessness of the Washington authorities and of the Mayor and Police Commissioners of this city, in permitting such a terrible risk to be run. They certainly were forewarned, and they should have been forearmed. Their neglect does not detract from the crime of the mob, but it places a heavy responsibility upon the shouldess of the men in authority.

The people were astounded on Monday, and could not believe the magnitude of the riot. Nor yesterday were they much more ready to enter into its greatness. The Evening Post of last evening devoted its leading editorial to belittling the whole affair, and denying that there were many rioters. So profoundly insensible were the men who ought to have been best informed, to the magnitude of the occasion. Never was the smallness of partisanship so clearly illustrated as in the efforts of the radical sheets to make political capital out of the riot. Sensible people were shocked and disgusted by this course. While the city was in the hands of a mob, these foolish people were exciting animosities and anger among the peaceable citizens. The Evening Post, in its reckless passion, actually charged that Gen. McClellan was one of those who encouraged this mob And in another editorial article the same paper described the firing on the mob with blank cartridges by some officer who thought to frighten them; and so enraged are the editors at the merciful disposition of this officer that they say "the officer who gave this order should be shot as quickly as possible, and another put in his place." We mention these follies by way of showing the entire failure of the minds of the Mayor, or of his friends and advisers, to understand at all the condition of things. They seemed to be thoroughly frightened out of their senses.

The arrival of Governor Seymour was most opportune. He was in New Jersey, and heard nothing of the riot until Monday night. He came to New York as early as possible in the morning, and proceeded at once to place the measures for suppressing the riot on a basis of order and strength.

It is a remarkable fact that Gov. Seymour had never been consulted by the Administration on the subject of the draft, its propriety or feasibility. It had been as carefully kept secret from him as from the people that it was to be made. He had no information as to the quota expected from New York, nor had there been any communication between him and the Washington authorities on the subject. This is another illustration of the temerity of those authorities as well as their blindness or disregard of the possible effects of the draft in our State.

The Governor issued a proclamation at once, by way of formality, and then a notice to the people to enroll themselves under officers whom he appointed specially for the occasion. Meantime troops were coming into town, and others were sent for, so that by this morning it is believed there will be ample force here to secure the peace of the city before night.

The mob continued the work of destruction through the day, backed by a general corps of thieves who attended them to ransack the houses which should be attacked. But the day was marked with less rapine and destruction than that which preceded it. The presence of the military and police force undoubtedly had an excellent effect in some parts of the city, though in others it produced none.

The mob were of a roving disposition. They rushed rapidly from one scene of destruction to another. They had gone mad with the two days' license, and boasted that they would burn the whole city. Their numbers were immensely large. It is impossible to estimate them accurately, since they were almost ubiquitous in the upper part of the city. Many thousand acted together, and many thousand besides gave countenance to the acts by silent presence.

It is a paramount duty with every citizen at such times to go home and stay there Lookers-on at rioters are always, even if unconsciously, aiders and abettors. No man should go to the scene of riot unless his duty calls him there. Great good will be accomplished to day, if the people not in the ranks will stay at home, and keep their children and employees at home.

Let every man who is able, this morning, answer the Governor's call for volunteers, and let all others obey his proclamation and remain quiet, attending to their own affairs. The mob must be suppressed to day, and every man must do his duty. This is no time for politicians to be charging each other with the responsibility of the mob. We will settle that question after we have put it down and prevented the further destruction of life and property. We are all agreed to do that. It is not worth while, it is dangerous, to be now dividing sentiment with reference to the political bearing of the riot. It is a great riot. It spreads destruction in our city. Its example is dangerous to the country. It must be put down at once by the strong arm of the law of the State.

The Rebel Ram Fleet.

The preparations of the Rebels to launch a formidable fleet of iron clad rams in English ship yards are approaching completion. Two rams were to be launched from Laird's works at Liverpool about the middle of this month, and a third at Glasgow the first of the month. These vessels, according to the New York Herald correspondent, are heavily plated, have each two turrets, and are armed with a projecting iron ram on the bow. They are built for sea-going vessels, and are intended to have high speed. The fact that they are constructed by eminent shipbuilders, who have the best materials to select from, is sufficient to warrant their perfect adaptation to their work. The vessels turned out under these auspices will be no such clumsy affairs as the Rebels have been able to construct in their own ports.

