CORRESPONDENCE.

House of Connons, Dec. 6, 1864. S. F Phillips, Esq : -

DEAR SIR: - Your friends are anxious to see the substance of your speech to day in print, and the wholesome truths it contained disseminated among

Please furnish us with a full report of it at as early a day as your convenience will allow.

Very respectfully,

Your obedient servants, D. M. CARTER, A. C. COWLES, EUGENE GRISSOM THOS A. ALLISON, R S. DONNELL, DANL G. FOWLE, M. MCGEHEE.

House or Connors, 6th Dec., 1864.

Cal Carter and others:

GENTLEMEN: - I will comply with your request within a day or two. Thanking you for the compliment you have paid ine, and wishing the speech were more worthy of I am, very truly, Your friend and servant, S. F. PHILLIPS.

SPEECH OF SAMUEL F. PHILLIPS, ESQ., CE ORANGE,

In the House of Commons of North-Carolina, Tuesday December 6th, 1864; on the subject of Impressments. MR. SPEAKER!-

Recent occurrences in the county of Orange have suggested to me the propriety of introducing the resolutions which have inst been read. I do not mean to say that Orange has suffered more from the action of agents for impressments than the other counties of the State, but the recency of that action among my constituents rendered it proper that I should call the attention of the Legislature to it.

The preamble to those resolutions assaits truths which no intelligent gentleman upon this floor, whether lawyer or not, will deny. I shall not trouble the House with an argument upon them. The first of the resolutions which follow, makes allegations which, if true, are palpable violations of the rights asserted in the preamble. The only question which arises upon that resolution is as to its truth .-And, upon this question, I might perhaps m ke a witness of every gentleman upon this floor. For I can hardly doubt that every one here has been so far personally enguizant of facts going to establish this point that he might be called as a witness to establish it before a court and jury.

Within the last two weeks an agent of the Confederate States has impressed in the county of Orange 160 horses and males at an average price, as I was informed by an officer of the government engazed in the transaction, of about \$700 with. I enquired of the sauze gentleman what was the average market value of the animals thus taken, and was answered "at least \$2,100 each." It appears, then, that by this single operation, the Confederate States' government has forcibly seized for its own use more than \$300,000 worth of property; and left in the hands of its owners little scraps of brown paper, promising to pay at some indefinite period about \$100,000! In simple language, it is a transaction by which that government has possessed itself of \$200,000 worth of property without paying a single dellar of equivalent! It has, by its agents, acting under a regularly organized system, robbed certain persons whom those agents have selected within the county referred to, of \$200,000. The county which I have the honor, in part, to represent in this House, makes up a Senatorial district, and contains about one fiftieth of the property in the State. Doing these impressment agents the justice to suppose that they have been impartial in their visits to the various sections of the State, the House will see that they have in the item of horses and mules rebbed the State of some \$10,000,000 worth of property. I mean to say that in the name and under the machinery of the Confederate government, they have overawed certain citizens of North-Carolina into delivering to that government property worth \$15,000,000, at a nominal price of \$5,000,000. This action comes fully up to my conception of the idea contained in the word robbery.

If the action which has recently taken place in Orange county were the consequence of the presumption of a subordinate agent of the government, it were more easily tolerated than now. Or if it arose from the occasionally irregular working of the machinery of that government it might be better borne. That it is part of the settled policy of the Confederate States, and the regular and intended effect of certain acts of Congress is that which gives this action its peculiar unpleasantness, and makes it the more imperative for this Legislature to utter its remonstrance and protest. When wrong is done under the color of law, it becomes most dangerous.

