GOV. BROWN'S MESSAGE.

Extracts from the Message of Gov. Brown to the Landaure of Georgia, in extra session, March 1864.

THE CURRENCY. e late action of the Congress of the Confeder, Btates upon the subject of the currency has renered further legislation necessary in this State spon that question. It cannot be denied that this t has seriously embarrassed the financial system of this State, and has shaken the confidence of our cople in either the justice of the late Congress or ts competency to manage our financial affairs. Probably the history of the past furnishes few more striking instances of unsound policy combined with bad faith. The government issues its Treasury note for \$100, and binds itself two years after a treaty of peace between the Confederate States and the United States, to pay the bearer that sum; and stipulates upon the face of the note, that it is fundable in Confederate States' stocks or bonds, and receivable in payment of all public dues except expert duties. The Congress while the war is still progressing, passes a statute that this bill shall be funded in about forty days or one third of it shall be repudiated, and that a tax of ten per cent a month shall be paid for it after that time by the holder, and it shall no longer be receivable in payment of public dues, and if it is not funded by the 1st of January next, the whole debt is repudiated. Did the holder take the note with any such expectations? Was this the contract, and is this the way the government is to keep its faith? If we get rid of the old issues in this way, what guaranty do we give for better faith, in the redemption of the next issues! Again, many of the notes have the express promise on their face, that they shall be fundable in eight per cent bonds. When? The plain import is, and so understood by all at the time of their issue, that it may be done at any time before the day fixed on the face of the note for its payment. With what semblance of good faith then, does the government before that time compel the holder to receive a four per cent. bond, or lose the whole debt? and what better is this than repudiation? When was it ever before attempted by any government, to compel the funding of almost the entire paper currency of a country, amounting to seven or eight hundred millions of dollars, in forty days? This is certainly a

new chapter in financiering.

The country expected the imposition of a tax, and all patriotic citizens were prepared to pay it cheerfully at any reasonable sacrifice; but repudiation and bad faith were not expected, and the authors of it can not be held guiltless!

The expiring Congress took the precaution to discuss this measure in secret session, so that the individual act of the representative could not reach his constituents, and none could be annoyed during its consideration by the murmurs of public disap probation being echoed back into the Legislative Hall. And to make assurance doubly sure, they fixed the day for the assembling of their successors at a time too late to remedy the evil or afford adequate redress for the wrong.

These secret sessions of Congress are becoming a

blighting curse to the country. They are used as a convenient mode of covering up from the people such acts or expressions of their representatives as will not bear investigation in the light of day. Almost every act of usurpation of power, or of bad faith, has been conceived, brought forth and nurtured, in secret session. If I mistake not the British Parliament never discussed a single measure in se cret session during the whole period of the Crimean War. But if it is necessary to discuss a few impor tant military measures, such as 'may relate to the movement of armies, &c., in secret session, it does not follow that discussions of questions pertaining to the currency, the suspension of the writ of habeas orpus, and the like, should all be conducted in se ret session. The people should require all such peasures to be discussed with open doors, and the ss should have the liberty of reporting and free criticising the acts of our public servants. In is way the reflection of the popular will back upn the representative, would generally cause the teat of such unsound measures as those which are ow fastened upon the country in defiance of the

ill of the people.
But dismissing the past and looking to the future, e inquiry presented for our consideration is how all the State authorities act in the management of e finances of the State? As the Confederate States easury notes constitute the currency of the couny, the State has been obliged to receive and pay m out; and she must continue to do so, as long s they remain the only circulating medium. The esent Legislature has very wisely adopted the licy, in the present depreciated condition of the urrency, of collecting by taxation a sufficient sum currency, to pay the current appropriations of State government; instead of adding them to debt of the State to be paid in future upon the old basis. If the State issues her own bonds and uts them upon the market, or if she issues her own reasury notes redeemable at a future day in her onds, she adds the amount so issued to her peranent indebtedness; and defeats the policy of payng as she goes; as her own bonds or notes, n be out, and could pot be redeemed with the infederate notes when received into her treasury. If the State receives in payment of taxes the preat Confederate treasury notes, they will be uced in amount one-third by act of Congress after first of April next, and the State receiving them at par pays a Confederate tax of 331 per cent. upon all eys that pass through her treasury. This of

ourse cannot be submitted to.

