

J. J. BRUNER, EDITOR AND PROPRIETOR.

ADDRESS To the People of the Confederate States.

In compliance with the request of Congress, contained in resolutions passed on the fourth day of the current month, I invoke your attention to the present condition and future prospects of our country, and to the duties which patriotism imposes on us all during this great struggle for our homes and our liberties.

THESE RESOLUTIONS ARE IN THE FOLLOWING LANGUAGE: JUST RESOLUTIONS RELATING TO THE PRODUCTION OF PROVISIONS.

Whereas, A strong impression prevails through the country that the war now being waged against the people of the Confederate States may terminate during the present year, and whereas this impression is leading many patriotic citizens to engage largely in the production of cotton and tobacco, which they would not otherwise do; and whereas, in the opinion of Congress, it is of the utmost importance, not only with a view to the proper subsistence of our armies, but for the interest and welfare of all the people, that the agricultural labor of the country should be employed chiefly in the production of a supply of food to meet every contingency: Therefore,

Resolved by the Congress of the Confederate States of America, That it is the deliberate judgment of Congress that the people of these States, while hoping for peace, should look to prolonged war as the only condition preferred by the enemy short of subjugation; that every preparation necessary to encounter such a war should be persisted in, and that the amplest supply of provisions for armies and people should be the first object of all agriculturists; wherefore it is earnestly recommended that the people, instead of planting cotton and tobacco, shall direct their agricultural labor mainly to the production of such crops as will insure a sufficiency of food for all classes and for every emergency; thereby, with true patriotism, subordinating the hope of gain to the certain good of the country.

Sec. 2. That the President is hereby requested to issue a proclamation to the people of these States, urging upon them the necessity of guarding against the great perils of a short crop of provisions, and setting forth such reasons therefor as his judgment may dictate.

Fully concurring in the views thus expressed by the Congress, I confidently appeal to your love of country for aid in carrying into effect the recommendations of your Senators and Representatives.

We have reached the close of the second year of the war, and may point with just pride to the history of our young Confederacy. Alone, unaided, we have met and overthrown the most formidable combinations of naval and military armaments that the lust of conquest ever gathered together for the subjugation of a free people. We began this struggle without a single gun afloat, while the resources of our enemy enabled them to gather fleets, which, according to their official list, published in August last, consisted of 427 vessels, measuring 300,000 tons, and carrying 3,268 guns. Yet we have captured, sunk, or destroyed a number of these vessels, including two large frigates and one steam sloop-of-war, while four of their captured steam gunboats are now in our possession, adding to the strength of our little navy, which is rapidly gaining in numbers and efficiency. To oppose invading forces, composed of levies which have already exceeded thirteen hundred thousand men, we had no resources but the unconquerable valor of a people determined to be free; and we were, no destitute of military supplies that tens of thousands of our citizens were reluctantly refused admission into the service from our inability to provide them with arms, while for many months some of our important strongholds owed their safety chiefly to a careful concealment of the fact that we were without a supply of powder for our cannon. Your dignified and patriotic conduct has triumphed over all these obstacles, and called into existence the munitions of war, the clothing, and the subsistence which have enabled our soldiers to illustrate their valor on numerous battle-fields and to inflict crushing defeats on successive armies, each of which an arrogant foe fondly imagined to be invincible.

The contrast between our past and present condition is well calculated to inspire full confidence in the triumph of our arms. At no previous period of the war have our forces been so numerous, so well organized, and so thoroughly disciplined, armed and equipped, as at present. The season of high water, on which our enemies relied to enable their fleets of gunboats to penetrate into our country, and devastate our homes, is fast passing away. Yet our strongholds on the Mississippi still bid defiance to the foe, and months of costly preparations for their reduction have been spent in vain. Disaster has been the result of their every effort to turn or to storm Vicksburg and Fort Hudson, as well as every attack on our batteries on the Red river, the Mississippi, and other navigable streams. Within a few weeks the falling waters and the increasing heat of summer will complete their discomfiture, and compel their baffled and defeated fleets to the abandonment of

expeditions on which was based their chief hope of success in effecting our subjugation. We must not forget, however, that the war is not yet ended, and that we are still confronted by powerful armies, and threatened by more numerous fleets, and by a Government which controls these fleets and armies is driven to the most desperate efforts to effect the deadly purposes in which it has thus far been defeated. It will use its utmost energy to avert the impending doom, so fully merited by the atrocities it has committed, the savage barbarities which it has encouraged, and the crowning sinfulness of its attempt to excite a servile population to the massacre of our wives, our daughters, and our helpless children.

