. The power of Congress depends on two questions: 1st. Is substitution a contract? 2d. Has Congress power to violate its own contract?

1st. Is substitution a contract? This is a dry question of the common law, and should be considered without reference to politics. There are parties capable of contracting, there is a thing to be the subject of contract; so I suppose the only question that can be made is as to the consideration "Gain to one and loss to the other party, is a legal consideration;" see Coggs v Bernard, and the cases cited in Smith's Lead. Cases. If I lend one my horse to ride to Salem, and he takes him and starts, I am not at liberty to follow on and take the horse from him; it is a contract of bailment, although done merely for his accommodation. If you agree to carry a package for me to Salem, and start with it. I can maintain an action for breach of contract, should you be guilty of gross negligence, although I was to pay nothing, and it was purely for my accommodation; your undertaking to carry it, and my confiding it to you, is a consideration. So, if you fancy my horse, and I tell you I will not sell, but to gratify you, I agree to let you have him if you will le me have as good a horse, and the exchange be made, title passes by "contract executed," just as if you had paid me the price in money. So, if you are bound to work for me three years at wages, and for your accommodation I agree to discharge you, in consideration of \$500, and the money is paid as in the case of Quakers; or if I agree to discharge you in consideration of your putting another man to work in your place, and it is done, there is in either case, a contract executed, and it can make no diffierence whether you pay me the money with which I may get another man to supply your place, or whether you pay the money to the other man, and he takes your place. This is substitution. Really, the fact that it is a contract, seems too plain for discussion; it is neither more nor less, than an exchange or "swap," as it is commonly called. The Goverhment agrees to discharge a man in consider ation of his putting a sound able-bodied man in his place, and it is done; this is a valid contract.

It is true, substitution is "a privilege," but it is paid. So it is a privilege paid for, and that makes it a contract, and distinguishes it from an substitution in reference to conscripts, in order to make conscription more palatable to the people, and as a means of relief in cases of unequal hardship, and in reference to volunteers, the Secretary of War was induced to allow it in order to relieve some, who, in a moment of enthusiasm, had entered the ranks, and afterwards found the service too hard for them; or suppose the inducement was that our citizens might procure ablebodied men from Ireland or Germany, and put them in the ranks as substitutes, while the citizen staid at home and raised food and clothing. "there is" no principle of law, by which the inducement can change the nature of the transaction or take from it the character of a contract. You are, by the terms of the contract, to furnish a sound able bodied man, and you do so; that is the consideration; one man is taken for the other, just as in an exchange of horses, one horse is the consideration for the other; and the fact that it is made for the gratification or accommodation of one of the parties, does not in any way affect the ject in a different light. He assumed substitulegal question.

The ground that substitution is a "mere privilege," is that taken in the President's Message and in the debates in Congress, and was the point mainly relied on by Mr. Kittrell and Governor Bragg, in their able and learned argument on the part of the Government; for this reason, I havegiven to it the most anxious consideration, and and accepted, it is, to all intents and purposes, an executed contract according to the common law. the war. Allow such to be the presumption, it

construction or doubt

of his fabrics, at rates not higher than 75 per cent. added to the cost of production; he proceeds to manufacture and sell at the reduced pricehere is a privilege paid for." A condition is annexed to a gratuity, gift or sale, by which it may be defeated; a consideration forms a part of the to avoid it, and require the courts to say it shall they sometimes run into each other, and the condition may constitute a consideration, when, from the words used, that appears to be the intention. stance.'

of view in which it can have any bearing.

subject of the tariff. He said the New England States had engaged in manufacturing on the faith of the action of the Government in passing the tariff, and they, therefore, had a right to have their manufactures protected." The case of the blacksmith, like that of the tariff presents simply a political question: shall the Government disappoint a reasonable expectation based on its prior ction?-not a dry question of law. Mr. Webster, in his speech, puts it on the political ground, and no where intimates, that the prior action of the Government amounted to a valid, legal contract. One may have reason to expect a legacy and complain should he be disappointed; but he has no egal claim, because there is no contract. 2d Has Congress power to violate its own con-

The power of Congress is limited by a writte Constitution. It has no power except what is conferred by that instrument, and it contains no such power, either expressed or implied; indeed, or instance "to borrow money on the credit of the Confederate States,'s if there be also power to violate it, would be nugatory. No Government can have power to violate its own contract, except under the rule, "might makes right." The power to violate its own contract, or in other words, the right of "repudiation," has never been claimed by the Confederate States, and I had supposed

it was conceded by all, that it did not have the power. But I am asked, "cannot the Confederate States, in a case of extreme necessity, violate its own contract-not with reference to morals, but to the supreme power of the Government, and has the Government of the Confederate States less, and it less, how much less, power than other Governments in a case of extreme necessity?" The other Governments referred to, have no

written Constitution, and may act on the broad and arbitrary rule, "the safety qt-the State is the that Congress has power to violate its own contract, is supreme law;" but the Confederate States has a the dec ritten Constitution, which all officers are sworn support. This Constitution, and laws made in ursuance thereof, is "the supreme taw" The s not only written and supported by oaths, but o extreme was the caution of its framers as to provide. "all powers not herein delegated to the onfederate States, or prohibited to the States, are reserved to the States respectively." In ome few instances, large powers are conferred to meet extreme cases; for instance: the power to suspend the writ of habeas corpus, "where in cases of rebellion or invasion, the public safety may require it"-thus excluding, even in a case of extreme necessity," any power other than those 'nominated in the bond."