The repudiation policy of Congress, seems thereore to have left us but one alternative; and that is receive and pay out only such issues of Confedate notes, as under the act of Congress pass at par, thout the deduction of 33% on any other per cent. But as we are obliged to have funds before the time then the new issues of Confederate notes can go nto circulation, the question presented is how shall supply the treasury in the meantime? In my dgment the proper plan will be to issue State reasury notes, payable on the 25th day of Decemper next at the treasury, and each of the more imortant cities of this State in Confederate treasury tes, of such issue as may be made after first Apri next, to be used as a circulating medium. This bles the State to anticipate the new issues, and se them in advance of their circulation by Confedrate authority. The new Georgia treasury notes of this issue, would be just as good as the new Confederate notes; because payable in them, and ould be as current in payment of debts. The act hould provide that all taxes hereafter due the State or this year, shall be payable in the Confederate reasury notes of this new issue, and that they shall e deposited in the treasury, when collected, to releem the State notes payable in them. The act hould also provide that the State notes shall be returned and the Confederate notes received in place of them within three months after they are due, or hat the State will no longer be liable for their paynent. This would prevent holders from laying them away, and refusing to bring them in for pay nent when due, according to the terms of the co ract. As the State tax is not due till next full, here will be an abundant supply of the new Con ederate notes in circulation by that time, to obviate all difficulty in obtaining them by our people to pay ne tax.

I recommend the passage of a joint resolution, uthorizing the Governor to have funded in the six er cent. bonds, provided for by the act of Congress, Il Confederate notes which may remain in the trea ury; or may be in the hands of any of the finan ial agents of the State, after the first day of April ext; and to sell and dispose of such bonds at their narket value in currency, which can be made availble in payments to be made by the treasury; and o credit the Treasurer with arry losses that may corue by reason of the failure of the bonds to bring

HE NEW MILITIA ORGANIZATION AND CONSCRIPTION. Since your adjournment in December, the Adju-ant and Inspector General, under my direction, bas one all in his power to press forward the organizan of the Militia of the State, in conformity to the t passed for that purpose; and I have the pleasto state, that the enrollments are generally ade, except in a few localities, where proximity the enemy has prevented it, and the organizaons will soon be completed.

At this stage in our proceedings, we are met with midable obstacles, thrown in our way by the late t of Congress, which subjects those between 17 1 50 to enrollment as conscripts, for Confederate rvice. This act of Congress proposes to take entire military force, who belong to the active more may be safely taken; but when it is reached, and "no warrants shall issue," but upon pro-

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list, and to leave her without a force in the different counties sufficient to execute her laws or suppress servile insurrection.
Our Supreme Court has ruled that the Confederate government has the power to raise armies by conscription, but it has not decided that it also has

the power to enroll the whole population of the State who remain at home, so as to place the whole people under the military control of the Confederite government, and thereby take from the States all command over their own citizens, to execute their own laws; and place the internal police regu-lations of the States in the hands of the President. It is one thing to "raise armies," and another, and quite different thing to put the whole population at home under military law, and compel every man to obtain a military detail upon such terms as the central government may dictate, and to carry a milita-ry pass in his pocket while he cultivates his farm, or attends to his other necessary avocations at Neither a planter nor an overseer engaged upon

the farm, nor a blacksmith making agricultural im plements, nor a miller grinding for the people at home, belongs to, or constitutes any part of the ar-mies of the Confederacy, and there is not the shadow of Constitutional power vested in the Confeder ate government for conscribing, and putting these classes and others engaged in home pursuits under military rule, while they remain at home to dis-charge these duties. If conscription were constitutional, as a means of raising armies by the Confederate government, it could not be constitutional to conscribe those not actually needed, and not to be employed in the army, and the Constitutional power to "raise armies," could never carry with it the power in Congress to conscribe the whole people, who are not needed for the armies, but are left at home because more useful there, and place them under military government, and compel them to get military details to plough their fields, shoe their farm horses, or go to mill.

Conscription carried to this extent is the essence of military despotism; placing all civil rights in a state of subordination to military power, and put-ting the personal freedom of each individual in civ-I life at the will of the chief of the military power. But it may be said that conscription may act upon one class as legally as another, and that all classes are equally subject to it. This is undoubtedly true. If the government has a right to conscribe at all, it has a right to conscribe persons of all classes, till it has raised enough to supply its armies. But it has no right to go farther and conscribe all, who are by its own consent to remain at home to make supplies. If it considers supplies necessary, somebody must make them; and those who do it, being no part of the army, should be exempt from conscription and the annoyance of military dictation, while engaged

in civil and not military pursuits.

If all between 17 and 50 are to be enrolled and placed in constant military service, we must conquer the enemy while we are consuming our pre ent crop of provisions, or we are rained; as it will be impossible for the old men over 50, and the boys under 17, to make supplies enough to feed our armies and people another year. I think every hing about our agricultural interests and resources will readily admit this.