With such a contest before us, there is but one danger which the Government of your State regards with apprehension, and to avert this danger it appeals to the never-failing patriotism and spirit of self-sacrifice which you have exhibited since the beginning of the war. The very unfavorable season, the protracted droughts of last year, reduced the harvests on which we depended far below an average yield, and the deficiency was unfortunately still more marked in the Northern portion of the Confederacy, where supplies were specially needed for the army. If, through a confidence in early peace, which may prove delusive, our fields should be now devoted to the production of cotton and tobacco, instead of grain and live stock, and other articles necessary for the subsistence of the people and the army, the consequences may prove serious if not disastrous, especially should the present season prove as unfavorable as the last. Your country, therefore, appeals to you to lay aside all thought of gain, and to devote yourselves to securing your liberties, without which those gains would be valueless. It is true that the wheat harvest in the more Southern States which will be gathered next month promises an abundant yield; but even if this promise be fulfilled the difficulty of transportation, enhanced as it has been by an unusually rainy winter, will cause embarrassments in military operations and suffering among the people, should the crops in the middle and northern portions of the Confederacy prove deficient. But no unreasoning need be felt in regard to a mere supply of bread for man. It is for the large amount of corn and forage required for the raising of live stock, and for the supply of the animals used in military operations that your aid is specially required. These articles are too bulky for instant transportation, and in their deficiency in the last harvest was most felt. Let your fields be devoted exclusively to the production of corn, oats, beans, peas, potatoes and other food for man and beast. Let corn be sown broadcast for fodder, in immediate proximity to railroads, rivers and canals, and let all your efforts be directed to the prompt supply of these articles in the districts where our armies are operating. You will thus add greatly to their efficiency, and furnish the means without which it is impracticable to make those prompt and active movements which have hitherto stricken terror into our enemies, and secured our most brilliant triumphs.

Having thus placed before you, my countrymen, the reasons for the call made on you for aid in supplying the wants of the coming year, I add a few words of appeal in behalf of the brave soldiers now confronting your enemies, and to whom your Government is unable to furnish all the comforts they so richly merit. The supply of meat for the army is deficient. This deficiency is only temporary, for treasures have been adopted which will, it is believed, soon enable us to restore the full ration. But that ration is now reduced at times to one half the usual quantity in some of our armies. It is known that the supply of meat throughout the country is sufficient for the support of all, but the distances are so great, the condition of the roads has been so bad during the five months of winter weather, through which we have just passed, and the attempts of groveling speculators to forestall the market and make money out of the life-blood of our defenders, have so much inflated the withdrawal from sale of the surplus in the hands of the producers that the Government has been unable to gather full supplies. The Secretary of War has prepared a plan, which is appended to this address, by the aid of which, or some similar means to be adopted by yourselves, you can assist the officers of the Government in the purchase of the bacon, the pork and the beef, known to exist in large quantities in different parts of the country. Even if the surplus be less than is believed, is it not a bitter and humiliating reflection that those who remain at home, secure from hardship and protected from danger, should be in the enjoyment of abundance, and that their slaves should have a full supply of food, while their sons, brothers, husbands and fathers are stinted in the rations on which their health and efficiency depend.

Entertaining no fear that you will either misconstrue the motives of this address, or fail to respond to the call of patriotism, I have placed the facts fully and frankly before you. Let us all unite in the performance of our duty, each in his sphere; and with concerted, persistent, and well directed effort there seems little reason to doubt that under the blessing of Him, to whom we look for guidance, and who has been to us our shield and our strength, we shall maintain the sovereignty and independence of these Confederate States, and transmit to our posterity the heritage bequeathed to us by our fathers. (Signed) JEFFERSON DAVIS, Executive Officer, Richmond, April 10, 1863.