I hold in my hand a pamphlet containing the "General Orders" issued to the army from Richmond, from which it appears that this subject of impressment has occupied the attention of the government for several years As early as the month of June, 1862, an order was issued regulating this subject. Some months afterwards it appears by another order that great complaints had been made to the government in relation to it. The complaints compelled Congress, about the month of April, 1863, to pass an act upon the subject, a great part of which is still in force. That net provides that where officers impress property that is in the hands of its producer, two referees (with liberty to select an um; ire) shall be chosen by the officer and the owner respectively, and they shall settle the price to be paid; where the property is not in the hands of the producer, but of a man who holds it for sale, the price to be paid by government shall be regulated by the schedule prices fixed by the Commissioners appointed for making the schedule. This difference between the producer and the other classes was maintained, however, for but a few days, as another act, passed before the 1st of May, 1863, provided that in all cases of impressment the impressing officer might endorse

to the Commissioners upon schedule prices.
As these persons had already appraised property of the sort in dispute, it is clear that the practical operation of these laws in either case is to give the owner only schedule prices. . For instance, in the case of a horse, the owner may always be sure that if he choose to make ever so much opposition it will result in his getting only he price of one or another of the classes under the schedule. A paper now in hand, being a warning to a gentleman in Orange that the government agent wished to buy a horse, makes this evident, for the proposal made by him is ex-pressly to buy it at schedule prices, the penalty being an impressment. Of course such an officer would never approve an award by referees giving a greater price. He would appeal until he brought it where it was certain that none but schednle prices would be given. So well, indeed, is this understood, that, as I was informed, the referees at Hillsboro' confined themselves to assigning the horses to one or another of the classes in the last schedule. And, as might well have been anticipated, in the whole assembly of irri-

tated and outraged citizens, no one took

In discussing this matter I am not to be

an appeal.

heated with words. I press through them into the substance of this transaction; and I gather the intention of government from the uniform action of its agents through a period of years, and after its attention has confessedly again and again been called to the subject. What was done in my own county in November, 1864, has been done (and often in a much more galling manner) in other counties and other States, in the Spring and Fall of 1862--in the Spring and Fall of 1863, and in the Spring and Fall of 1864; and that which has been cited in regard to horses, has been done time and again in regard to wheat, corn, cattle and many other articles of property. I am not then to be abused by having pointed to my attention that the act of Jongress provides in terms for a "just compensation." I reply that the act, after using these smooth words, inaugurates a system of proceedings which never has given the citizens that compensation of which it speaks. It of purpose keeps the word of promise to the ear, and breaks it to the hope. Throughout the whole State, and so far as I am informed throughout the whole country, its operation has been uniform. It cannot be that such uniformity of action among many different persons who have no opportunity for consultation, has not been dictated by the common source of their appointment -I mean the government. Mr. Memminger and Mr. Trenholm, who have tried one wild experiement after another upon the currency, make use of these commissioners of schedule prices in the course of these experiments; and the instructions under which they act are to depress prices to a standard in accordance with some flighty notion these gentlemen eatertain as to the value of Confederace Treasury notes. They are making their experiments at the expense of those persons whose property they impress. Upon what show of propriety is this done? If the currency have depreciated because it is too abundant, experiments to raise its value should be tried at the general expense of the whole country. The method y which those experiments are to be made is taxation. No constitutional principle can be more axiomatic than this. The constitution prohibits all such trifling with private rights under the head of impressments, by stipulating on behalf of the citizens for a "just compensation." What an outrage, then, upon that constitution, is it for the Confederate Government to suggest to its commissioners as part of their duty in fixing impressment prices, to consult other influences than the general market value of an article! What a mixture of absurdity and grievous oppression is it to make private persons whose property is taken by government, contribute far above their proportion towards establishing a state of things, the benefits of which belong to the public in general! Our indignation would rise all the higher did we fully appreciate the fancifulness and the eccentricity displayed in those experiments. The variety of their plans, and the solemn censure which one philosopher passes upon the unsuccessful experiments of his predecessor, carry the memory back to the age of the alchemists, and their marvellous endeavors to transmute the baser metals into gold. But it is not necessary in this argument to insist upon that-it is most plain that even if these experiments resulted in success, they should be made at the expense of the whole community.

I am not understood as denying to the government the right to seize private property whenever needed for its use. It has a perfect right to do so. The point upon which I have insisted is that it must pay just compensation therefor. It must pay for such property, all that a private person would have to pay for it. The government has only one advantage in such matter over the citizen who wishes to buy. It can compel a sale. But it cannot force upon the owner a less price than his neighbors would have given, had he been disposed to sell.

