

The substitute question—one of the most vexed questions which the present Congress had to decide—has been settled. The bill has been signed, and is now a law. All good men and true will acquiesce in the decision, as they have acquiesced in other decisions. The army yielded, in 1862, with a good grace to the cancelling of their contract with the Government. The volunteers saw that the salvation of the country depended on their remaining under arms; they remained. The promised furlough was withheld in thousands of instances; they submitted. The promised liberty of transfer was not granted, except as a special favour in individual instances; and yet there was no mutiny and no desertion. The discipline was as great, the sense of injustice as poignant as they can be now. Let this example be followed by those who are innocent sufferers by what some choose to call the change of policy. Let those who have abused the immunity which they had gained by their better fortune awake to a sense of their shortcomings, and bear, with what philosophy they can, the dissipation of their golden dreams of indefinite extension and unlimited enrichment. Any attempt at vengeance will recoil on their own heads, and, unless we are greatly mistaken, the natural evil consequences of the measure will be grave enough to glut their ire. True wisdom, as well as true patriotism, requires them to put on as good a face as possible while this sad game is enacted. Yet few will follow our well-meant advice. Hundreds have already left the country in anticipation of the action of Congress. Thousands will soon withdraw in virtuous indignation at the Jesuitry of our legislators. The children of Israel will decamp in companies of fifties and hundreds, and hasten back to the fleshpots of Egypt, weary of the unsubstantial manna of Confederate notes, and frightened by the fiery serpents of conscript officers. Some may hail this new edition of the Return of the Ten Thousand with satisfaction; but they err if they expect a great moral regeneration to succeed the departure of these "fortunate unhappy" speculators. A double portion of their spirit will descend and rest on the cripples and octogenarians of the Confederacy, who are to be our sole exempts; and skeleton hands will clutch, and toothless gums mumble with still more eagerness and greater relish than even the fleeing hordes of Mammonites.

But, we are told, the army demanded the companionship of the privileged class whose wealth had procured them exemption from the perils and privations of the field. The army has got what it demanded. It has received its New Year's Gift—as one of the advocates of the measure called it. What else does it want? Will it be satisfied with that sop—that tiny *bonne bouche*? Certainly not. If members of Congress persist in treating the army as if it were a praetorian cohort, instead of an assemblage of citizens, organized for the purpose of self-defence, we may look forward to new claims for new donations, and fresh threats to enforce fresh demands. Now, we yield to no one in our admiration for our real army. It is a select society; far more select than the hasty inspection of the muster-roll would lead one to suppose; and we are not fully satisfied that the sentiment of our true defenders was so very clamorous for the measure which has just been passed. Every real soldier knew six months ago—a year ago—that he was in for the war. No one dreamed that the army would be disbanded at the close of three years' service. The idea of affixing any condition to continued service was utterly foreign to the noble men who have been battling for the country; and it was criminal to create discontent by suggesting it. We shall next be informed that the army will not be satisfied unless all exemptions are done away with, and the whole male population be enrolled. Absentees and deserters may desire it in the hope of escaping the punishment due their dereliction of duty. It is so much easier to catch a middle-aged civilian, encumbered with the care of a large family, than an old soldier, who has had three years' practice in flanking pickets and lying out in the woods, that our conscript officers will hardly trouble themselves about pursuing the warier and more dangerous game. But the men who answer to their names when drawn up in line of battle have too much sense to burn their commissary wagons and trust to the contents of their enemies' haversacks, too enlarged views of the requirements of civil life, to demand a disorganization of the society to which they themselves ultimately belong.—*Richmond Examiner*.

COUNTER REVOLUTION.

The Constitution of the Confederate States ordains three departments of government—Executive, Legislative and Judiciary. They are co-ordinate in dignity and authority, and each in its sphere supreme against the others. The successful attempt of one of these departments to subordinate the others would be revolution. The combination of two of them to destroy the other would be conspiracy. The Constitution would be overturned and the liberties of the people subverted if

such a procedure were tolerated. Is there no occasion to think of this? Let us see.