Plan suggested by the Secretary of War.

I. Let the people in each county, parish or ward, select at public meeting, as early as convenient, a committee of three or more disinterested citizens, charged with the duty of ascertaining the amount of surplus meat, whether bacon, pork or beef, he may spare for use of the army, after reserving a supply for his family and those dependent on him for food.

Let this committee fix a price which is deemed by them a just compensation for the articles furnished, and inform the citizens what this price is, so that each may know, before delivery, what price is to be paid for the articles furnished.

Let this committee make arrangements for the transportation of the supplies to some convenient depot, after consultation with the officer who is to receive them.

Let the committee make delivery of the supplies receiving payment of the price, and assume the duty of paying it over to the citizens who have furnished the supplies.

III. Where the duty of the committee is performed in any town or city, at which there may be a Quartermaster or Commissary, no further duty need be required of them than to deliver to the officer a list of the names of the citizens and of the supplies which each is ready to furnish, and the price fixed; whereupon the officer will himself gather the supplies and make payment.

IV. Where the supplies are furnished in the country the cost of transportation to the depot will be paid by the Government, in addition to the price fixed by the committee.

V. As this appeal is made to the people for the benefit of our brave defenders now in the army, the Department relies with confidence on the patriotism of the people that no more than just compensation would be fixed by the committee, nor accepted by those whose chief motive will be to aid their country, and not to make undue gains out of the needs of our noble soldiers.

JAMES A. SEDDON, Secretary of War.

After the Newspapers.—The Richmond correspondent of the Charleston Mercury says:

Mr. Oldham is hard down upon the newspapers, upon recommendation of the Postmaster General, who evidently considers the Confederate press the adversary—a nuisance to be abated. He early doubled the tax on this kind of knowledge. He now desires the tax to be again doubled. Now is this in accordance with a general increase of postage. It is a special attention to newspapers, as a mark of Mr. Reagan's appreciation of their value and importance. A tax of three dollars per annum on each daily subscriber's paper! The fact is, to men in power, the free press is a pleasant or desirable institution, and throughout the Confederate States there is strong disposition to repress criticism and freedom of opinion, indirectly, if not otherwise. This unfriendly measure is but a single development of the spirit evinced by Mr. Conrad and by Gen. Van Dorn.

Executive officers, members of Congress and army officers, have indicated a decided hostility to the promulgation of facts and to criticism. Many prefer to be without both facts and opinions—a government called Republican, but conducted by irresponsible agents in office. The people are not to be trusted—have no business to know their own affairs. Hence the evil of a press. It often does great harm by exposing mismanagement—ignorance being bliss. And it is the height of patriotism to let Messrs. Conrad, Reagan & Co., conduct us and our affairs as shall suit their views. One cent on each newspaper sent to regular subscribers, not weighing more than three ounces; each additional ounce or fraction thereof half a cent. Other periodicals in proportion. This will make reading costly, and bring us after a while to the English system of renting papers by the hour from the coffee houses and periodical shops.

SUGAR.

Sugar has gone up to \$1.25 to \$1.40 a pound. We learn that the sale of the article was stopped in Greensborough a few days ago though going at \$1.15, and a large lot on hand. There can be no doubt but that nearly all the sugar is in the hands of a few monopolists and that sales have been stopped at the same time, at different places, by means of the telegraph. And can we expect to succeed and establish our independence while the business men and capitalists of the country are thus grinding and oppressing the poor—defying God, selling themselves to the devil for gain and mocking the sufferings of their destitute, starving fellow creatures. Unless the moneyed and business men of the country, nearly all of whom seem to have run mad on the subject of money, can be brought back to a sense of decency, honesty, patriotism and fair dealing, it will be strange if we do succeed.