If, on the other hand, it is not the intention to put those between 17 and 18, and between 45 and 50, into service as soldiers, but to leave them at beine to produce supplies, and occasionally to do police duties within the State, which properly belong to the militia of a State, or in other words, it is the intention simply to take the control of them from the State, so as to deprive her of all power, and leave her without sufficient force to execute her own laws, or suppress survile insurrecneeded for constant service in the Confederate armies, under the control of the President while engaged in their civil pursuits, the act is unconstitu tional and oppressive, and ought not to be executed

If the act is executed in this State, it deprives her of her whole active militia, as Congress has so shaped it as to include the identical persons em braced in the act passed at your late session, and to transfer the control of them all from the State to the Confederate government.

The State has already enrolled these persons under the solemn act of her Legislature for her own defence, and it is a question for you to determine, whether the necessities of the State, her sovereignty and dignity, and justice to those who are to be affected by the act, do not forbid that she should permit her organization to be broken up, and her means of self-preservation to be taken out of her hands. If this is done, what will be our condition? I prefer to answer by adopting the language of the present able and patriotic Governor of Virginia; "A sovereign State without a soldier, and without the dignity of strength-stripped of all her men, and with only the form and pageantry of nower-would indeed be nothing more than a wretched dependency, to which I should grieve to

see our proud old commonwealth reduced. I may be reminded that the enemy has three times as many white men, able to bear arms, as we have, and that it is necessary to take all between the ages above mentioned, or we cannot keep as many men in the field as he does.

If the result depend upon our ability to do this, we must necessarily fail. But, fortunately for us, this is not the case. While they have the advantage in numbers, we have other advantages, which, if properly improved, they can never overcome. We are the invaded party, in the right, struggling for all we have, and for all that we expect our posterity to inherit. This gives us great noral advantage over a more powerful who, as the invaders, are in the wrong, and are fighting for conquest and power. We have the inner and shorter lines of defence; while they have the longer and much more difficult ones. For instance, if we desire to reinforce Dalton, from Wilmington, Charleston, Savannah and Mobile, or to reinforce either of those points, from Dalton, we can do so by throwing troops rapidly over a short line from one point to the other. If the enemy wishes to reinforce Charleston or Chattanooga, from Washington or New Orleans, he must throw his troops a long distance around, almost upon the circumference of a circle, while we meet them with our reinforcements, by throwing them across the diameter of a semi-circle. This difference in our favor, is as great as four to one, and enables us, if our troops are properly handled, to repel their as-saults, with little more than one fourth their

In consideration of these, and numerous other advantages, which an invaded people, united and determined to be free, always have, it is not wise policy for us to undertake to keep in the field as arge a number as the enemy has.

It is the duty of those in authority, in a country engaged in a war which calls for all the resources at command, to consider well what proportion of the whole population can safely be kept under arms. In our present condition, surrounded by the enemy, and our ports blockaded, so that we can place but little dependence upon foreign supplies, we are obliged to keep a sufficient number of men in the agricultural fields, to make supplies for our troops under arms, and their families at home, or we must ultimately fail.

The policy which would compel all our men to go to the military field, and leave our farms uncul livated, and our workshops vacant, would be the most fatal and unwise that could be adopted. In that case the enemy need only avoid battle, and continue the war, till we consume the supplies now on hand, and we would be completely in their

There is a certain proportion of a people in our condition who can remain under arms, and the balance of the population at home can support them.

every man taken from the field of produ ed as a consumer in the military field, makes us that much weaker; and if we go far beyond the proportion, failure and ruin are inevitable, as the army must soon disband, when it can no longer be supplied with the necessaries of life. There is resson to fear, that those in authority have not made safe calculations upon this point, and that they do not fully appreciate the incalculable importance of the agricultural interests in this struggle.

We are able to keep constantly under arms two hundred thousand effective men, and to support and maintain that force by our own resources and productions, for twenty years to come. No power nor State can ever be conquered so long as it can maintain that number of good troops. If the enemy should bring a million against us, let us remember that there is such a thing as whipping the fight without fighting it, and avoiding pitched battles and unnecessary collisions; let us give this vast force time to melt away under the heat of summer and the snows of winter, as did Xerves' army in Greece and Napoleon's in Russia, and the enemy's resources and strength will exhaust when so prodigally used much more rapidly than ours when properly econ omized. In properly economizing our strength and husbanding our resources, lies our best hope of suc-

Instead of making constant new drafts upon the agricultural and mechanical labor of the country. for recruits for the army, to swell our numbers be yond our present muster rolls, which must prove our ruin, if our provisions fa., I respectfully submit that it would be wiser to put the troops into the army, and leave men enough at home to support them. In other words, compel the thousand of young officers in gold lace and brass buttons who are constantly seen crowding our railroads and hotels, many of whom can seldom be found at their posts; and the thousands of straggling soldiers who are absent without leave, or, by the favoritism of officers, whose names are on the pay rolls, and who are not producers at home, to remain at their pre sent places in the army. This is justice alike to the country, to the tax-payers, to the gallant officers who stand firmly at the post of duty, and the gallant soldiers who seldom or never get furloughs, but are always in the thickest of the fight. When they are enduring and suffering so much, why should the favorites of power and those of their comrades who seek to avoid duty and danger, be countenan ced or tolerated at home, while their names stand upon the muster rolls?