Again, I am asked, "admit substitution to be a ontract, the power of Congress is limited by a written Constitution, where is the power to make

In reply, I might ask, is the word "conscripvankee mode of meeting one question by asking of mother, which the gravity of the subject forbids. I prefer to meet the question squarely, because I appreciate the motive which prompted it, and reconscription, it follows that Congress has power to modify the means in such manner as to make it injure the public as little as possible, and to produce as great collateral benefit as possible; in produce as great collateral benefit as possible; in substitution, so as to make it answer the purpose substitution, so as to make it answer the purpose substitution, so as to make it answer the purpose substitution, so as to make it answer the purpose substitution. of raising an army, and at the same time relieve exemption, and because of this distinction, it is the cases of unequal hardship, and collaterally made a distinct clause in the conscription act, and benefit the public by providing the means whereis not put in the exemption act Suppose Con- by the citizen might be left at home, to raise food the army," at the same time that the full com plement of soldiers was kept up by substitutes rought from abroad or found among these who were not hable to military service. Suppose Con gress in its wisdom had required, as the consideration for substitution, that two able-bodied Irish men or Germans should be put in place of the the power to conscript did not necessarily include the power to allow substitution on such terms The greater includes the less And it will be remembered that substitution is not a new thing; t is prominent, and taken to be a matter of course in all prior legislation, b th in this country and in England. Where "the militia" is looked on us a mode of defence in cases of invasion or rebeilion, and where conscription was made to take

the place of the militia organization, as a matter of course it was accompanied by this prominent. Mr. Kittrell, on the argument, treated the subtion to be a contract, but insisted Congress had no power to make that particular sort of contract, on the ground, that it would be "political suicide:' for, said he, "if Congress has power to deprive the country by its contract of the services of 1000 of its citizens, it may extend it to 100,000 and 500,000, and so we would have no citizen sol-Whether it would amount to "politifeel fully convinced, that although substitution is a privilege, yet, as by the agreement it was to be paid for, and the stipulated price has been paid army, to fight our enemy, while a corresponding number of citizens were at home raising food and clothing, and paying taxes to support this army, It is said Congress will not be presumed to is a question into which a court is not at liberty have made a contract, by which to deprive the to enter. I will observe that this mode of real Government of the services of those men during soning, by supposing extreme cases, is not apt to lead to truth, and is very apt to cover fallacy, (as is rebutted by direct evidence—Congress has it manifestly does in this instance,) for, allow that agreed to the contract of substitution, in plain and in the extreme case put, it would be political unequivocal words, so as to leave no room for suicide, does it prove a want of power, or an application or death. Again, it is suggested, "the manufacturer is gress has the power, whether it will so exercise exempt upon the condition that he will dispose it as to commit suicide, or to stultify itself, is a of his tabeler that he will dispose it as to commit suicide, or to stultify itself, is a matter with which the courts have no concern, and a proper respect for a co-ordinate branch the Government forbids the judiciary from making an extreme supposition, in order to express a conjecture, how far a power may be so abused as contract itself; this is the distinction. But it is true not be exercised, under that head of jurisdiction by which the courts prevent mad-men or idiots from injuring themselves or "wasting their sub-

Whether this be the case in regard to that class of exemptions, in which a condition to work at certain rates is imposed on margination. certain rates is imposed on merchanics, is a question not presented; for, take it to be so, it will only add to the list of contracts which Congress has entered into; unless an exception be made on the ground, that this is granted procedy as the contracts of the contracts which congress the contracts which congress has entered into; unless an exception be made on the ground, that this is granted procedy as the contract of the the ground, that this is grant d morely as an exemption, and no plain and unequivocal words of
contract are used, as in the case in regard to substitution. It certainly has not the weight of an ersupport is obsired united and the weight of an ersupport is obsired united. gument ip absurdum, and that is the only point gress and ac power to borrow the 15.600 000 and plader gress and ac power to borrow the 15.600 000 and plader

