

We append a copy of the Constitution bill as it passed the House on the 15th, one A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE FILLING UP OF EXISTING COMPANIES, SQUADRONS, BATTALIONS AND REGIMENTS, AND TO INCREASE THE PROVISIONAL ARMY OF THE CONFEDERATE STATES.

SECTION 1. The Congress of the Confederate States do enact, That when the President shall consider an increase of the forces in the field necessary to repel invasions, or for the public safety in the pending war, he is authorized, so hereinafter provided, to call into the military service of the Confederate States, for three years or during the present war, if it should be sooner ended, all white male citizens of the Confederate States, not legally exempted from such service, between the ages of thirty-five and forty-five years; and such authority shall exist in the President during the present war, as to all persons who who now are or may hereafter become eighteen years of age, and when once enrolled, all persons between the ages of eighteen and forty-five years shall serve their full time. Provided, That if the President, in calling out troops into the service of the Confederate States, shall first call for only a part of the persons between the ages hereinbefore stated, he shall first call for those between the age of thirty-five and any other age less than forty-five, and apportion the same between the several States, taking into consideration their relative population between the ages of thirty-five and forty-five, and the number of troops already furnished to the army by the respective States under former acts—so far as the same may be practicable without departing from the principle of calling out troops according to age; and provided, further, That in estimating the number of troops furnished by any State under former acts, each State shall be credited with all the companies mustered into service from said State.—Provided, however, That the regiment raised under and by the authority of the State of Texas, and now in the service of said State for frontier defence, are hereby exempted from the provisions and operations of this act.

SAC. 2. That the President shall make such call by requisition upon the Governors of the several Confederate States for all or any portion of the persons within their respective States between the ages of thirty-five and forty-five years, and also for those who now are or may hereafter become eighteen years old, as aforesaid, not legally exempted; and when assembled in camps of instruction in the several States, they shall be assigned to and from part of the companies, squadrons, battalions, and regiments heretofore raised in their respective States and now in the service of the Confederate States; and the number that may remain from any State after filling up existing companies, squadrons, battalions and regiments from such State to their maximum legal number, shall be officered according to the laws of the State having such residue.

SAC. 3. That if the Governor of any State shall refuse or shall fail for an unreasonable time, to be determined by the President, to comply with said requisition, then such persons in such State are hereby made subject, in all respects, to an act entitled "An act further to provide for the public defence," approved April 16, 1862, and the President is authorized to enforce said act against such persons.

SAC. 4. That for the purpose of securing a more speedy enrollment of the persons rendered liable to military service under this act, the President may, immediately upon making the requisition authorized therein, employ in any State, whose Governor shall consent thereto, officers of the Confederate States to enroll and collect, in the respective camps of instruction, all the persons called into service aforesaid.

SAC. 5. That the persons brought into military service by this act shall be assigned to the company from their State now in the service of the Confederate States which they may prefer to join, subject to such regulations as the Secretary of War may establish, to secure the filling up of existing companies, squadrons, battalions, and regiments from the respective States; Provided, That persons liable to military service under the provisions of this act, and able-bodied men over the age of 45 years, may volunteer and be assigned to duty in such company, from their State, as they may select; Provided, That said company shall not, by reason thereof, be increased beyond its legal maximum number: and Provided, further, That the right of volunteering in, or of being assigned to, any company, shall not interfere with the objects of this act, or produce inequality or confusion in the different arms of the military service: Provided, that the President is authorized to suspend the execution of this act, or the acts to which this is an amendment or any special provision or proviso of said acts, in any locality, when he believes such suspension will promote the public good; and that in such localities, and during said suspension, the President is authorized to receive troops into the Confederate service under any of the acts passed by the Confederate Congress prior to the passage of the act to further provide for the public defence, approved 16th April, 1862.

THE PRESENT ASPECT OF THE WAR—THE POSITION OF THE NORTH—THE CRISIS OF LIFE AND DEATH.