If all who are able for duty, and who are now nominally in service drawing pay from the government, are compelled to do their duty faithfully, there will be no need of compelling men over 45 to leave their homes, or of disbanding the State militia to place more men under the President's control.

CONFLICT WITH THE CONFEDERATE GOVERNMENT. But it may be said that an attempt to maintain the rights of the State will produce conflict with the Confederate government. I am aware that there are those who from motives not necessary to be here mentioned, are ever ready to raise the cry of conflict, and to criticise and condemn the action of Georgia, in every case where her constituted authorities protest against the encroachments of the central power, and seek to maintain her dignity and sovereignty as a State, and the constitutional rights and liberties of her people.

Those who are unfriendly to State sovereignty, and desire to consolidate all power in the hands of the Confederate government hoping to promote their undertaking by operating upon the fears of the timid, after each new aggression upon the con-stitutional rights of the States, fill the newspaper presses with the cry of conflict, and warn the people to beware of those who seek to maintain their constitutional rights, as agitators or partizans who may embarrass the Confederate government in the

Let not the people be deceived by this false clamor. It is the same cry of conflict which the Lincoln government raised against all who defended the rights of the Southern States against its tyranny. It is the cry which the usurpers of power have ever raised against those who rebuke their encroach ments and refuse to yield to their aggressions.

When did Georgia embarrass the Confederate government in any matter pertaining to the vigorous prosecution of the war? When did she fail to turnish more than her full quota of troops, when she was called upon as a State by the proper Confederate authori ty? And when did her gallant sons ever quail before the enemy, or fail nobly to illustrate her char-I cter upon the battlefield?

She cannot only repel the attacks of his enemie on the field of deadly conflict, but she can as proud-/ repel the assaults of those who, ready to bend th nee to power for position and patronage, set themselves up to criticise her conduct, and she can con n lently challenge them to point to a single instance an which she has failed to fill a requisition for troops anade upon her through the regular constitutional channel. To the very last requisition made she re ponded with over double the number required.

She stands ready at all times to do her whole du ly to the cause and to the Confederacy, but while ne does this, she will never cease to require that er constitutional rights be respected and the liber-ties of her people preserved. While she deprecates Il conflict with the Confederate government, if to squire those be conflict, the conflict will never end all the object is attained.

"For freedom's battle once begun,

vill be emblazoned in letters of living light upon er proud banners; until State sovereignty and conitutional liberty, as well as Confederate indepenence, are firmly established.

SUSPENSION OF THE HABEAS CORPUS I cannot withhold the expression of the deep morfication I feel at the late action of Congress in atmpting to suspend the privilege of the writ of abeas corpus, and to confer upon the President owers expressly denied to him by the Constitution f the Confederate States. Under pretext of a ne essity which our whole people know does not exist 1 this case, whatever may have been the motives, ur Congress with the assent and request of the xecutive, has struck a fell blow at the liberties of

ie people of these States. The Constitution of the Confederate States de ares that, "The privilege of the writ of habeas irpus shall not be suspended, unless when in cases rebettion or invasion the public safety may reuire it." The power to suspend the habeas corpus all is derived, not from express and direct delegaon, but from implication only, and an implication in never be raised in opposition to an express reriction. In case of any conflict between the two. i implied power must always yield to express re rictions upon its exercise. The power to suspend ie privilege of the writ of habeas corpus derived by

press declaration in the Constitution that: The right of the people to be secure in their ersons, houses, papers, and effects, against unreanable searches and seizures, shall not be violated d no warrants shall issue but upon probable caus apported by oath or affirmation, and particularly scribing the place to be searched, and the persons things to be seized," and the further declaration at "no person shall be deprived of life, liberty of roperty, without due process of law." And that

"In all criminal prosecutions the accused shall joy the right of a speedy and public trial by an npartial jury of the State or District were the crime all have been committed, which district shall have en previously ascertained by law, and to be incmed of the nature and cause of the accusation; be confronted with the witnesses against him; to we compulsory process for obtaining witnesses in s favor; and to have the assistance of counsel for

Thus it is an express guaranty of the Constituon, that the "persons" of the people shall be se-

bable cause supported by oath or "affirmation." particularly describing "the persons to be selsed;" that, "no person shall be deprived of liberty, without due process of law," and that in "all criminal ns" the accused shall enjoy the right of a speedy and public trial, by an impartial jury."