We learn that the sugar, the sale of which was stopped at Greensboro' at one dollar and fifteen cents a pound, cost the present holder 6 to 8 cents! Is this an exceptional case? No. It is the general rule. There are some honorable exceptions but they are like angels' visits. Daily Progress.

Acts of the last Legislature.

An act authorizing one-third of the whole number of justices in any county to transact public business.

Section 1. Be it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That it shall and may be lawful, hereafter, when a majority of the Justices of the peace of any county in the State of North-Carolina cannot be obtained, that one-third of the whole number in any county shall be authorized and empowered to transact all county business, which now, by law may require a majority of the whole number.

Sec. 2. Be it further enacted, That nothing herein contained shall be so construed as to prevent all the Justices from acting, whenever present. [Ratified the 27th day of February 1863.]

An act to admit proof of the handwriting of attesting witnesses in certain cases.

Be it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That in all civil cases where proof of the handwriting of an attesting witness, resident out of the jurisdiction of the court, is admissible to show to them the execution of the instrument attested, the proof of the handwriting of a soldier in the army, absent from the State, shall be admissible for the like purpose; and in like cases, proof of the handwriting of subscribing witnesses resident within the lines of a public enemy, shall be admissible. [Ratified the 27th day of January, 1863.]

An act for the relief of Landlords.

Section 1. Be it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That whenever a tenant, in possession of real estate, holds over after his term has expired, his landlord, or an agent for him, may make affidavit of the fact before some Justice of the peace of the county, who shall issue a precept to the sheriff, or other proper officer of the county, commanding him to cause to come before such justice at such time and place as shall be therein mentioned, twenty indifferent freeholders, twelve of whom shall be selected as jurors, who, after being duly sworn, shall examine and enquire into the fact of the tenancy; that the justice issuing the precept shall cause to be notified the tenant holding over, of the time and place of enquiry, who shall be permitted to introduce evidence.

Sec. 2. Be it further enacted, That if the twelve freeholders shall, after having the evidence be satisfied that the tenant holds over, then the justice of the peace shall issue his order to the sheriff, or other proper officer, commanding him to dispossess the tenant, and to put the landlord in possession.

Sec. 3. Be it further enacted, That if either party, plaintiff or defendant, shall be dissatisfied with the finding of the twelve freeholders, he shall be permitted to appeal to the first term of the superior court, upon giving sufficient security; Provided, however, if the defendant appeals, he shall be required to enter into bond with sufficient security to cover the cost and all damages.

Sec. 4. Be it further enacted, That if the sheriff or other proper officer shall fail to execute the precept, or to serve the notice as required without good cause, he shall pay a fine of twenty dollars for each default, and each freeholder shall pay a fine of ten dollars for failing to attend according to his summons, without good cause shown.

Sec. 5. Be it further enacted, That if the tenant holding over, or any one holding possession for him, shall resist the sheriff or other proper officer, the justice shall bind over the party or parties to the superior court to answer any indictment that may be preferred against him or them. [Ratified the 26th day of January, 1863.]

An act to amend the 46th chapter of the Revised Code, section 18th.

Be it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That the 46th chapter of the Revised Code, section 18th, be and the same is hereby amended by adding after the words "six months," or for each of the court, the words "or for each of the court, he shall not order the sale of more than may be sufficient to pay the widow her year's support, or what may be sufficient for any guardian to expend for the board and tuition of his or her wards for the space of one year. [Ratified the 3d day of February, 1863.]

An act to amend section 64th chapter Revised Code.

Be it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That the second proviso, section second, chapter 64th Revised Code, be, and the same is hereby repealed. [Ratified the 12th day of February 1863.]

An act concerning the statute of limitations.

Be it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That in computations of time for the purpose of applying any statute, limiting any action or suit, or any right, or for the purpose of raising a presumption of any release, payment or satisfaction, or any grant or conveyance, the time elapsed since the 20th day of May, which was in the year eighteen hundred and sixty-one, or which may elapse until the end of the present war, shall be excluded from such computation. [Ratified the 10th day of February, 1863.]