In our issue of yesterday we mentioned the passage by an almost unanimous vote of the Senate, of a bill repealing the exemption of those who have placed substitutes in the service. This bill, having been rushed through the House, where it originated, with most undignified if not indecent precipitancy, requires now but the signature of the President to become an act. Of the merits of the bill we have already spoken. It may now be regarded as a law. We wish at this time only to make some passing comments upon the long manifested in Congress in the debates upon this measure. A Senator (Mr. Orr, of S. C.) among other objections to the passage of the bill gravely questioned its constitutionality. "There will be great difficulty in executing it, by reason of the decisions of the courts in several of the States. We must acquiesce in the decisions of the courts or resort to measures which he was not prepared for." A Senator from Missouri, (Mr. Clark,) representing a constituency wholly beyond the action and control of our laws, replied in urging its passage that "in regard to the action of the courts, steps may and should be taken to remove the subject beyond their jurisdiction." The Senator from Mississippi (Mr. Brown) goes further: "We should not defer our legislation to consult the views of every State Judge—to ascertain whether he will overthrow it or not by his judicial decision. We have high duties to perform. Let us perform them without reference to State Judges. There was a remedy against the interference of the courts, in the suspension of the writ of *habeas corpus*." The vote of Congress upon this measure shows to what extent the provisions of the Constitution are getting to be disregarded in the Legislative branch; and how far revolutionary sentiment already prevails in that body. The strength of the popular respect for our government, and the good sense of the quiet masses, may for the moment allow such declarations to pass without disturbance. The little respect in which substitute men are held may influence a temporary acquiescence in them. But the intelligent and ardent lover of his country cannot witness such proceedings, with indifference, nor will he with submission.

There is as much patriotism and intelligence out of the Halls of Congress as in it, and the tendency of the Legislative and Executive declaration so far this session to a subversion of the liberties of the country and a military despotism, is already sowing the seeds of a counter revolution. Our people claim it as their right, as the duty of the general government to ensure to them, as the basis of the compact by which they have associated together, that the Confederacy is but a community of sovereign States. They look to the Constitution as the Supreme Law of the Confederacy. They regard it as among the blessings for which they are indebted to their ancestry, that they transmitted to us a written Constitution. It received the pledged faith of our fathers. It is the hope of our posterity. To argue questions outside or above it is but to assail the cause of law, of right and order. The wise men who so recently remodeled our present government may have doubted its perpetuity when they saw wreck after wreck floating on the tide of time of the short-lived Republics which had preceded them. Remodeled, too, after bitter experience from violation of the old chart, and at a time when clouds and darkness were hovering over us, they gave it to us and we took it as the anchor of hope to cling to in the coming storm. We took it as our reliance, as our supreme law; and the Congress or Executive who would now throw it aside would perjure their oath to abide by it willingly in letter and spirit; to render it obedience and to support and maintain it, and neither in conscience or conduct to ever transcend it.

Should the poison of the doctrine to which we have referred taint the reverence of our people for this fundamental chart—should the insidious counsels of our representatives corrupt the very stamina of our government—what antidote can restore it to health and honor? Should our people be brought to despise the weakness of their government, or suspect its intentions of hostility to the general welfare, the slightest irregularity, the exercise of any unauthorized power, whether by principal or subordinate officers, will be sufficient to arouse their angry clamors, or almost to make them rise in arms against it. There is a spirit of resistance in the hearts of our countrymen. They value life not by its conveniences, but by the independence and dignity of its condition. At this moment we appeal only to the discretion of Congress before they arouse the jealous madness of our people.—*Rich. Whig*.

THE PASSPORT SYSTEM A NUISANCE.

We have a suggestion to make to the portion of Congress which really desires to replenish the army, and is not merely intent upon a demagoguism which sings of arms in public, and speculates in apple brandy, privately. It is easy to make a number of practical tests of the real disposition of Congress to increase and strengthen

the army, and the suggestion we have now to make, offers a ready and conclusive one.

The suggestion is this: To abolish the passport system. Such an act would give to the field the large hordes of brawny military idlers enucted with this superfluous bureau. The officer of passports has three sets of employees. There are various clerks, scribes, and messengers immediately connected with the office; then the guards at the station of travel, a squad of whom is to be found at every railroad platform in the Confederacy, bullying passengers; and, finally, the trim military gentlemen who travel from station to station, and bowl every railroad car in the Confederacy, "show your passport!" All these employees in the South would furnish a very able body, always impolite, and if their courage is equal to the insolence of their manners, would make very positive and courageous soldiers.