Webster, to justify his change of opinion on the thereby withdrawing that amount of the wealth of our all powers except such as are prohibition

der the necessity of relying on my own judgment in de-ciding this question. The "inviolability" of a contract, whether made by the Confederate States, or the State, whether made by the control of the decisions of our Supreme Court, in a tone of firmness that is gratifying to every one. Search from Haywood's Reports to Jones's, and you will nowhere ucet a decision, or a dictum, or an intimation, that the State has power to violate its own contract, or to avoid or repudiate it, on the ground that the power has been or might be abused. To mention a few: State v. Matthews, 3 Jones, 461, allowing the Bank to issue "one dellar notes" in so tructure comes within the meaning, it is a contract and the State is bound, unless the effect of the revoluand our bill of rights was to introduce a new order of things and avoid all such monopolice". Attorney General v. Bank of Charlotte, 4 Jones's Eq. 287, where is decided, where a price is stipulated in the grant sovereign makes the grant, and cannot be increased; to

Thave beard some express the opinion, that it would the Confederate States as are supposed to be ample ry us through the war.

The question is, does that decision settle the law, or should it be overruled? I am aware that in the opinton of the Secretary of War and of his Exceller qy Gov. onstitution being written, can neither bend nor Vance, the decision of a single Judge on habeas corpus stretch, even in a case of extreme necessity. It inter, from the fact that noge have filed opinions except Judge Heath and Judge French in this instance, the other Judges take the same view, but in my opinion is also entitled to the weight of "the authority," or the adjudicature case," as settling the law until the judgment be reversed, or the principle is overrulad; for in the decision of a tribunal of superior, general ju-

issic ion over the subject, without appeal.

The power of a tribunal, having equal and concurrent risdiction, to overrule a decision, is conceded. It is judicial function made necessary by the imperfection human judgment, and must be exercised in order to ours correctness of decision: true, uniformity as well s correctness are to be desired, but the former is se-endary, and must yield when it appears that a court as fallen into error; and the sooner error is corrected, he better, for it will spread and become the source of written Constitution, where is the power of make a contract of substitution, by which the Government gives up its right to the services of able-bodied citizens, for the public defence in a case of extreme necessity, conterred by the Constitution, either in express words or by implication? Smith 4 feed Eq. 1, by Northcot v Casper, 6 feed Eq. 363, Spruill v Leary, 13 fred 225 by Myers v Traige, Bushes, 169 But the jurisdiction should be exercised the word "substitution" is not to be found in that instrument."

In reply, I might ask, is the word "conscription, while make the substitution of the decimal property of the decimal In reply, I might ask, is the word "conscription" to be found in the Constitution. This is a make mode of meeting one question by asking other, which the gravity of the subject forbids, prefer to meet the question squarely, because I make motive the motive which prompted it, and representations and respect to the prompted it, and respectively. The proper to open the subject forbids are the motive which prompted it, and respectively. The proper to open the subject forbids are the motive which prompted it, and respectively. The proper to open the subject of my magnetic the subject of my magnetic to the best of my magnetic to decisions the best of my magnetic to the best of my magnetic the most to be made to the meter of met. By deal of the meter of the decision meters and side of the positioner, and Messra Moore and Fowle, who filed written arguments, for the assistance they have readered me. I feel that I have heared all that the magnetic magne ognize it as fair reasoning. The power to concript is supposed to be conferred by the "power Judge French, by overruing one or the other. Greater origing it as fair reasoning. The power to concern the content of the power of proper to conferred by the "power of proper to conferred by the "power of proper to pass all laws which shall be necessary and proper to carry that power into effect, and in adopting the means to raise an army by and in adopting the means to raise an army by and in adopting the means to raise an army by and in adopting the means to raise an army by and in adopting the means to raise an army by and in adopting the means to raise an army by and in adopting the means to raise an army by and in adopting the means to raise an army by and in adopting the means to raise an army by and in adopting the means to raise an army by and in adopting the means to raise an army by and in adopting the means to raise an army by and in adopting the means to raise an army by and in adopting the means to raise an army by and in adopting the means to raise an army by and in adopting the means to raise an army by and in adopting the means to raise an army by and in adopting the means to raise an army by and in adopting the means to raise an army by and in the power of judgment with which nature has gifted the power of judgment with which nature has gifted the power of judgment with which nature has gifted the power of judgment with which nature has gifted the power of judgment with which nature has gifted the power of judgment with which nature has gifted the power of judgment with which nature has gifted the power of judgment with which nature has gifted the power of judgment with which nature has gifted the power of judgment with which nature has gifted the power of judgment with which nature has gifted the power of judgment with which nature has gifted the power of judgment with which nature has gifted the power of judgment with which nature has gifted the power of judgment with which nature has gifted the power of judgment with which nature has gifted the power of judgment with which nature has gifted the power of judgment with which nature has gifted t