The Constitution also defines the powers of the Executive, which are limited to those delegated, among which there is not one authorizing him to made warrants or order arrests of persons not in actual military service; or to sit as a judge in any case, to try any person for a criminal offence, or to appoint any court or tribunal to do it, not provided for in the Constitution as a part of the judiciary. The power to issue warrants and try persons une criminal accusations are judicial powers, which belong under the Constitution exclusively to the judi-ciary and not to the Executive. His power to order arrests as Commander-in-Chief is strictly a military power, and is confined to the arrest of persons subject to military power, as to the arrest of persons in the army or navy of the Confederate States; or in the militia, when in the actual service of the Confederate States; and does not extend to any persons in civil life, unless they be followers of the camp or within the lines of the army. This is clear from that provision of the Constitution which declares that,

"No person shall be held to answer for a capital. or otherwise infamous crime unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia when in actual service in time of war or public danger." But even here, the power of the President as Commander in Chief, is not absolute, as his powers and duties in ordering arrests of persons in the land or naval forces, or in the militia when in actual service, are clearly defined by the rules and articles of war prescribed by Congress. Any warrant issued by the President, or any arrest made by him, or under his order, of any person in civil life and not subject to military command, is illegal and in plain violation of the Constitution, as it is impossible for Congress by implication, to confer upon the President the right to exercise powers of arrest, expressly forbidden to him by the Constitution. Any effort on the part of Congress to do this, is but an attempt to revive the odious practice of ordering political arrests, or issuing letters de cachet by royal prerogative so long since renounced by our English ancestors; and the denial of the right of the constitutional judiciary to investigate such cases, and the provision for creating a court appointed by the Ex-ecutive and changeable at his will, to take jurisdiction of the same, are in violation of the great principles of Magna Charta, the Bill of Rights, the habeas corpus act, and the Constitution of the Confederate States, upon which both English and American liberty rest; and are but an attempt to revive the odious Star-Chamber court of England, which in the hands of wicked kings, was used for tyranuical purposes by the crown, until it was finally abolished by act of parliament, of 16th Charles the first, which went into operation on the first of August 1641. This act has ever since been regarded as one of the great bulwarks of English liberty; and as it was passed by the English Parliament to secure our English ancestors against the very same character of arbitrary arrests, which the late act of Congress is intended to authorize the President to make, I append a copy of it to this message, with the same italics and small capital letters, which are used in the printed copy in the book from which it is taken. It will be seen that the court of "Star Chamber, which was the instrument in the hands of the Eng-

lish King for investigating his illegal arrests and carrying out his arbitrary decrees, was much more respectable, on account of the character, learning and ability of its members, than the Confederate Star-Chamber or court of "proper officers," which the act of Congress gives the President power to to appoint to investigate his illegal arrests.

I am aware of no instance in which the British King has ordered the arrest of any person in civil life, in any other manner than by judicial warrant, issued by the established courts of the realm; or in which he has suspended, or attempted to suspend the privileges of the writ of habeas corpus, since the Bill of Rights and act of settlement passed in 1659. To attempt this in 1864, would cost the present reigning Queen no less price than her crown.

The only suspension of the privileges of the writ of habeas corpus known to our Constitution, and compatible with the provisions already stated, goes to the simple extent of preventing the release under it of persons whose arrests have been ordered under constitutional warrants from judicial authority. To this extent the Constitution allows the suspension in case of rebellion or invasion, in order that the accused may be certainly and safely held for trial; but Congress has no right under pretext of exercising this power, to authorize the President to make illegal arrests prohibited by the Conssitution, and when Congress bas attempted to confer such pow-ers on the President, if he should order such i'legal arrests, it would be the imperative duty of the judges, who have solemnly sworn to support the Constitution, to disregard such unconstitutional legislation, and grant relief to persons so illegally imprisoned; and it would be the duty of the Legislative and Executive departments of the States to sustain and protect the judiciary in the discharge of this obligation.

By an examination of the act of Congress now under consideration, it will be seen that it is not an act to suspend the privilege of the writ of hubeas corpus in case of warrants issued by judicial authority; but the main purpose of the act seems to be to authorize the President to issue warrants supported by neither oath nor affirmation and to make arrests of persons not in military service, upon charges of a nature proper for investigation in the judicial tribunals only, and to prevent the Courts from inquiring into such arrests, or granting relief against such illegal usurpations of power, which are

in direct and palpable violation of the Constitution.