I insist that the Confederate States cannot practice taxation under the name of impressment. This they have been doing repeatedly; and thereby have broken their constitutional obligations not only upon the subject of a just compensation, but also upon that which apportions taxation. In the ease which I have referred to in Orange county, if the government had levied a tax upon the owners of the property taken to the amount of \$224,000, they could have sold the property that was impressed, paid the tax, and upon that retained in their pockets in each the amount of money for which they have now a government promise to pay whenever the Secretary of the Treasury shall think it a good financial expedient to issue the notes required for the purpose. Looking, then, through words to things, we have before us a most unconstitutional and flagrantly oppressive tax levied upon certain people in the county of Orange—an unconstituupon the award of the referees his disap- tional and flagrantly oppressive tax! which

zens throughout most of the counties of the

It is not proper that the representatives of the people shall view these things in silence. After more than two years have passed since the inauguration of the system, surely it is not too soon for the Legislature of North-Carolina to express its opinion of it in plain and vigorous language. This matter of the security of private property from the touch of government is a point of honor in the peculiar civil liberty which we inherit from our ancestors in England and upon this continent. Far back in English history, and from the very beginning of our own history, this has been considered a point of vital importance. We shall be recreant to our great public privileges, if we do not brand the assault which is now making upon this, their very point of honor, in that free language which it is our right and duty to employ. John Hampden resisted the whole power of the English government in the case of Ship Money, when the assessment was only a matter of twenty shillings, and at that less than his ratable share of the tax, supposing that it were legal. For that he has become immortal with us. In this State the government has as yet met with no lawful resistance of these demands .-This acquiescence is not upon the score of patriotism, for the people are indignant at the oppression. I know in my own county of gentlemen of most approved patriotism, whose eyes flashed fire at the thought of what had been done. It is idle to talk of a free people loving a government which robs them of their property. The Contederate government has only to persist in this course towards Southern men, and it will surely lose every vestige of their affection. They would be unworthy of their lineage and of their education if it were otherwise. They must forget many of the martyrs of their former liberty; they must become cold to many of the most touching incidents in the history of their race, before they cease instinctively to turn upon any organization of power that trifles with their private property.

As to the character of the remedy possessed by the people in cases of nuconstitutional impressments by government direct ly for itself, I observe some difference of opinion between two of the ablest lawyers this continent has produced. Chancellor Kent regards it as the right and the duty of the citizen to enjoin the government; Chief Justice Ruffin regards such injunction impracticable, and says that the duty of Congress to give just compensation for property impressed is of that class of powers which the judiciary cannot enforce, but which must be "left" to the understanding and conscience of Congress. I submit to the House that whichever opinion shall be considered law, the Legislature is imperatively called upon for action, at least like that presented by the resolutions.

If it be that a person whose property has been impressed has this remedy of injunction, let us consider how significant a thing it is that in the midst of a spirited people, indignant at a notorious violation of their rights-a repeated violation in substantial respects-no one has been found to apply for this remedy! To what shall we attribute this inaction ? I know of but one explanation; and that is, despair of successfully contending with the government. or the apprehension that if they succeed they may draw down upon themselves the rualice of the myriad of officials that swarm in this land, and whose wrath would produce effects greatly overbalancing their gain by the litigation. For the rest, they respender that they have appealed to the Confederate government time and again without result, or if with result, the result of readering the system of impressment more rigid and severe. If this apathy and sullen despair have taken possession of our people, let the voice of this Legislature go forth lifte the blast of a trumpet to arouse and resassure them. Let it be to them what the example of Hampden was to the thousands of true Englishmen who had submitted to the ship money tax-a point for them to rally around! Hampden did not inquire waether he would offend the menials of loyal power about the year 1630; if there be such fear in North-Carolina in 1864, having for its object the subordinates of the Confederate government let us do what we may for its dissipation. Civil liberty is no weed springing spontaneously from vesoil in favored regions. Its bright, consumnate flower is the result of many ages of attention and skill. If it be not cultivated it will surely degenerate, and come to nothing. Upon any appearance of its decay in North-Carolina, it becomes us, who are in great measure its custodians here, at least to tend and water that fair plant whose beauty has been derived from the care and wisdom of those