Meetings held in Warren and Franklin counties in this State have resolved to restrict the planting of tobacco to a much smaller quantity to the land than the Virginia law allows in the State. And in Marlboro' District, S. C., a full meeting has resolved to plant but a half acre of cotton to the hand. Fig. Observer.

In the Confederate Court.

SOUTH CAROLINA DISTRICT. IN THE MATTER OF LEOPOLD COHN, NIGERIAN.

Leopold Cohn, became subject to military service under the Conscription Act of the Confederate Congress; approved 16th April, 1862.

The 9th section of that Act provided, that persons not liable for duty may be received as substitutes for those who are, under such regulations as may be prescribed by the Secretary of War.

The Secretary of War, by an order through the Adjutant and Inspector-General's office, dated 26th April, 1862, established the regulations which would apply to substitutes. By a compliance with these regulations, the person procuring the substitute, was to be discharged, when that substitute is accepted and enrolled.

The Conscription Act, approved 16th April, 1862, called into service, white men residents of the Confederate States between the ages of 18 and 35 years; at the time the call or calls may be made; who are not legally exempted from military service.

By the amended Conscription Act, approved 27th September, 1862, the President is authorized to call out and place in the military service of the Confederate States, for three years unless the war should have been sooner ended, all white men who are residents of the Confederate States, between the ages of 35 and 45 years; at the time the call or calls may be made; and who are not at such time or times, legally exempted from military service. Such call or calls to be made under the provisions and according to the terms of the Act, to which the Act of the 27th Sept. 1862, is an amendment.

Leopold Cohn, liable to service under the Act of the 16th April, 1862, complied with the regulations of the War Department, issued by order of the Secretary of War; furnished a substitute, who was accepted, enrolled and mustered in, for three years unless the war should have been sooner ended. A discharge was therefore given to the said Leopold Cohn.

The substitute so accepted was not subject to the call or calls which might be made under the Act of the 16th April, 1862. But if not already in the military service of the Confederate States, he would be subject to the call or calls to be made under the Act of 27th September, 1862. It is claimed by the enrolling officers under General Orders No. 64, dated 8th Sept. 1862, that in consequence of the substitute being within the class of persons, upon whom the call or calls under the Act of the 27th September, 1862, is to be made, he no longer answers the requirements of a valid substitute; that the discharge heretofore given to Leopold Cohn is invalid; and that he is now subject to military service under the Act of 16th April, 1862.

Congress has that large power, conveyed in the grant to it, to raise armies and provide rules for the government of the land and naval forces by which it can deal with the question at issue, in such manner as it shall deem best for the public welfare. Whatever may be the effect of the order of the Secretary of War, cancelling the discharge of Leopold Cohn, there is no doubt of the power of Congress to do so. Had Congress passed a special Act concerning substitutes, it was competent for that body to repeal it, or to annul or qualify the discharges which had been obtained under it. The permission by Congress in such cases, given to individuals to substitute others for the performance of the military service required of them, cannot be considered as a contract between the Government and those who profit by the permission. It is a mere indulgence extended by the Government, which it may at any time, modify or extinguish. And the like power is, in my opinion, vested in the President of the Confederate States. As Commander-in-Chief of the Army, unless restrained by the action of Congress, he may, upon consideration of public necessity, call upon those to perform military service who have been declared liable to this duty, but have been excused from or indulged in its exercise.

But that which distinguishes this case, is that Congress has delegated to an officer of the Government, the Secretary of War, the power to prescribe the regulations under which substitutes may be received. The regulations have been prescribed, the substitutes have been received under them, and the question in the case is, whether the Secretary of War has the same controlling power over the matter as belongs to Congress or could be exercised by the President. The question appears to be thus presented, because it cannot be maintained that any Act of Congress has been passed, destroying the privilege which has been secured by those who have had substitutes accepted for them. Nor is there any order of the President, by him directly made, calling into military service those who have been thus exempted. Nor is the order of the Secretary of War cancelling discharges heretofore granted to be referred to any other source for its authority than the 9th Section of the Act approved 16th April, 1862. The Secretary of War having acted in the matter under the direct authority of this Act, will be presumed to have continued the exercise of his power under the same source.