The act enumerates more than twenty different causes of arrest, most of which are cognizable and tryable only in the judicial tribunals established by the Constitution, and for which no warrants can legally issue for the arrest of persons in civil life by any power except the judiciary, and then only upon probable cause supported by oath or affirmation, particularly describing the persons to be seized such as "treason," "treasonable efforts or combina tions to subvert the government of the Coul derate conspiracies to resist the lawful authori ty of the Confederate States," giving the enemy "aid and comfort," "attempts to incit a servile in surrection," "the burning of bridges," " Railroad," or "telegraph lines," "harboring deserters," and "other offences against the laws of the Confederate States, &c., &c. And as if to pla to the usurpation of power beyond doubt or cavil, the act expressly declares that the "suspension shr all apply only to the case of persons arrested or detair ,ed by the President, the Secretary of War, or the General officer commanding the Trans-Mississip', military department, by authority and under the control of the President, in the cases enumerated in the act, most of which are exclusively of judicial cognizance, and in which cases the President has not the shadow of constitutional authority to issu a warrants-or order arrests. but is actually prohibi ed by the Constitution from

doing so.

This, then, is not an act to suspend the privilege of the writ of haber is corpus, in the manner authorized by implication, by the Constitution; but it is an act to authorize the President to make illegal and unconstitu' ional arrests, in cases which the Constitution gi ves to the judiciary and denies to the Executive; a id to prohibit all judicial interference for the relief of the citizen, when tyrannized over illegal arres t, under letters de cachet issued by ecutive auf hority.

Instead of the legality of the arrest being e ed in the tribunals appointed by the Consecutive it is to be examined in the Confederate Star ber; that is, by officers expointed by c'

per officers to investigate? the legality of arrests ordered by him? Why not permit the Judges, whose constitutional right and duty it is, to de ut?

We are witnessing with too much ind fference assumptions of power by the Confederate government. which, in ordinary times, would arouse the whole country to indignant rebuke and stern resistance. History teaches us that submission to one encreach-ment upon constitutional liberty is always followed by another; and we should not forget that important rights, yielded to those in power, without re-buke or protest, are never recovered by the people

without revolution.

If this act is acquiesced in, the President, the Secretary of War, and the commander of the Trans-Massissippi department, under the control of the President, each has the power conferred by Congress, to imprison whomsoever he chooses; and it s only necessary to allege that it is done on account of "treasonable efforts," or of "conspiracie to resist the lawful authority of the Confederate States," or for "giving aid and comfort to the ene-my," or other of the causes of arrest enumerated in the statute, and have a subaltern to file his affi davit accordingly, after the arrest, if a writ of Kabeas corpus is sued out, and no court dare inquire into the cause of the imprisonment. The statute makes the President and not the courts the judge of the sufficiency of the cause for his own acts. Either of you or any other citizen of Georgia, may at any moment (Mr. Vallandigham was in Ohio) be dragged from your homes at midnight by armed force, and imprisoned at the will of the President. upon the pretext that you have been guilty of some ffence of the character above named, and no court known to our judiciary can inquire into the wrong, or grant relief.

When such bold strides towards military despotism and absolute authority are taken by those in whom we have confided, and who have been placed in high official position, to guard and protect constitutional and personal liberty, it is the duty of every patriotic citizen to sound the alarm, and of the State Legislature to say in thunder tones to those who assume to govern us by absolute power, that there is a point beyond which freemen will not

permit encroachments to go.
The Legislatures of the respective States are cooked to as the guardians of the rights of those whom they represent, and it is their duty to meet such dangerous enactments upon the liberties of the people promptly, and to express their unqualified condemnation, and to instruct their Senators and request their Representatives to repeal this most nonstrous act, or resign a trust which, by permitting it to remain on the statute book, they abuse, o the injury of those who have honored them with their confidence, in this trying period of our history. I cornestly recommend that the Legislature of this State take prompt action upon this subject, and stamp the act with the seal of their indignant

Can the President no longer trust the judiciary with the exercise of the legitimate powers conferred upon it by the Constitution and laws? In what instance have the grave and dignified Judges proved disloyal or untrue to our cause? When have they tors, skulkers or spies? Have they not in every instance, given the government the benefit of their doubts in sustaining its action, though they might thereby seem to encroach upon the rights of the States, and for a time deny substantial justice to the people? Then why this implied censure upon

What justification exists now for this most monstrous deed, which did not exist during the first or second year of the war, unless it be found in the act, that those in power have found the people ready to submit to every encroachment rather than make an issue with the government, while we are at war with the enemy, and have, on that account. been emboldened to take the step which is intended to make the President as absolute in his power of arrest and imprisonment as the Czar of all the Russias? What reception would the members of Congress from the different States have met in 1861. ad they returned to their constituents and informed them that they had suspended the habeas corpus, and given the President the power to imprison the people of these States with no restraint upon his sovereign will? Why is liberty less sacred now then it was in 1861? And what will we have gained when we have achieved our Independence of the Northern States, if in our effort to do so, we have permitted our form of government to be subverted. and have lost Constitutional liberty at home?