The present employment of these men is of no earthly benefit to the Confederacy. Indeed, the entire passport system is an unmitigated nuisance; it is worse than useless; it is a source of endless annoyance to honest persons, and instead of being a check on spies and traitors, it is a positive facility to them, for it makes the only test of the legitimacy of their travel the possession of a scrap of brown paper, which any villain may easily get as any fool may easily forge. The writer has recently travelled over several thousand miles in the Confederacy, through various gauntlets of the passport system, and he has never yet seen one single instance of actual arrest by the agents of that system. Does any one know of a single important arrest made through the agency of the passport office? Yet we all know that spies are constantly moving from point to point in the Confederacy and making their exit at pleasure. The passport actually facilitates them; for it is easily got, is taken as *prima facie* evidence in their favor, quiets suspicion, and excludes enquiry.

If the authorities desire to detect spies and traitors it must be done through some other agency than the passport office, which experience, in addition to reason, has shown to be inefficient, corrupt, and in fact, auxiliary to the escape of the friends and emissaries of the enemy. But it is not only on these accounts that the office should be abolished, but especially because it employs a very considerable number of men who should be in active military service. Many of these men are skulking on detailed service; they belong properly to the army, and are eager enough to wear the uniform and present the insignia of soldiers on railroad cars; and it is high time that they were put where they belong.—*Richmond Examiner*.

From the Richmond Sentinel.

There is no doubt that a great deal of that restlessness among the people, and discontent in the army, which call for those stern measures that Congress is enacting, is due to the abuses which have grown up among us, for which the war has furnished the opportunity, and the infirmities of the law the privilege and sanction. When evils become unendurable, the public are wont to avenge themselves by such violent measures as cleared Vicksburg of gamblers, or by such harsh laws as have recently done the same service in Richmond. The people and their legislators are now on a raid against extortioners, and all such as are intent only on making fortunes, while the country is bleeding at every pore. It is the universal opinion that the principals of substitutes have not only been spared far more military service than was in the calculation when they put in their substitutes; but that, as a class, they have abused their exemption, to suck the blood of the people. They are reaping their reward!

But they will not stand alone long! The work has but begun. There are thousands who now stand exempt because they are engaged in callings necessary to the country. They are shoemakers and tanners, and blacksmiths, and manufacturers of various articles. The whole country is justly exclaiming against the enormous rapacity of most of these. It is indeed necessary that the country should be clothed and fed; but it is not necessary that those who are engaged in this work, and who are accustomed to claim that their calling is as indispensable as that of the soldier in the field, should prey upon the people as they are now doing. Hence it is that propositions are pending for a large curtail of the exemption list. These persons, like the principals of substitutes, are about to reap their reward. They have rioted in their license, and they thought there was no night to their day; but it is about to come, and they have themselves to blame.

The indispensable branches of industry, so far as they cannot be carried on by non-conscripts, will hereafter have to depend upon details. This will incidentally afford the opportunity to control prices, so far as to reduce them to a living standard, to the great relief of the country. That repression of extortion which it was the province of a maximum law to afford, will thus be accomplished indirectly and imperfectly, but still with happy effect. And besides this a *caution* will have been read to all of whatever age or whatever business, not

to trespass too far on the sense of justice and the patience of the people! The country, indeed, needs producers as well as fighters; and the work of each is equally necessary. But the time has passed when under this specious plea, the products shall produce only for themselves while the fighters fight for their country—the latter growing poor all the while, while the former waddle with suddenly acquired wealth. Let us have some equality in services and sacrifices, although we toil in different fields.

If Congress will devise means to correct extortion among producers, and distribute the burdens of the war as equally as possible on all, we think it will have accomplished a great good, which it should not mar by unnecessarily crippling producers. It will be a much better way to gather the stragglers from the army, who are now lost both to the military service and to production, than to call from the shops and the fields to fill their places, men valuable and producers but too old for soldiers. The attempt to make soldiers of these will lose them also both to the military service and to production. From this double injury we should shield the country, by requiring soldiers to be at their post, and producers to feed and clothe them, and take care of their families if need be. Our grand struggle for liberty has arrived at that point which requires the united and unselfish efforts of all, each in the sphere in which he can be most useful. A duty for every man, and every man to his duty!