eise that the question was prejudged. Putting these considerations out of view, I take on myself the enus of showing palpable error. The first chieg that strikes any one who reads the opinion at-tentively, is the fact, that his Honor does not deny, that scoording to the principles of the common law resubstitution is a contract. He says not one word about naving been liable to perform military service, had here to provide means of subsistence for our troops in the matter is put in the President's message and the debates in Congress; but yielding that point, and the debates in Congress; but yielding that point, and assuming substitution to be a contract, he boldy takes the position—one, which no politicism, lawyer and judge that ever before taken—that the Government of the confederate States has power under the Constitucitizen, would it have occurred to any one that avoirs the right of repudiation, and covers his position the privilege of the writ of habeas corpus in certain cases." by setting forth an array of general principles, which are supported by a long list of references. I shall only conferred upon Congress far the purpose, and its constitutionality cannot be doubled. It is binding upon all the force out: State v. Matthews, 3 Jones, 451. The laster of the Brax of Fayetteville does not authorise and they are not at liberty to issue the writ, or, if issued, it is made where the state of the confederate and the State Courts, and they are not at liberty to issue the writ, or, if issued. the contract would have been no room for construc-, and the Court would have decided, that the act of Legislature was rold as violating a contract; but with the number 5. The question before me arises ig neral terms "to receive deposits." "discount notes," savid military service." Are not persons who are not find the saving of what olding as conscripts, or as otherwise liable to military denomination; and the Court came to the conclusion, that by a fair construction. The power to issue one dollar notes did not form a part "of the essence of the contract," but was "a mero incident," intended by the parties to be subject to future legislation; on the ground, in the form a part "of the essence of the contract," but was "a mere incident," intended by the parties to be subject to future legislation; on the ground, that the Legislature will not be presumed, from the use of general words, to give up, by a contract, its power to regulate the currency; but this presumption may be rebutted by positive proof; that is, by the use of plain and unequives! terms of contract, as if the charter had the contract terms of contract, as if the charter had the contract terms of contract, as if the charter had the contract terms of contract, as if the charter had the contract terms of contract, as if the charter had the contract terms of contract, as if the charter had the contract terms of contract, as if the charter had the contract terms of contract terms of contract, as if the charter had the contract terms of contra specified "one dollar notes," thereby making the evi-tence of a contract as positive as is done by the words would tend strongly to defeat the great purposes it was used in the set of Congress, in regard to substitution. | intended to accomplish. It could not, in the terms of the His Honor, in what purports to be a quotation from the opinion of Parason, J., does me creat injustice. I set the object sought, and the framers of the country were injustice to be a constitution, be passed at all unless the country were injustice. The salvation of the country is out two alternative positions: "is authority to issue the object sought, and the framers of the constitution could not be constitution of the country is one confirmed by the charter, as a part of the who authorized the act of suspension, and the legislators essence of the contract, with the intention to put it beyond who passed it, deemed that object so transcendantly great the control of all future legislation?" or is it conferred with it ought to give way to it. The epirit, then, as subject to such limitations as the Legislature might, at any well as the letter of the cisuse, must embrace all pertime thereafter, deem expedient." &c. He does not set out them together; takes the words, "as a part of the cssence of contract," from the first, and substitutes them
into the second in place of the words, "as a mere incilows them. In that proviso a clear, definite and precise authority to issue small notes is conferred by the char-ter, "as part of the exerce of the contract, with the in-teution that it should be subject to fitter." ter, "as part of the estance of the contract, with the in-testion that it should be subject to future legislation," and that this is so plain that a mere statement is sufficient to dispose of it I must be allowed to object to this mode of treating the opinions of Judges. McReev. Wilmington and Raleigh Railroad Co., 2 Jones, 186. The statement made by his Honor keeps in the back ground

art the particular position on which his decision In severant of this position, his Monor takes two chande 1 Tone is nothing in the Constitution of the Confederate States which prohibits Congressio pass It is also suggested, "a blacksmith, who has in proposition would startle the commercial world.

Take a case near home: Gay. Morebead proposed a plant in the important historian, that the stress in consequence of his explaints, which to enable the Government to propose a power is dear of so the several States," therefore, a proposition, may say he cannot rightfully be a case as a car home: Gay. Morebead proposed a proposed a proposed a plant in the state of the several states, therefore, and the support of the several states, therefore, and the state of the several states, the states of the several states of the several states, the states of the several states of the several states, the states of the several states of the several states. enlarged his business in consequence of his exemption, may say he cannot rightfully be disappointed. A similar argument was urged by Mr.

Take a case near faces: Gay. More tead proposed a plan by which to enable the Government to borrow 400 gislative powers except such as are prohibited, whereas pointed. A similar argument was urged by Mr.

Take a case near faces: Gay. More tead proposed a plan by which to enable the Government to borrow 400 gislative powers except such as are prohibited, whereas constitution, is entirely overlooked. As the States have why feel bound to decline issuing the writter habeas corpus applied whereas constitution, is entirely overlooked. As the States have

Honor namits embatitution to be a centract, I am unable

to see how these cases have any application to his posi-tion, that the Government may violate its own contract.