The hope of the country now rests in the new Congress soon to assemble. They must maintain our liberties against encroachment, and wipe this and such stains from the statute book, or the sun of liberty will soon set in darkness and blood, Let the constituted authorities of each Stage send

up to their representatives, when they assemble in Congress, an unqualified demand for prompt redress; or a return of the commissions which they hold from their respective States.

[Gov. Brown here discusses at great length "The Cause of the War, How Cenducted, and Who Responsible," in the course of which the enemy is soundly scored for his vandalism, and the federals are assured that if they continue the dupes of Abraham Lincoin and the redical abolitionists, they will be involved in the end in one general ruin. I

. HOW PEACE SHOULD BE SOUGHT. In view of these difficulties, it may be asked Wher. and how is this war to terminate? It is impossible to say when it may terminate, but it is say to say how it will end. We do not seek to conquer the Northern people, and if we are true to our selves they can never conquer us. We do not seuk to take from them the right of self government or to govern them without their consent, And they have not force enough to govern us without our consent, or to deprive us of the right to govern ourselves. The blood of hundreds of theu sands may yet be spilt, and the war will not still be terminated by force of arms. Negotiation will finally terminate it. The pen of the statesmen, more potent than the sword of the warrior, must do what

the latter has failed to do.

But I may be saked how negotiations are to commence when President Lincoln refuses to receive commissioners sent by us, and his Congress reseaves. to hear no proposition for peace. I rerry hat, in my opinion, it is our duty to keep it share before the Northern people and the civilized world that we are ready to negotiate for peace whenever spa. peo-ple and government of the Northern states are prepared to recognize the great fundar ontel principles of the Declaration of Independen to maintained by our common ancestry—the right, of alt to self-government, and the sovereignty of the States. In my judgment, it is the duty of our government, after each important victory ach cover by our gallant and glorious armies on the battle field, to make a distinct proposition to the Northern government for peace on these terms. By doing this, if the proposition is declined seem, we will hold them up constantly in the mong before their own people and the judg' APIN of mankind. If they refuse to receive the etumissioners who bear the proposition, publish it in the newspapers, and let the congeir rulers be known to the people, and may areasonable ground to hope that the time

tice, and a desire for self-protection against de-Northern States to hurl from power those who deny the fundamental principle upon which their own liberties rest, and who can never be satiated with human blood. Let us stand on no delicate point of ctiquette or diplomatic ceremony. If the proposition is rejected a dozen times, let us tender it again after the next victory—that the world may be reassured from month to month, that we are not re-

Lot it be repeated again and again to the North-ers people, that all we sak in that they recognize the great principle upon which their own government rests the sovereignty of the States, and let our own people held our own government to a strict secount for every eneroschment upon this vital

Herein lies the simple solution of all these trou-

Herein lies the simple solution of all these troubles.

If there be any doubt, or any viestion of doubt, as to the sovereign will of any one of all the States of this Confederacy upon the subject of their present or future alliance, let all armed force be withdrawn, and let that sovereign will be fairly expressed at the ballot box by the legal voters of the State, and let all parties abide by the decision. Let each State have and freely exercise the right

to determine its own destiny, in its own way. This is all that we have been struggling for from the beginning. It is a principal that secures "rights, in-estimable to freemen, and formidable to tyrants

Let both governments adopt this mode of settlement, which was bequeathed to them by the great ment of the Revolution, and which has since been adopted by the Emperor Napoleon as the only just mode for the government of States, or even pro-vinces, and the ballot-box will soon achieve what the sword cannot accomplish-restore peace to the country, and uphold the great documes of State severeignty and constitutional liberty.

If it is a question of strife whether Kentucky or

Marvland, or any other State shall cast her lot with the United States or Confederate States, there is no mode of settling it so justly, with so little cost, and with so much satisfaction to her own people, as to withdraw all military force from her limits, and leave the decision, not to the sword, but to the ballot box. If she should decide for herself to abolish slavery and go with the North, the Confederate government can have no just cause of complaint, for that government had its origin in the doctrine that all its just "powers are derived from the consent of the governed," and we have no right to insist on governing a sovereign State against her will. But if she should decide to retain her institutions and go with the South, as we doubt not she will when the question is fairly submitted to her people at the polls, the Lincoln government must acquiesce, or it must repudiate and trample upon the very essential principles on which it was founded, and which were carried out in practice by the fathers of the Republic, for the first half century of its existence.