We do not anticipate that these vessels are to be directed against Northern ports, and the apprehensions of New Yorkers regarding that event may be deemed premature. The Rebels have more important work to do in clearing their own harbors of obstructions, caused by the blockade, and it is probable in that direction that the blow will fall. Whenever they become strong enough they will attempt to sink the fleet at Charleston or some other important port, and then maintain an open harbor for blockade runners The authority above mentioned surmises that these vessels will be on our coast in September. It is impossible that they should arrive as soon as that, and it is doubtful if they are in a condition for active operations before the end of the year. By that time, however, the whole five which are understood to be under construction will probably be arrayed against us. If we do not finish up the war before that time, the contest will be in a measure transferred from the land to the ocean, and we shall have work for the Monitors which they have not yet encountered.—[Chicago Times.

Mr. Vallandigham.

As is announced elsewhere, Mr. Vallandigham arrived at Niagara Falls, on the Canada side, yesterday morning. In anticipation of his arrival, we had dispatched one of our editorial corps to that point in order to facilitate any communication he might have to make to the people of Ohio. At an early hour last evening we received a dispatch from our reporter to the effect that Mr. Vallandigham had handed him the copy of an address to the people of Ohio, which he would at once dispatch to the Times by telegraph. At a later hour we were advised from the telegraph office here that the Government Military Censor had forbidden the transmission of the address!

Never mind. We shall soon have the address by mail. A censorship has not yet been established over the mails, and it will be wise in the partisan dynasty at Washington to refrain from attempting the establishment of one over them. The poor imbeciles may amuse themselves and annoy the people a while longer by obstruction of free communication by telegraph, but they will not venture to interfere with the mails, the expresses, or the railroads. They have still the power to excite popular contempt of themselves, but they have not the power to separate Mr. Vallandigham from the American people.—[Chicago Times.

From the New York Herald.

The Conscription Law Unconstitutional--Important Case before Judge McCunn.

In the matter of the complaint against Wm. L. Stephens, an enrolling officer, who arrested Henry Biesel for an alleged resistance to the draft in refusing to give his name to the said enrolling officer, and which has been before Judge McCunn for the past week, was decided by the Judge yesterday afternoon. The facts of the case were found to be as follows: That Stephens together with one Dodge, entered into the shop kept by the father of the complainant, on Seventh avenue, where they were at work; that Stephens demanded his name, which he did not refuse to give; and that while he was endeavoring to get him a card upon which his name was written, Stephens seized him, handcuffed him, and acted in a violent manner, drawing a pistol and threatening to shoot his father. He then locked Biesel up all night in the Park Barracks.

Judge McCunn held on this state of facts: First, that the arrest was a violation of the Second Revised Statutes, page 874, sec. 1, fourth edition, which makes it a misdemeanor for any officer, or person pretending to be an officer, to arrest any person, or detain any person against his will, without legal process or other lawful authority therefor. And, secondly, that the provisions of the conscription law, passed March 2, 1863, did not protect him, for, under the 25th section of the act, it was no offense to refuse to give a name to the enrolling officers. But, apart from this, Judge McCunn is of the opinion that the entire act is clearly unconstitutional, for it not only violates the rights of the people and creates a distinction amons the citizens, but it is in direct contravention of the 14th and 15th sub-divisions of section 8, of article 1, of the Constitution of the United States The Constitution, in authorizing Congress "to raise and support armies, provides only for the standing armies of the country, and not for the volunteer and temporary forces which any emergency may demand, because the fourteenth subdivision of the eighth section of article I, authorizes Congress "to provide for calling forth the militia to execute the laws of the Union, suppress insurrections and repel invasions." And article II of the amendments provides: "A well regulated militia being necessary to the security of a free State, the right of the people to keep and bear arms shall not be infringed." And for the purpose of using this militia force, the President is not only made the commander-in chief of the army and navy of the United States, but also of the militia of the several States when called into the actual service of the United States. And, therefore, as this conscription law does not make the force it creates a militia force of the States, nor is it part of the standing armies of the United States, it is clearly not authorized by the Constitution.

The standing army of the country could be increased by an act of Congress, and the subdivision referred to authorizes Congress to provide the means for raising it; but Congress, neglecting to do this, the only force the President is authorized to use, exclusive of the regular army and navy, is the militia and volunteer forces contributed by the several States when called upon. The Judge deeply regretted that the people had not had patience and patriotism enough, under the operation of the conscription law, to wait until the courts had fully determined this question. That the courts were able and equal to the duty of sustaining the rights of the citizens; and it was through the courts alone that their rights and safety in the end were fully and properly protected.

Stephens was held to bail in the sum of five thousand dollars.

John Sedgwick, Esq. Ex-Assistant District Attorney, appeared for Stephens, and Mr. C. C. Leeds for the prosecution.