I have not examined the many other references; indeed

t is unnecessary, for I concur in the correctness of "the

offizens from liability to support the Government in regard to the States was necessary. As the confed-in all time to come;—many said it would be unwise in trell might run out his mode of reasoning, so as to show that Congress might in this manner abuse its pow-stitution, nor prohibited by it to the States, are reservchow that Congress might in this manner abuse its pow-er and reduce itself to absolute beggary; ergo, Congress find not have the newer!

from the absence of a prohibition in respect to the Con-

did not have the power!

It is gratifying, however, to know that I am not under the necessity of relying on my own judgment in deciding this question. The "inviolability" of a contract, whether made by the Confederate States or the State, and and naval forces," and "to make all laws which shall be necessary and proper for carrying into execu-tion the foregoing powers, and all other powers vested by this constitution in the government of the Confederate States or in any department or officer thereof

The reasoning is this: the act of Congress conscript ing men who have put in substitutes, is necessary and proper to carry into effect the power to raise armies; therefore Congress has power to violate its own contrast; a non sequitur. His Honor fails to take into confideration the fact that the supposed necessity is caused by slicwing the Benk to issue who collist noises in so inspy words, the State is bound; MoRee v. Wilmington the set of Congress which allows substitution as to consoripts, and the set of the Secretary of War, Oct. 20th, 1861, which allows substitution as to counteers charter grants the monopoly, and the railroad bridge or consoripts, and the set of the Secretary of War, Oct. 20th, 1861, which allows substitution as to consider, that the clause to make all laws tructure comes within the meaning, it is a contract which shall be necessary and proper for carrying into execution the powers conferred by the constitution, bas never before been supposed to be a grant of a general substantive power, but is confined to the means of giving effect to the powers already conferred, and is merely the expression, out of abundant caution, of what would have been implied, and he fails to consider that the word "proper" is added to the word "necessary;" so the measures adopted must be both necessary and proand, therefore, an act of the Legislature imposing such a tax is in violation of the Constitution and void." Here is a thing withdrawn from the power of taxation by it never can be proper for the government to violate its own contract; and he fails to consider the consequences to which his doctrine leads, nothing more nor less than order to raise and support au army!!! It may repudiate its bonds and notes now outstanding, a renovated ourrency being necessary to support the army-or i hospitals, or serve in the ranks as soldiers, thus uprooting the foundations of society; or it may conscript the Governor, Judges and Legislatures of the several States—put an end to 'State rights,' and erect on the So, the fact of subjecting principles of substitutes

to military service, sinks into insignificance when contracted with the consequences to which the grounds on which the decision is put must lead, and for which the decision, if not overruled, may be cited as authority. I am convinced, then there is not only palpable error in this second ground, but it is destructive of society and subversive of our constitution. For these reasons I do not consider the case of Williams as an authority and for the reasons above stated, I have the cleares conviction that Congress has not, under the consitu tion, power to pass the act in question, and feel it to be my duty to declare that, in my opinion, it is void and

No one can regret the necessity for this conflict of decision more than I do. What is to be its effect, is for the consideration of others. It may be to leave the law unsattled, and that a "judgment of discharge," or habeas corpus, will, as heretofore, be treated as binding only in the particular case. I suggested to Governor Vance, to meet a condition of things like the present, the propriety of calling the attention of the Legislature, at its last session, to the expediency of amending the law so as to allow appeals in habeas corpus cases, and make it the duty of the Chief Justice, under certain circumstances, to call an extra term of the Supreme I have no power to call a term of the Court, and the other two Judges concur with me in the opinion, that se the Supreme Court has jurisdiction, the law does not authorize a convocation of all the Judges in vacation.

My duty is plain, to decide the cases before me according to the best of my judgment.

I must be permitted to express my obligation to the who nied written arguments, for the assistance they have rendered me. I feel that I have heard all that can be said on both sides of the question; and, if I have failed to arrive at a correct conclusion, it is because the power of judgment with which nature has gifted

forthwith discharged.
R. M. PEARSON, C. J. S. C.

Peb 23d, 1864, at Salisbury. IN THE MATTER OF MICHAEL LONG.