What Southern man can object to this mode of settlement? It is all that South Carolina, Virginia, or Georgia, claimed when they seceded from the Union. It is all that either has at any time claimed, and all that either ever can justly claim. And what friend of Southern independence fears the re-sult? What has the Abolition government done to sause the people of any Southern State to desire to reverse her decision, and return ingloriously to its embrace? Are we afraid the people of any se-ceded State, will desire to place the State back in the Abolition Union, under the Lincoln despotism, after it has devastated their fields, laid waste their country, burned their cities, slaughtered their sons, and degraded their daughters? There is no reason

But I may be told that Mr. Lincoln has repudiated this principle in advance, and that it is idle again to tender a settlement upon these terms. This is no reason why we should withhold the repeated renewal of the proposition. Let it be made again and again, till the mass of the Northern people underatand it; and Mr. Lincoln cannot continue to stand before them and the world, stained with the blood of their sons, their husbands, and their fathers, and insist, when a proposition so fair is constantly tendered, that thousands of new victims shall still continue to bleed, to gratify his abolition fanaticism, satisfy his revenge, and serve his ambition to govern these States, upon the decision of one-tenth of the people in his favor, against the other nine tenths. Let the Northern and Southern mind be brought to contemplate this subject in all its magnitude, and while there may be extreme men on the Northern side, satisfied with nothing less than the subjugation of the South, and the confiscation of our property, and like extremes on the Southern side, whose morbid sensibilities are shocked at the mention of negotiation, or the renewal of an offer by us for a settlement upon any terms, I cannot doubt that the cool headed, thinking men, on both sides of the line, who are devoted to the great principles of self-government and State sovereignty, jucluding the scar covered veterans of the army, will finally settle down upon this as the true solution of the great problem which now embarrasses so many millions of people, and will find the higher truth between the two extremes.

If, upon the sober second thought, the public sentiment North sustains the policy of Mr. Lincoln, when he proposes, by the power of the sword, to place the great doctrines of the Declaration of Independence, and the Constitution of his country, under his feet, and proclaims his purpose to govern these States by military power, when he shall have obtained the consent of one tenth of the governed, how can the same public sentiment condemn him, if, at the head of his vast armies he shall proclaim himself Emperor of the whole country, and submit the question to the vote of the Northern people, and when he has obtained, as he could easily do, the vote of one-tenth in his favor, he shall insist on his right to govern them as their legitimate sovereign? If he is right in principle in the one case, he would unquestionably be right in the other. If he may rightfully continue the war against the South to sustain the one, why may he not as rightfully turn his armies against the North to establish the

But the timid among us may say, how are we to meet and repel his armies, if Mr. Lincoln shall continue to reject these terms; as he claims not only the right to govern us, but he claims the right to take from us all that we have.

The answer is plain. Let every man do his duty; and let us as a people place our frust in God, and we shall certainly repel his assaults, and achieve our Independence, and if true to ourselves and posterity we shall maintain our constitutional liberty also. The achievement of our independence is a great object, but no greater than the preservation of constitutional liberty.

The good man cannot read the late proclamation of Mr. Lincoln, without being struck with the resemblance between it, and similar one, issued several thousand years ago, by Ben-hadad, king of Syria. That wicked king denied in others the right of selfgovernment; and vaunting himself in numbers, and outting his trust in charlots and horses, he invaded srael, and bessiged Samaria with an overwhelming force. When the king of Israel, with a small band, resisted his entrance into the city, the Syrian king sent him this message: "Thou shalt deliver me thy silver and thy, gold, and thy wives, and thy children; yet I will send my servents unto thee to morrow, about this time, and they shall search thy source and the houses of thy servants, and it shall be, that whatsoever is pleasant in thine eyes, they shall put in their hands and take it away." king of Israel consulted the Eiders, after receiving this arrogant message and replied; "This thing may not do." Ben-hadad enraged at this reply, and confident of his strength, sent back and said:

"The Gods do so to me, and more also, if the dust of Samaria shall suffice, for handfuls, for all . the people that follow me." The king of Israel answered and said, "Tell him, let not him that girdeth on his harness, boast himself as he that putteth it

The result was, that the small band of Israelites guided by Jehovah, attacked the Syrian armies, and routed them with great slaughter, and upon a second trial of strength the Syrian armies were destroyed and their king made captive.

When Mr. Lincoln, following the example of this wicked king, and relying upon his chariots, and has vast armies, to sustain a course equally unjust, proclaims to us, that all we have is his, and that he will send his servants, whose numbers are over whelming, with arms in their hands to take it, and threatens veggeance if we resist; let us-"Tell him, let not him that girdeth on his harness, beast himself as he that putteth it off." The race is not to the swift, nor the battle to the strong.

"God is the judge, he putteth down one and set-

teth up another. Not doubting the justice of our cause, let us stand in our allotted places, and in the name of Him who rules the hosts of Heaven, and the armies of earth, let us continue to strike for liberty and indepesdence, and our efforts will ultimately be crowned

with triumphant success.

JOSEPH E BROWN.