From the Cincinnati Enquirer.

A Dangerous Conflict Between the State and Federal Authorities of New York.

There has arisen a most important case, which threatens to embroil the State and Federal Government in collision in New York. The case is this: Col. Burke, the commander of Fort Lafayette, refuses obedience to the writs of the State Courts of New York. He repulsed the Sheriff of Kings county by military force. He declared that he would not obey and respect the laws. He is acting under general instructions, as will be seen by the following from the New York correspondent of the Baltimore Sun:

"Provost Marshal Nugent has received instructions from Washington not to make returns hereafter to writs of habeas corpus issued by State Judges, further than to state in a respectful manner that such writs must be obtained from Judges of the United States Courts, when the United States is a party to the proceedings."

The State authorities are now called upon to maintain their jurisdiction. The Kings County case before alluded to is thus progressing:

"APPLICATION FOR THE REMOVAL OF A SHERIFF.

"Another step has been taken by the counsel in the matter of the Baltimore Police Commissioners. The Sheriff of Kings County having certified that he was unable to serve the writ of attachment issued by the County Judge against Colonel Burke (for disobedience to a writ of *habeas corpus*), the counsel for the political prisoners have now appealed to Governor Seymour to remove the Sheriff. They take the ground, it is understood, that the Sheriff can have sufficient military force, if he chooses to call for it, to capture Fort Lafayette and enforce the State laws; that the law itself contemplates no such contingency as a successful resistance to its authority.

"The charges against the Sheriff, duly verified, were presented to Governor Seymour, at the St. Nicholas Hotel, in this city, on Friday, the 10th inst. The Governor took them and promised an early action upon them. It is confidently believed by the complainants that the Kings county Sheriff will be removed and a new one appointed, who will call to his aid all the military power of the State in the effort to enforce its laws."—[New York Herald, July 13.

We have little doubt that the Kings county Sheriff will be removed and a new one appointed, who will enforce the State laws, if he has to call out the whole force of Brooklyn for that purpose. If that is not sufficient, Governor Seymour is pledged by his message to employ the whole military force of the State to that object. Col. Burke and all Federal officers are as much bound to obey the laws of the State of New York as the New York rioters are. There can be no distinction of persons. The position of the Federal Government destroyed all State rights and State laws, and tramples them in the dust. It is a striking evidence of the short sighted folly of the authorities at Washington that they should thus seek to destroy the rights of States, which are their main support in this struggle. What possible good can be effected by collisions with the State authorities and State courts? How much better to obey them cheerfully and with alacrity, and thus avoid the most dangerous complication? We speak now as a matter of policy alone, but how much higher is the dictate of principle to that end!

WHAT THE RIOT MEANS.—Many people profess to discover a deep significance in the riot. Some see in it the plotting of Southern emissaries; others believe it to be the work of political conspirators of various names. Many more are just as certain they see Romanism with knife and torch, thirsting for the blood of heretics. We are told by others that the original instigators have fled, but thieves and ruffians now fill up the ranks in hope of plunder. Reformers see a war of the poor against the rich, betokening a great civil revolution. In truth, all these elements are generally engaged in such riots as this. Where the foundations of order are broken up, society becomes the prey to all kinds of bad men. The corrupt classes, political and moral, seek to further their own base purposes by taking advantage of the prevailing disorder. This is the explanation of such a contrariety of opinions.—[N. Y. Journal of Commerce.

☞ The recent French election showed Louis Napoleon that the people were dissatisfied with M. Persigny, his Minister and personal friend. The consequence was that the latter had to retire and make room for some person who was not so obnoxious to the French people. The wily Emperor understands how to make himself popular a little better than some other rulers that might be named.

☞ The Democratic party has all along contended that this rebellion was to be suppressed by armies skillfully wielded. The radicals have contended it was to be done by emancipation proclamations, and negro schemes, generally. Which were right? Let Vicksburg and Gettysburg answer.—[Cleveland Plain Dealer.

Bogus Parties.

The Louisville Democrat, under this head, has a very forcible article, containing truths of great significance. We quote:

We have been plunged into the black horrors of civil war by two disunion parties, aiming to grasp each other by the throat—each eager for the strife, angry, defiant and traitorous to all that constituted our Federal Union.

Southern disunionists or secessionists appear openly in their true character, and glory in their proper name. There is no counterfeit in their party—we know what they are and how to meet them. But Northern disunionists are in some respects a more dangerous party, because, though far less formidable in arms, they are far more terrible in their snaky malignity—their inexhaustible cunning, and their capacity for disguise and fraud.