HABEAS CORPUS. This is an application to me for a writ of habeas cor-

issue \$1 notes; had such been | ed, to proceed under it, in any of the cases specified in upon the specification in that class "of attempts to avoid uditary service" Are not persons who are sons without any exception, who are making that are not avoid ministry service. But if the words upon lows them. In that provise a clear, definite and precise remady is given to any party who does not legally "owe

I am aware that in the cases of Walton and others Is a ware that in the case of Walton and others the prominent fact on which the case turns, that the structure—a bridge erected by the Company—was a mere continuation of the road across the river; no toll was ever received on it as a bridge, and it was used in every respect as any other part of the road, and the decieion is put on the ground, that a structure or bridge of this sort was not in contemplation of the parties in 1776, and was not embraced by the contract. As his leaves which is: whether I country the country the subject, another question leaves which is: whether I count to issue the writ of above the country should I do it.

occurred to me, which is: whether I ought to issue the writ and await the return of the officer before deciding upon the effect of the act, or to decide that question now. The 3d section of the act may, at first view, seem to favor the former course. That section provides for the stay of the proceeding under the writ, when the ofgeneral principles" in support of which they are cited; add the labor and research bestowed on these general principles only tead to prove that no case can be found ficer, who has a party in custody, shall certify on cath that he detains him for any of the causes specified in the sat The true construction is, I think, that when the position isself shows the cause of the detention, and it is one of these mentioned in the act, the Judge counot issue the writ at ail, but if each cause be not stated in the polition then the writ must be issued, and the proceedings under it can only be suspended upon its cing made to appear by the affidavit of the officer that the true cause of the detention is one of those embraced

Yankee Losses in Florida. - The correspondent of the New York Herald, with the yankee army Sherman was reported at Canton on Wednesday in Florida, sends to that paper a list of casualties in the late Confederate victory of Ocean Pond, Heavy cannonading was heard in the direction which he says is very imperfect. It is published Canton all day Wednesday. Sherman, in a confederate victory of Ocean Pond, Heavy cannonading was heard in the direction which he says is very imperfect. as an "additional" list to one sent two days before. through the country, issued an order than The correspondent says it is impossible to get the lists of one or two regiments The aggregate in was effectually done The yankees took a lar 9 regiments of infantry, 1 company of cavalry and 4 batteries of artillery, is as follows: Killed, 13 officers, 131 men. Wounded and missing, (generally both) 49 officers, 1,978 men. Grand total, killed, wounded and missing, officers and men, 1,271. How much this will be increased by the previous and subsequent lists, we can only

The defeat has caused much excitement at the North. The object of the expedition was to organize a sham government so as to secure the vote of Florida for Lincoln. Referring to this the

New York World says:
When the country begins to realize the atrocity of the Florida massacre it will cost Mr. Lincoln more votes in every county of the North than he

Taking the loss and expense of the Florida massacre as a basis, the Philadelphia Age colculates that each electoral vote Mr. Lincoln expects to secure has cost us so far four hundred men, two cannon, and \$333,333 33. The Age does not attempt to calculate how much more they will cost the nation.

Black Republican Nominating Convention .this: Congress has power to do whatever it pleases, in ORANGE C. H., March 8.-The Washington Chronicle of the 3d contains a call for the National Republican Union Convention to meet in Baltimore, on the 8th June, to nominate candidates may conscript all white women between the ages of 16 timore, on the 8th June, to nominate candidates and 60 to cook and bake for the soldiers, nurse at the for President and Vice-President. All who favor the suppressing of the rebellion, and the cause thereof, are invited to send delegates. The Chronicle says that it cannot be denied that great bitterness has sprung up in the Republican party, which threatens to ripen into something worse than a preliminary contest for nomination.

More of Butler's Brutalities .- We learn from late Northern papers that George M. Bain, Sr., and William H. H. Hodges have been sent to hard labor at Hatteras. Mr. Bain is an old and respectable citizen of Portsmouth, and held the position of Cashier of the Portsmouth Savings Fund Society, and Mr. Hodges, a most estimable gentleman of the same town, delicate in health, and a cripple, is Cashier of the Merchants' and Mechanics' Savings Bank. The offence charged against them is that they sent the funds of their respective banks to Richmond, and refused to divulge by whose authority it was done. In consideration of Mr. Bain's calling, he being a local Methodist preacher, he is sentenced simply to hard labor, but Mr. Hodges is to be fed on bread and water, and to wear a chain six feet long with a twenty-four pound ball attached. The Rev. J. H. Wingfield, Jr , Rector of Trinity Episcopal Church, Portsmouth, because he is an avowed secessionist, has been put to labor on the public streets for three months, with ball and chain to his leg .- Petersburg Express, 7th.

Small Pox in Washington .- A corresponden writes: "The small pox in Washington City is prevaiting to a degree before unknown. There are over six hundred cases in the 5th and 6th wards alone. Many persons are afraid to ride in the street cars, or attend church, for fear of contracting the disease."-Richmond Sentinel.

Mr. Holden's Card .- The following was crowded out of our last issue: -

To the people of North Carolina .- In com. pliance with the wishes of many friends, I announce myself a candidate for the office of Governor of North Carolina, at the election to be held on the first Thursday in August next.

people of the State. These principles and views urday morning, Col. Hedrick, commanding at are what they have been. They will not be Bald Head, struck one of the yankee ships three

the people from their employments, and add to probable that she too is in a precarious condition the excitement which prevails in the public mind, by haranguing them for their votes. all our energies to meet the common enemy, and carolled and the men of their choice. I will cheerfully abide their decision, whatever it may be.