Such is the heading the New York *Herald* gives to one of its leading editorials on the war. The *Herald* readily admits that the present aspect of the war is "painful, humiliating and alarming," and says:

After eighteen months of war by land and water, involving the wasting of an immense army and the expenditure of a thousand millions of dollars, what is our position? Disgracefully, defensive! As the opposing armies of this war stand this day we cannot, without a sense of shame and humiliation, contemplate the contrast between the immense forces and resources of war at the service of our government and the pitiful weakness of our rebellious States. We have a loyal population of twenty-three millions, against eight millions serving this rebellion, and of these eight millions, nearly three millions are African slaves. The white population of New York and Pennsylvania is greater than that of our rebellious States. Our manufacturing establishments of all descriptions render us a self-sustaining people for all the requirements of peace or war; and with these advantages we retain all those of an unrestricted commerce with foreign nations. Our rebellious States, on the other hand, with only a few insignificant manufacturers of arms and materials of war, textile fabrics, leather, have been cut off by an encircling blockade for fifteen months from all those supplies upon which they had depended from the North and from Europe, in the way of arms, munitions of war, clothing, medicines, and many of the essentials of subsistence.

The rebellion is without the vestige of a navy, except a straggling ship or two, while ours in this war is equal to a land force of three or four hundred thousand men. Our revolted States are nearly exhausted of the commonest articles of food, while we of the loyal States have a superabundance of all the essentials and luxuries of life. Our troops, *en masse*, are better armed, equipped and subsisted than those of any other nation, while those of the rebellion are armed with all sorts of weapons, good, bad and indifferent, clothed in rags, fed upon half rations, and yet, advancing upon our borders, they threaten the invasion of Ohio and Pennsylvania, and the occupation of our national capital.

From the evacuation of Corinth down to this day, our armies in almost every encounter have been pushed back by the overwhelming forces of the enemy; and to now, while Washington is menaced by a great rebel army on both sides of the Potomac, the clothing stores and pork houses of Cincinnati are threatened with a visit from the hungry and ragged battalions of a rebel army column all the way from Tennessee.

We have no more time to waste in trifling. We are in the very crisis of life or death to the country.

Every day we stand upon the defensive contributes much to strengthening the rebels in the articles of subsistence and clothing, which they are gathering up from the farms, mills and stores of northern Maryland. They should at once be driven out. If Gen. McClellan is not strong enough to do this without danger to Washington from the rebel column on the Virginia side, a hundred thousand strong, what is there to prevent New York, New Jersey and Pennsylvania sending down to his support a body of fifty thousand militia within the next ten days?

FROM THE ENEMY'S LINES.

We have had an opportunity recently of conversing with one who has been within the enemy's lines since the evacuation of Norfolk. It is indeed heart-breaking to listen to an account of the wrongs, privations, and insults, besides the robbery of property, to which the citizens thus situated have had to submit. Nearly all the negroes have gone to the enemy's camps; houses, barns, smokehouses, chicken roosts, &c., have been robbed, and indignity and insult are heaped upon the owners while the vile thieves are stripping them of their property.

But in the midst of all this oppression and wrong, how have polluted their consciences by taking the infamous and hated oath of allegiance, or accepting a "parole," for the protection of their property and the security even of their families—as they promise, but notoriously disregard.

Gen. Vicks, the officer in command at Norfolk, is spoken of as a gentlemanly kind of a man, especially to the ladies who visit him for a redress of grievances committed by his prowling, thieving soldiery. Our informant cites instances of restitution of some property, but no negroes are ever given up.

The citizens of Norfolk and Portsmouth and surrounding country, are bold and defiant in their necessary intercourse with the Yankees—plainly telling them that their time will soon come. God speed the day.—*Spirit of the Age.*

Gen. Frémont has been restored to command.

REPORTED CAPTURE OF LEESBURG BY THE YANKEES.

The President on yesterday received a dispatch from the Surgeon at Warrenton, Fauquier, stating that a report had reached that place, of the re-capture of Leesburg, by the Yankee forces. The dispatch states that the Yankees shelled the town before entering it.

LATEST FROM NASHVILLE.

A gentleman from Shelbyville, says the Chattanooga "Advertiser" brings Nashville news up to Friday last. He says that Buell left Nashville some ten days ago with all his force except Thomas' division, in the direction of Bowling Green; but has since returned to Nashville with all his force, and commenced fortifying the city, having impressed all the negroes in the county of Davidson for that purpose. The gentleman confirms the statement of the difficulty between Johnson and Buell. Well informed persons believe that Buell's fortifying Nashville is a ruse, and that he intends to retreat by way of the Tennessee river.