who have preceded us. If, however, it be accepted that the citizen has no remedy in the process of the Courts, the remedy which this Legislature can give by a firm protest, to be followed, if disregarded, by such action as will enforce obedience to its wishes, is all that is left to our constituents. I have already said that the Confederate government has published record evidence that it pays little attention to the complaints of the citizens upon this topic. We will not refer them to that again. We will speak our own mind upon the subject, and we will take care that it shall be respected. North-Carolina's wisdom in all matters pertaining to this war has been too well ascertained for any solemn words of hers to fall unheeded upon the "understanding and conscience" of the government. She has proved herself to be wise in council, and resolute in the field. What she says in behalf of the rights of her

people will be heeded. There is another topic in connection with this general question which deserves a notice. Some days ago this House was startled by the announcement of the Public Treasurer that he would require some \$9,000,000 to defray the expenses of the current year. The idea of imposing a tax upon the people fourfold greater than that of the last year, was frightful. It was well calculated to amaze legislators accustomed to the arithmetic of former years. Yet we see in the instance before us, the proval, wherenpon an appeal would lie thas been levied time and again in regard | Confederate government snatching from

to various articles of property upon citi- | the people in one article an amount greater than that, the thought of which had thrown us into such confusion. And sheet we consider the amount of other property thus seized, we may well remonstrate at the serious dimination which has been occasioned in the means of the people to support their State government. This very action of the Confederate States goes far to increase the discredit of the securities of the State. If the Confederate government had paid a "just compensation" only to the owners of horses and mules for so much of that property as it has impressed, there would have been more than a sufficiency of additional means among us to pay the

demands upon the State treasury during the next year. I shall detain the House very briefly in discussing the merits of the other resolutions which I have introduced. Whilst indignant upon this subject of impressment, I thought it a proper occasion for the State to show itself not unobservant of, and not satisfied with the general course of legislation in Congress upon other matters connected with our liberty. Among these I would specify particularly the suspen-sion of the writ of habeas corpus; the cry for details, instead of exemptions; and the scheme of placing armed slaves in our army. It may be said that the Confederate States ought not to be censured in the two latter respects, as it has not yet adopted either policy. I submit that we will not act prematurely in censuring projects which have already received the approbation, at least contingent and qualified, of the head of the government. I understand that large armies frequently make their advances upon the position of the enemy by degrees. One corps moves forward and takes its position, and then another makes a corresponding movement, and the movement of the whole is an aggregate of the movements of each department. It seems enough to me to detect a movement against our rights by one part of the government. That is the proper time for objection and opposition to the direction and character of the movement; and judging by our past experience of other departments of the government becoming gradually educated to the President's standard, it appears correct enough even now to stigmatize the steps taken by him as inchoate steps of the administra-

There are other acts of the Confederate government to which reference is made in this resolution. Of all such acts, whether specified here or not, I submit to this House that such is our sense, that, having been always free ourselves-having sprung from free generations in other lands, and from generations whose free-dom North-Carolina has nurtured during a century upon this soil-we reflect upon them with profound agitation!

The third resolution utters a truth which is apparent to every one. It is not only in regard to impressments, but it is in ments of the Confederate government upon the temper of North Caroline have increased, and are increasing! The apprehensions of all thinking men are thoroughly aroused upon this subject. If such experiments have increased and are increasing, then most assuredly they ought to be diminished, and indeed come speed-

ily to a full end. It has always been my desire that the government of the Confederates States should enjoy liberally every power that is expressly or impliedly vested in it by the Constitution, especially in this time of pressing war. I have endeavored to make my private and public conduct and counsel conform to this standard; but I cannot believe that it is to the advantage of rulers or people that it should be indulged in unconstitutional and oppressive courses of action. If the Southern white man cannot obtain independence in the employment of constitutional methods of vindicating that independence, it is because Heaven has denied to him the boon.