If elected I will do everything in my power to promote the interests, the honor and the glory of North Carolina, and to secure an honorable peace. March 4. W. W. HOLDEN.

A Prevailing Impression .- Of late we have heard the remark frequently made, that Mr. Holden's chances, and consequently his hopes in the coming canvass for the Governorship of North Carolina, depend upon reverses to the Confederate armies. Let Lee or Johnston be defeated, or any other serious disaster befall our arms, and the croakers and peace-on-any-terms men will be up in arms, and Holden stock will rise in the market. On the contrary, let the hopes of patriots be realized, and our flag float triumphant on the battle-field, and it will fall flat, dead-deader than Julius Cæsar .- Wilmington Journal.

The Danville Connection .- The Greensboro' Patriot says that the distance of unfinished grading on this road is 6 miles, with about 18 miles of unlaid rails.

No more Insults to Richmond.—Gen. Bragg has determined to order fifteen hundred cavalry to be permanently stationed around Richmond. Such force, picketing the roads, will effectually protect the city from the insults of raids, as well as the They are now funding at the rate of \$1,500,000 country from their injuries. Such a cavalry force daily. in front of a raiding party will always check them, until the cavalry from Consent Lee's army can in the past six days, is \$2,200,000. come up.—Richmond Enquirer.

A Novel Suit for a Divorce.—The following neident is related by a New York correspondent; A fashionable couple up town; married, but not mated, as the story goes, quarreled a few mornings since, and the irate wite, by advice of of the offerings were withdrawn. Bank stocks her parents, has sued for a divorce. The case is sold at an average decline of \$15; gold 23 for 1. only noteworthy from the ridiculous cause of the quarrel. One morning, it seems, the husband washed himself, as usual, in the bowl used by both; but the lady, for some reason, refused to use it that morning, and rang the bell for another. It was brought, when the now indignant husband flung it violently to the floor, breaking it to pieces The w.fe thereupon called him hard names, when he locked the bedroom door and insisted that she should use the bowl. She vowed that she wouldn't, if she went "with a dirty face for a week." He swore that she should; and so, filling the bowl, he seized her hands, and using sufficient force, washed her face for her. He then unlocked the door and went to his business, while she went to consult a lawyer, and the suit was commenced.

Remember Him .- The Danville Appeal mentions that while merchants in Danville are selling flour at \$225 per barrel, Mr. S. S. Lea, a farmer who lives in Caswell county, N. C., brought to that place a few days since, and sold ten barrels of flour at \$75 per barrel.

Gen. Meade, in a late speech at Philadelphia, reported the losses in the "Great Army of the Potomac," (Yankee,) at 100,000 men since the 1st March, 1861—in killed and wounded.

From Mississippi -- MERIDIAN, March C. last. Our cavalry were fighting him on all sid Canton all day Wednesday. Sherman, in a men must rob the people of subsistence, v number of negroes from this section, and perfect ly impoverished the country wherever the have been

DEMOPOLIS, March 7 .- A dispatch from then Jackson, dated Canton, March 2, says that Sher man's army, composed of the 16th and 17th corp. between 25 and 30,000 infantry and 1500 ears ry, left Canton that morning, after remaining there 3 days. A large number of empty trans ports passed down the river to Vicksburg, sand be to take Sherman's army up the river.

The enemy destroyed the railroad 8 miles le low Canton, burned houses and destroyed provisions. Over 200 of the enemy were killed and captured. Gen. Ross killed 55 out of 70 of the egro cavalrymen near Yazoo City. Severa ever hoped to secure in the whole State of Florida mall wagon trains were taken from the enemy

Capture of Yankee Steamers. - RICHMONN March 7.-News was received to-day of the cap ture of two Yankee steamers by a small party cavalry. Further particulars deemed inexped ent at present.

RICHMOND, March 8.—The capture of the steamers was accomplished by 14 men of the fith Va. cavalry, under Acting Master Burty. The crossed Chesapeake Bay in boats and proceeded to Cherstone. They boarded one steamer and brought off a propeller, scuttled a schooner and captured 40 prisoners. They also destroyed a quantity of stores.

From Georgia .- ATLANTA, March 7-1 Saturday morning Harris' Brigade of cavairy attacked the yankees 12 miles beyond Ringgold and drove them from their position. We lost killed and took 7 prisoners. It has been well ascertained that the recent Yankee advance was intended as a grand attack. The enemy was much surprised to find Johnston in such force No present signs of a movement on the part of the vankees.