HIGHLY INTERESTING FROM MARYLAND.

An officer of General Lee's staff, who arrived at this city last evening, direct from Maryland, brings intelligence of an important and deeply interesting character. He reports a pitched battle on the soil of Maryland, in which the Confederates are said to have been again victorious. We give the report as it reaches us.

On Sunday morning, the fourteenth instant, McClellan, with a force of eighty thousand men, having passed Frederick, whether on the north or south is not stated, fell upon D. H. Hill's division, comprising the rear of our army at Boonsboro'. The attack was one of well sustained vigor and impetuosity, but Hill, although almost overborne by superior numbers, held his ground resolutely until night put an end to the battle. At an early hour next morning, Longstreet came to Hill's assistance, when an immediate combined attack was made on the forces of McClellan. The battle was long, obstinate, and bloody, but resulted in the signal defeat of the Federals, who were driven back five miles from their position.

The loss on both sides is said to have been very great. D. H. Hill's division suffered severely, especially on Sunday, when alone it withstood the onslaught of McClellan's entire army. At last accounts General Jackson, after having disposed of the Yankees at Harper's Ferry, was marching down the south bank of the Potomac, with the design of crossing into Maryland and falling upon McClellan's rear. A great and decisive battle is thought to be imminent.

It is well to note that no official information, relative to this rumoured engagement, has been received here. The latest official advices from General Lee are to the 13th instant, inclusive.

FROM HARPER'S FERRY.

The Lynchburg "Republisc" of yesterday says it has "information of a very authentic character, that a severe battle took place at Harper's Ferry, on last Sunday evening and Monday morning, between General Jackson and the Yankees, which resulted in the defeat of the latter, and the surrender of their army, numbering ten thousand men." The "Republisc" then goes on to give some particulars of the affair. From its account we make a summary. The battle was begun at three o'clock on Sunday evening and raged with great fury till nightfall. Throughout the night our cannon played upon the works of the enemy. At daylight, Monday morning, the combat was renewed and kept up with unabated violence until nine o'clock. A. M., when General Miles, the Yankee commander, proposed to surrender. This proposition was of course acceded to, and our forces at once marched into and took possession of the enemy's works.

The immediate and tangible fruits of this victory are reported to be ten thousand Yankee prisoners, one thousand runaway negroes, fifty pieces of artillery and an immense amount of commissary and quartermaster stores. No estimate of the loss has as yet been made. Ours is known to be heavy. The army's loss is believed, greatly exceeds ours, as he was, during the engagements both of Sunday and Monday, exposed to the deadly fire of our cannon stationed on the heights surrounding his position.

General Samuel Garland, Jr., of Lynchburg, is reported among the killed.

[LATRE.]

A gentleman who arrived here last evening by the Central train reports, upon the authority of Major West, of Jackson's army, that Harper's Ferry was surrendered at discretion by the Yankees on Sunday (Monday) last. The number of prisoners taken is variously estimated at between eight and twelve thousand, while the number of slain and fugitive slaves captured is said to be much greater than has yet been reported, being between fifteen hundred and two thousand.

The body of General Samuel Garland, Jr., of Lynchburg, who was killed in the attack on this place, was brought to this city last evening. General Richard Garnett, is reported as having been killed, but whether at Harper's Ferry or on the Maryland side we have been unable to learn. No official information has been received here of the capture of Harper's Ferry, which may be accounted for by the fact that General Jackson would report not direct to General Lee, but to General Lee.

Rick. Examiner.

A Frightful Accident.—We are pained to learn that as the Hon. Wm. S. Ashe, President of the Wilmington and Weldon Railroad, was passing up the road towards his residence a few miles this side of Wilmington on a hand car, on Friday evening last about dark, he was met by the regular mail train from Goldsborough. The two others on the car jumped off and escaped injury, but Mr. Ashe was thrown forward on the track, and dreadfully mangled. He died, we understand, on Sunday evening.—Hillsborough Register.

No new cases of Yellow Fever have been reported to-day. There seem to be no indications of the disease extending itself, and there is no ground for fright or panic. All the excitement will pass away in a few days.—Wilmington Journal.

FROM THE ARMY OF NORTHERN VIRGINIA.

In the absence of any positive information on the subject, it is believed here, in official circles, that a successful movement of a part of our army has been made on Harper's Ferry, and that the place and its garrison have been captured.