[In reply to Mr. Shepherd, who had remarked upon the application of the words rob and oppress to the action of the Confederate States in reference to impressments; and who had protested against the general tone of the Resolutions and the foregoing speech, on the ground that Mr. Davis is our President and the Confederate States our govern-

ment, Mr. Phillips said:] Mr. Speaker: If the action of the Confederate States has produced the result which I have attributed to it; and if that action has been repeated and deliberate, then it involves necessarily the very idea contained in the words which I have used. I have no hesitation in repeating that any such unconstitutional action of the government in seizing private property, as has been described, is most grievous oppression and robbery; and I can entertain no scruples about dealing with such action with gloves off! It is no time to mince words.

I admit that Mr. Davis is my President, and that the Confederate States is my government; and that is precisely my reason for speaking of them, and for wishing the Legislature to address them in terms of rebuke. I have no interest in discussing the conduct of the Czar of Russia, or of the President of the United States. The reason given by the gentleman from Cumberland for excepting the Confederate States. is precisely the reason I would assign for including it. How should we be interested in the domestic concerns of a government that is not ours? I should regard it as a poor excuse from a servant whom I should have occasion to reprove, if he were to offer, as a reason for excusing him, the fact of his being my servant! I cannot conprehend the pertinency of the objection. No doubt North-Carolina voted for Mr. Davis, and assisted to elect him; and it is for that reason that she regards him as responsible to her for his conduct, and will hold him to that responsibility.

FATAL EPIDENIC AMENO HORSES.—An epidemic has broken out among the horses in this section which proves fatal is a few hours after attacking. The disease seems to attack the brain. Several persons have lost horses from the disease, among them Dr. Garland, \$; T. A. Donoho, 1; R. M. Oliver, 2; John R. Bennett, 2, (one of them a fine Red. Eye colt.) Dr. William L. Stamps, 3 or 4; Richardson Crowder, 1; David, 1 Brandon, 1. All within two weeks .- Millon Ohreniala

The government of the United States have rebuilt the railread from Harper's Ferry to Winchester,

LEGISLATURE OF WORTH-CAROLINA SENATE. THURSDAY, Dec. 8, 1864.

Mr. Ocem presented a memorial from the loth Battelion State Troops, praying that they shall not be turned over to the Confederate government, and setting forth their reasons for said prayer. Referred to Committee on military affairs. Mr. Miller, a memorial from citizens of Ruther-

ford county in regard to the distillation of grain. Referred to committee on propositions and griev-The committee on Education and the Literary

Fund reported a bill to grade Common Schools and increase their usefulness. Ordered to be printed. Mr. Bogle introduced resolutions in relation to origading certain North Carolina Regiments.-Ordered to be printed.

A bill to incorporate Oak Hill Cemenary, in Bun-

BILLS ETC. ON THEIR SECOND READINGS. A bill to amend an act in relation to salaries and

A bill to repeal an act to provide for a tax collector for Mecklenburg and other counties. Passed.
A bill to legalize a special order of the County Court of Bertie, making an appropriation for the support of the poor. Passed, rule suspended, and passed third reading.

A bill in regard to a supply of salt. Passed, rule suspended, and passed third reading. [Appropriates \$20 ),000 for the purchase of an engine and cars to transport salt from Sattville, Va., and provides for removing the State Salt Works on the coast to Lockwood's Folly Inlet.]

A bill to amend the charter of the Asheville and Greenville Plankroad company. Passed,
A bill to incorporate the Confederate Cotton and Woolen Mills company, in Richmond county. Pas-sed, rule suspended, and passed third reading. A bill to incorporate the Chicora Collegiate In-

stitute, in Bot eson county. Passed, rule suspended, and passed third reading.

A resolution to authorize the Sheriff of Bladen county to correct arrears of taxes. Passed. ELECTIONS.

At 12 o'clock the Senate proceeded to vote for a C. S. Senator, as follows: Hon, E. G. Roads 17; Hon. T. S. Ashe 20; Hon. Juo. A. Gilmer 8; Hon. W. N. H. Smith 8.

The committee reported the whole number of votes cast 162, as follows: Reade 71; Ashe 62; Gilmer 16; Smith 12; Outlaw 1. No election. At 1 o'clock the Senate voted for Secretary of State, as follows, the names of Messrs. Richardson

and Bain having been withdrawn.