From the Blackwater Region .- PETERSBURG March 7.—Rumors of a very pleasant character were rife on the streets Saturday and yesterday One was in effect, that Gen. Matt. Ransom had succeeded in marching his brigade to Deep Creek and thus gained the rear of the enemy's camps at Bowers Hill, midway between Suffolk and Ports mouth, and captured some 600 of the vandals including many negroes. We have no means of ascertaining the truth of these reports, but at a late hour yesterday afternoon no confirmation of them had been received in official circles her-It is generally known here, and among the yankees too, of course, that our forces have occurred Suffolk for several days past. Up to Saturday they had not been disturbed, but our pickets several miles beyond Suffolk, are said to have been driven back some distance Thursday night We are unadvised of the intention of our offibut that there is some wise end to serve by this advance movement, is beyond a doubt, and it will doubtless be developed at an early day - Expr.

Blockader Sunk .- We learn from the mouths of the river, that some of the yankee blockaders have recently been in trouble, one of them having gone under. On Saturday night, or early Sunday morning, she was pursuing a vessel coming into New Inlet. The pursued vessel run in between the shore and the South Rock. The blockader, in trying to cut her off, must have touched on the rock hard enough to make a hole in her bot tom. At any rate, she sunk in five fathoms My principles and views, as a Conservative water. The chased vessel arrived safe at her "after the straitest sect," are well known to the wharf. It was quite dark at the time. On Sat. or four times, and from the agitation on board, I am not disposed, at a time like this, to invite and the crowding of boats around her, it is quite Wilmington Journal, ith.

The Raid near Charlottesville, Va.-ORANGE C. H., March 7 .- The true version is this: The enemy burnt 3 flour Mills, the Rivanna county bridge, near Charlottesville-blew up one caisson, not 6, did not surprise our cavalry camp, did not get 50 prisoners, was whipped away by Beckwith's battery and Stuart's horse artillery, unsupported. Our loss in killed and wounded not over 12. The yankees stole 300 horses from noncombatants, but took none from soldiers in arms.

Wounded in the Fight at Atlee's .- The tollowing soldiers wounded in Gen. Hampton's night attack on the Yankee camp at Atlee's on Tuesday night, were brought to this city and received at Seabrook's Hospital. T. N. McNeeley, Co. B, 1st N. C. cavalry, gun shot wound in thigh; Edmond Lype, Co. A, 1st N. C. cavalry, gun shot wound in the breast; H. M. Goodman, Co. F, 1st N. C. cavalry, gun shot wound in the arm; Geo. Parker, Co. B. 1st Maryland cavalry, sabre cut in head .- Richmond Whig.

North Carolina Officers Paroled or Exchanged -The Richmond papers publish a list of the officers returned from the North last weeek; among them from North Carolina: Col. J. K. Connally, 55th, Lt. Col. S. H. Boyd, 45th, Maj C. C. Blacknall, 23d, Capts. D. Bell, 4th, B. F. Little, 52d; Lieuts. S. E. Belk, 53d, J. C. Warren, 52d, S. F. Adams, 45th, and G. N. Nixon, 33d.

Funding.—MACON, March S.—Upwards of \$2,500,000 funded here in 4 per cent bonds

CHARLESTON, March 8 .- The amount funded

Decline in Stocks and Gold .- RICHMOND March 7.—At auction to day Confederate five year bonds opened at 113, and closed at 102 1-2; bonds of the hundred million loan, due in 1881,

Further decline in Prices.-RICHMOND, Va. March 8:-At auction to-day there is a further deline in manufactured tobacco, sugar and other articles.

From Europe.-The Canada brings European intelligence to the 20th ult. The Confederate steamer Georgia had left Brest. There are again vague rumors of an intention on the part of France to recognize the Southern Confederacy. The German forces have entered Jutland.

Death of a Congressman .- The Charlotte Bulletin of Saturday has a dispatch, announcing the death of Mr. Sam'l H. Christian, Congressman elect from the 7th district in this State. He died of typhoid fever, at his residence in Montgomery county, on the 2d instant

Escaped Prisoners. - We learn that twenty two prisoners made their escape from the train on Sunday night, en route from Richmond South. They will probably pass themselves off as Union emissaries, and the loyal public should be on their guard, and watch out for all such characters. They will be engaged in mischief, and their arrest should be especially looked after.

Raleigh Confederate

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RENEWED E thousands in t ing that nearly soldiers, who ons, have act are expected, and their cour edly, and usac by the Whig. out at a time result of the from the fiend if it had succ prisoners wer f the expediti just in time to the fale which is quite possib rate, we will s as at the failu The exchang objection to he law, has ner through and by

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We see by th Lake City, whic from Jacksouvil 700 or 800 woun Masonic Hall, 1 stable, were thr of attendance w "the entire fema of cold water whom we see r Jas: Banka, Es

GARDEN SEE Gardan, below Evans of this