The radical Northern party, which by accident obtained the control of our Government and endeavored to crush our every vestige of civil liberty, as well as every principle of humanity, is the basest counterfeit we have ever seen.

They profess to be devoted Unionists—to be fighting for the Union, ravaging and plundering for the Union, trampling down the Constitution for the sake of the Union, violating all the rights of States and rights of citizens for the sake of preserving the Union, violating their solemn oaths for the sake of the Union, when their entire party, from head to tail, is nothing but a disunion party, and, by an instinct as keen as the wolf's for blood, is following up every measure which tends to the present and permanent destruction of the Union.

The press of our country has not with proper efficiency performed its duty in exposing this gigantic fraud, and millions are following the dictates of corrupt party leaders whom they would spurn with scorn if their true political principles were properly understood.

The entire Abolition party are a set of disunion conspirators and secessionists, whose political success has been obtained by false pretenses, by cunning jugglery, by denying their true principles and by professing to be the very reverse of what they are—*Disunion Traitors.*

Their first campaigns for the Presidency were under the disunion motto that the United States Constitution was "a league with hell," and the doctrine that the Southern and Northern States should be separated unless free negroism would be established

They assumed the name of Republican because their true principles were anti republican. They are the only anti-republican party our country ever held. They have done their utmost to destroy every remnant of republican government. The rights of States and of citizens—the freedom of the press and of speech—freedom of elections and security of the citizen in his personal liberty, they have assailed with a recklessness never surpassed before. Until the advent of this corrupt party, we never had in our country the apologists or advocates of military despotism. Now the doctrine of the unlimited power of the President is sustained by the Black Republican party, and they are organized in secret conference—"Loyal Leagues"—to enforce despotic doctrine by the bayonet

Despots in principle, they assume to be Republicans in name, and with the same brazen audacity in all their strategies, being disunionists in principle, they assume the name of Union party wherever they find the name of Republican too thoroughly defiled and tattered to serve any longer as a disguise.

This party never was, and is not now, (so far as it has any principles but public plunder) anything but a disunion party. Its first Presidential campaigns were undisguised disunionism. Its campaign under Fremont was conducted with a sixteen starred flag—a disunion flag, under which it is probable that Mr. Lincoln himself deposited a vote for the Fremont ticket. We might quote a dozen speeches of the leaders of this party to show that they are still hostile as ever to the Union, and only partially reconciled for the time being to its existence, by the hope that it will enable them to subjugate and devastate the South, turn loose the negroes, annihilate State rights and destroy the Democratic party. They have repeatedly consulted and plotted as to the question whether the time had arrived to fling away all disguise and come out openly for a dissolution of the Union.

A party so utterly corrupt and inhuman, so accustomed to disguise and false pretenses, is formidable in proportion to the ignorance or gullibility of the people, and flourishes only by the suppression of free speech and a free press.

It never dares to present itself before the people in its naked deformity, or in the full breadth of its principles. It makes its way by insinuating a portion of its private creed or public measures wherever it can find or make a corrupt corner that will yield to its pressure or bribery. It works in under every plausible disguise and patriotic profession, always selecting a name the most opposite to its true nature, and making professions the most opposite to its habitual practices.

If it cannot spread its principles, it asks support for its measures, and if it cannot get support for them, it asks support for its men, or for men whom it knows to be corrupt at heart, or to sympathize with Abolition violence and lawlessness.

Mr. Lincoln's Washington Speech.

The speech of Mr. Lincoln, delivered on the occasion of the late victories of our armies, is far from being conciliatory. He refers to the Declaration of Independence, and to the words "that all men are created free and equal," which, in his opinion, includes the negroes and all other people of color. This is precisely what the Declaration of Independence did not mean, or George Washington would not have owned slaves, and no provisions would have been made to give the Southern States a representation in Congress based on three fifths of their negroes. The question of slavery was entirely left to the States; and it is morally certain that, had the negro in those days been declared the equal of the white man, no Union would have been formed, and no Constitution adopted.

According to Mr. Lincoln's interpretation of the Declaration of Independence, it was similar to his emancipation proclamation, declaring all negroes, with one fell swoop, free, and the equals of the whites. If that had been the understanding, all subsequent acts of Congress would have been in flagrant violation of it; and the fathers of the revolution, from Gen. Washington down to Madison and Jackson, would have been perjured men. If the Declaration of Independence declared the negroes free and equal to the whites, why was it that so many States continued to hold negro slaves, and why did the New England States, which desired the abolition of slavery because it