For C. R. Thomas—Messrs. Adams, Arendell.

For C. R. Thomas—Messrs. Adams, Arendell, Bagley, Berry, Blount, Crump, Dick, Horton, Jones, Lassiter, Leitch, Lindsay, Mann, March, Matthews, Odom, Patton, Pool, Sanders, Smith, Snead, Warren, Winstead, Whitford and Wynne—25.

For G. H. Furibault—Mr. Speaker, Messrs. Aycock, Bryson, Courts, Ellis, Grier, Hall, Harriag-Kirby, Long, McCorkle, McEachern, Miller, Patterson, Pitchford, Powell, Speight, Taylor, Ward, Wiggins and Wright—21. Wiggins and Wright-21.
Mr. Straughn voted for Mr. Ray

The committee reported the whole number of votes cast 158, as follows: Thomas 60, Faribault 74, Bain 1, Ray 1. Mr. Thomas was declared The Senate again proceeded to vote for Senator as

For Hon. E G. Reade-Messrs. Adams, Aren-

For Hon. E. G. Reade—Messrs. Adams, Arendell, Bagley, Berry, Blount, Dick, Jones, Lassiter, Long, Mann, Matthews, Odom, Poel, Sanders, Snead, Warren and Winstead—17.

For Hon. T. S. Ashe—Mr. Speaker, Messrs. Ayeock, Bryson, Courts, Crump, Ellis, Grier, Hall, Harris, Kirby, Leitch, Lindsay, McCorkle, McEachern, Miller, Patton, Pitchford, Powell, Smith, Speight, Straughn, Taylor, Ward, Whitford, Wiggins, Wright and Wynne—27.

For Hon John A. Gilmer—Messrs. Horton, March and Patterson—3.

March and Patterson-3. The committee reported the whole number of votes cast 158, as follows: Ashe 80, Reads 70,

Gilmer 4. The rest scattering. Mr. Ashe was declared efected. Adjourned.

HOUSE OF COMMONS.

The House was called to order at 10 o'clock A. M. The Journal of vesterday was read and approved. Mr. Brown, of Mecklenburg, presented the state-ment of the Bank of Charlotte, which was referred Leaves of absence were granted Messra-Baxter,

BILLS INTRODUCKI Mr. Sharpe, a bill to make the robbery of dwell-

ing houses a capital offence. Mr. Hanes, a bill to incorporate Wm. R. Davie Lodge No. 37, of Free and Accepted Masons, in the town of Lexington. Mr. Murphy, a bill to provide more effectually for

rectaining Swamp Lands. An engressed bill from the Senata to amend an act entitled "an act to amend the Charter of the Shelby Brord River Company.

The unfinished business of yesterday, viz : a bill to extend the time for perfecting titles to lands heretofore entered, was taken un. Mr. Horton, of Watauga, urged its passage, and

the question recurring the bill did not pass its sec-The following bills passed their third read-

A bill for the relief of Powell, Lowe & Company a bill in relation to alimony; a bill to repeal an act to prevent obstactions in the Big Swamp by means of fish traps; a bill to incorporate the Confederate Joint Stock Publishing Company; a bill to authorize the payment of bounty to citizens of this State in the naval service; a bill for the relief of Hugh B. Gurthrie, late sheriff of Orange County; a bill to i corporate the Linville Steel and Iron Company a bill to incorporate the Cranbery Iron Works.

BILLS ON THIRD READING. A bill for the support of the N. C. Institution for the Deaf and Dumb and the Blind, was referred, on motion of Mr. McAden, to the committee on finance. A bill for the relief of William Stewart, of Bertie county, was referred to the committee on the judi-

A resolution in relation to the Revenue Laws passed its second reading.

At 11 o'clock A. M. the House resumed the consideration of the resolutions in relation to the suspension of the privilege of the writ of habens corpus.