Gentlemen who reached this city by the Central train last evening bring conflicting reports. A report which comes by way of Staunton is to the effect that after an obstinate engagement General Jackson, on Sunday last, succeeded in taking Harper's Ferry and its garrison, but that large Yankee force, entrenched on the Maryland heights, still held out successfully against the attack of our army. On the contrary, a gentleman tells, upon the authority of the Provost Marshal at Gordonsville, that a courier had arrived at that place bringing the intelligence of the capture, by General Jackson, of the entire Yankee force in and around Harper's Ferry, and also of a thousand runaway negroes. We think it certain that definite information will be received from this quarter during to-day.

Rick. Examiner.

The capture of this place has been confirmed.

FROM MARYLAND.

We have been permitted to see a letter dated Frederick, September 12, written by Thomas J. Yarrington, of Union Springs, Alabama, a brother of the editor of the Columbus, Georgia, Sun. He says our army was cordially received at Frederick, and presented with a large drove of beefs by the citizens. The citizens had also presented to General Jackson a splendid war horse. Nothing could exceed the enthusiasm excited by "old Stonewall." The people of Maryland are fully aroused, and their enthusiasm in the cause unbounded. Our army has daily accessions of strength by enlistments.

FROM THE SOUTHWEST.

An official dispatch dated Chattanooga received here yesterday, confirms the telegraphic report, published in yesterday's Examiner, of the retreat of Rosecrants from Iuka, on the 13th instant, and the subsequent occupation of that place, by General Price's army. The enemy abandoned several hundred thousand dollars worth of army stores. The same dispatch mentions that Rosecrants and a portion of his army had reached Nashville.—Rick. Examiner.

THE KANAWHA SALINER.

The following telegraphic dispatch, dated Dublin September 16, was received yesterday by the Secretary of War:

Hon. George W. Randolph :

General Loring's command entered the Kanawha Salines last Saturday morning and took possession of the Salt Works, closely pursuing the enemy en route for Charleston. Salt Works not much injured. A very large quantity of salt on hand selling for thirty-five (35) cents per bushel. An order has been sent to me urging the farmers to send forward their wagons loaded with forage, &c., and return with salt.

(Signed) THOMAS L. BROWN,
Major Commanding Post.
Rick. Examiner.

The Late Battle.—The Lynchburg Virginian learns through a letter from the Rev. W. A. Crocker, Supt. of the Army Intelligence Office, himself now at Gainesville, that the loss in killed in our recent battles will not exceed 500, and the wounded (most of whom slightly) reaches between 15 and 1,000. Mr. Crocker has every facility for arriving at a correct estimate. He says that the great disparity between our loss and that of the Yankees is truly remarkable, and most astounding to the enemy. He says that between fifty and a hundred ambulances have been engaged day and night in removing the Yankees wounded from Manassas, and up to Saturday last, 3,000 wounded still remained on the field. Where Jackson fought on Friday the ground is corrugated four deep with Yankee slain, the slaughter there being the most terrible of the war. The very name of Jackson, he says, is a terror to the foe. He reports that our commissaries are buying abundance of stores in Maryland, and getting bacon for ten cents a pound. He estimates the Yankee loss in killed and wounded at 12,000, and says that their whole army is utterly demoralized. They say that Pope is a coward, McDowell a traitor, and as for McClellan, they scarcely venture an opinion now. They have lost confidence in their officers, and conceive a high opinion of ours.

Outrageous Cruelty.—Gen. Tilghman has delivered a speech at Jackson, Miss., reciting the particulars of his treatment while a prisoner in the hands of the Yankees. He said that Gen. Buckner and himself were thrown into a dungeon thirty feet under ground, and for four months and a half were excluded from the light of day, and not permitted to exchange a word with any living soul. The day of reckoning for such barbarity is at hand.

The General thought that we would have peace in less than six months, the North being sick of the war. We have been told from reliable sources, that the Yankees have not been able to recruit their ranks, and that their losses have exceeded their gains. Their numbers are now less than those of the Confederates, and their supplies are becoming more scarce. The general idea is that they will be compelled to withdraw from the field of battle, and that they will be forced to abandon their fortifications. The general idea is that they will be compelled to withdraw from the field of battle, and that they will be forced to abandon their fortifications.

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