Mr. Carter said he should feel guilty of some as-surance, were he to essay to address the House at ail fully, as to the legal aspect presented by these resolutions. The legal points involved had been discussed ever since the second suspension of the writ by the Confederate Congress. The first suspension was a fligrant and open violation of the Constitution, but owing to the intense miliary enthusiasm which pervaded the country, it had excited no slarm. But another and still another suspension followed, Congress delegating to the President powers it did not possess. These measures enumerated no less than thirteen specific offences for which the suspension should be authorized, and then for the first time alarm and anxiety were awakened. Legislature and Governor of Georgia and the Leg-Islature and Governor of North Carolina entered their solemn protest against these violations of the Constitution as endangering the rights of the people. Now, a fourth suspension of the writ was threatened, and warned by the experience of three former attempts, Congress, he said, might possibly succeed without violating law, though even to this he for one, was unalterably opposed. These resolutions presented matter for practical legislation. The action of the Legislature in May last, rendered necessary by the condition of affairs, was only in form of protest. Thirty days after the adjournment of Congress, that suspension ceased, but now the suspension of the writ opened up questions of the gravest import in the midst of revolution.

It might be said that our experience under pre vious suspensions was not of a character to excite alarm; but neither North Carolina nor any other State could permit at this time safeguard after safeguard to be encroached upon. The last Congress had materially modified the conscript laws. The whole body of the people between the ages of seventeen and fifty had been swept into the army.— What an immense power did these laws place in the hands of one man. In time of peace the delegation of such power would more than suffice to annihilate the Constitution. A refusal to try the question whether citizens owed military service was subversive of personal liberty, and put it in the

power of government officials, who throng ever county in the State, to stop free discussion, to su press the public press, to prostrate literature, science, art and every other other element which entered into the boasted civilization of the age. The ineritable tendency of these usurpations was to convert sill things into concomitants and adjuncts of the war we are waging. All this, he said, would weaken onr cause. More regard and reverence were enter tained one year ago for the government by the pen-ple of the Confederate States than now; and this diminution of attachment was consequent upon en diminution of attachment was consequent upon en-croachments by the government upon their constitu-tional rights. North Carolina was not prepared to aubmit to another suspension of the writ of habee corpus. Shall we recede, he saked, from the p sition taken by Gov. Vance in his last message?

Are all the resolutions adopted by the Legislatur mere frothy declamation? or were they rather the expression of the fixed purpose of the people? I the writ is again suspended North Carolina, he said would go beyond mere protest, and it was well that the authorities should be notified in advance as her probable action, in view of this renewed attempt upon her liberties. Free discussion of public affair was no less conducive to the enlightenment of the people than to the success of the cause, and matter had now reached the point where such discussion could not be suppressed.

The people were determined to canvass the propects of peace, the management of the war and kindred topics, and he trusted they would discuss them fully and fairly. They would place in no man's hand the power to detail the press or to overawe Legislatures. They would take into their own hands the issues evolved by this war, even to the sacred institution of slavery, which could he have been done four years ago.

He adverted to the experience of other countries in similar revolutions. England had passed through a like ordeal preserving her constitution unscathed and settling all details by Parliamentary discussion He trusted that like discussion here and in Congress would elicit some spark that would illumine our way to the haven of National safety and hon. or. It was right to learn of our enemies. What had been the conduct of the United States? At the outset of the war, Lincoln had suspended the habeas corpus, suppressed newspapers, dissolved Legislative bodies and filled bastiles with citizens, arrested without color of law. All of these acts enured to our benefit, and but for the bold interference of wiser counsellors, Lincoln had had relution in his own dominions. Vallandigham whiles candidate for the office of Governor of Ohio, spoke boldy in favor of peace. He was arrested, illegally tried and banished. The exile returned and defed Lincoln and his myritidons. He was not molested and what was the result? Armed resistance No! That State after free discussion, decided for further prosecution of the war, by a majority of 50,000 votes. He thought the peculiar friends of the Government should learn something from these

He should be ashamed to defend the suspe of the writ on the ground of necessity. Such pla would do for those who could only escape from coascription by servility to those in place. Such de sence he styled an abandonment of the struggle-He was not prepared to suffer short sighted, maignant men to suspend the writ of Aubeus corpus The President's conduct did not inspire unlimited confidence in his discretion, and the revolution but reached a stage of development, when it were ide to attempt a suppression of debate. Such attempt would drive from the support of the government many who had hitherto sustained it. As a friend and defender of the Confederacy he was not afraid of it. Short-sighted men acted as though the gov errment had but ninety days to live. If commissary supplies were needed, the products of the field and the contents of our granaries were impressed Was it necessary to replenish the army and to renew its ranks, enroling officers were sent forth, who, instead of faithfully discharging their duties within legal limits, were always fishing for men exempt by State laws and the conscript laws themselves, while recruited for the ranks.

If we had had a Press worthy of our cause-Congress a fit successor of that which represented our ancestors in the first revolution, and a fit man at the head of affairs we would have escaped man disasters. The President had resorted to iller measures to bolster himself up independently of the cause. [Mr. C. here adverted to the removal of Gen. Joseph E. Johnston from command in Georgia and the substitution of Gen. Hood, the Reporter however from momentary inattention failed to catch the connection.] Mr. Carter proceeded to say that so far from violations of the constitution being re garded as criminal, opposition to and difference with the Executive of the nation were the only crimes now of which cognizance was taken. He next alluded to an inferior individual danger to be apprehended from the proposed suspension of the writ, viz: the danger that citizens and officers of this State, now exempt by law, would be forced reluctantly into the army, that their rights would be disregarded and we should be left without redress. To all of these arguments, the gentleman from Cumberland (Mr. Shepherd) had only replied that these suspensions are acts of our government. He had hoped to hear from that gentleman some discussion of the merits of the resolutions, and expected at least that he would have indicated those propositions to which he objected in a legal point of view. In this, bowever, he had been disappointed. Many wrongs which would "stir a fever in the blood of age," had been covered up by suspensions of the writ of hahas corpus, and the blood of martyrs who had died in the dungeons of the Confederacy appealed to Heaven for vengeance. A case had come under his own knowledge while acting as military judge in the

army of Northern Virginia. An aged, vonerable man, overcome by infirmit, whose head was white with the frosts of more than fifty winters, was brought to court in an ambulance A young, vivacious, heedless boy, a Lieutenant his company, appeared as witness, who swore that the old man was a volunteer in his company; he had gone home on a furlough for thirty days and had remained absent, a deserter, for two years. He had been arrested by Home Guards in North Carolina and brought back to his command. Here was a complete case. The unimus non recertant was shown by two years absence. When called.or for his defence the old man rose, feeble and totterin and drew from his pocket a roll of papers. Among these was a writ of habeas corpus, together with the judgment of Chief Justice Pearson, that he did not belong to the army, being liberated by the terms of the first conscript act. There was also the return of the gaoler showing an imprisonment of many days, notwithstanding his case had been adjudicated, and a statement from an enrolling offcer that he had made the arrest reluctantly, did not believe the prisoner was liable to military

Thus was a man over fifty years of age, who had rolunteered at the outset of the war, arrested, in prisoned and sent to the army as a conscript, and suspension of the writ of habeas coupus. A letter from his nephew, holding the high post

ion of Lieutenant Colonel, was also smean the old man's papers. It stated that he heard the prisoner was again trying to get that piece of kind, but that he should never have it. "If you make arrether attempt I shall have you arrested and kept is ruard house until you die." This explained all Were not such cases calculated to provoke inquir and excite indignation? Nothing but the old can accidental precaution, which enabled him to present certified opies of essential papers, hundreds of miles from home, procured his release Gentlemen might say this was an extreme case. He boped inight be so. He had merely narrated this inside as illustrating a class of wrongs which peritably arise where the guarantees of liberty are ore thrown. It was a like case, which, under the meterly handling of Voltaire, disgusted France with religious tyranny, and resulted to the establishment of wholesale Pantheism. A sweeping conscription followed by a suspension of the urit of the state of the stat corpus, would place the liberties of the page the mercy of an individual, and to all this there we but one answer: "The good of the cause deas t" Persistence in this direction would signal the affections of the people and would leadito and binations for resistance. This is a stage we out not to reach, and never will reach if allowed to ou before the people, with all questions for full disc sion and decision. This is the philosophy of a revolution. He made this argument as a fraction the government and of the State. We had 58 under previous suspensions of the writ, the man