The Exemption Question.—The Next Twelve Months.

The Military Committee of the House reports a bill repealing all existing exemptions except such as are extended to the officers of the State and Confederate Governments.

The whole question of details and exemptions is, by this bill, virtually turned over to the President.

We do not know whether this bill greatly affects the question. Some exemptions there must and will be, and some details also. At first blush it would look as though the House shrank from the responsibility involved in the settlement of this question and was disposed to cast it all upon the Executive, but, upon reflection, we do not think that such is the motive at the bottom of the proposed legislation.

The great difficulty with all laws and systems has ever been their abuse or defective execution. All human laws and institutions administered by human agency must be liable to abuse, and are abused to a greater or less extent. There are evils and abuses likely to be developed in the operation of any law, which no human prescience can anticipate or provide for, and which practice alone can make manifest, and practiced remedies alone can remedy or prevent. By leaving the regulation of this question of details and exemptions within the power of the Executive, perhaps it is thought that the appropriate remedies can be promptly applied to any abuses or evasions as soon as they develop themselves and are brought to the attention of the Department, which probably could not be the case were the whole matter fixed by positive enactment, as it has been heretofore.

It is plain that a good deal might be said for and against this bill, as we think we have shown above, but since quite as much, if not more can be said for than against it we naturally incline to the favorable side—to believe that the bill has been gotten up in good faith, with a view to meet the present emergency of the country and not to evade responsibility by casting it upon a co-ordinate branch of the government.

The truth is that the action of all our authorities demands from every patriot not only a fair but a liberal construction. It would be folly to deny that this year, while it holds out to the eye of hope the chance of a favourable and honorable conclusion of the war also contains the elements of a most severe and trying crisis, to meet which will require that all the available energies of the Confederacy shall be put forth, not reluctantly, but eagerly, not standing upon the mere letter, not sticking and haggling and quibbling, and invoking the sanctity of the law and the spirit of the constitution to defend—not liberty—but personal ease, heaped up gain or cherished speculations. We reverence the constitution—we oppose invasions on the rights of the people as much as any one. We have an instinctive regard for law and order. But neither Johnny Cope in his eye, of beef and beef! nor Shylock in his attempted exaction of his pound of flesh come up to our ideas of law and order; nor, we confess, do some in the present day who seek to embarrass the government and certainly do jeopardize the cause by legal quibbles, show to us in a much better light.

The utmost nerve—the firmest front, the most undaunted courage, will be required during the coming twelve months from all who are charged with the management of affairs in our country, or whose position gives them any influence in forming or guiding public sentiment. Moral courage—the power to resist the approaches of despondency, and the faculty of communicating this power to others, will need greatly to be called into exercise; for we

have reached that point in our revolution which is inevitably reached in all revolutions, when gloom and depression take the place of hope and enthusiasm—when despair is fatal and despondency is even more to be dreaded than defeat. In such a time we can understand the profound wisdom of the Roman Senate in giving thanks to the general who had suffered the greatest disaster that ever overtook the Roman arms, "because he had not despaired of the Republic."

We do not mean that we should shut our eyes to the dangers that threaten us, and thus render them doubly dangerous by neglecting the use of the proper means to avert them, neither do we advocate any servile adulation of our governmental authorities, or any unreasoning approval of all their measures. We only mean that where any measure admits more readily of a favorable than of an unfavorable construction justice and good faith to public servants struggling under innumerable difficulties demand that it should receive the former construction. We contend also that the leaders of a people—those possessing influence in moulding or guiding public opinion in an hour like this, are as greatly to be blamed for publishing depressing views and depressing public firmness, as military officers would be who told their forces in the presence of an enemy that they were already whipped, and they had better run away or surrender. But such, we regret to say, is the tone of too many papers, especially in North Carolina. Such a tone is suicidal, and we confess we think it is next to moral treason, if not worse.—*Wilmington Journal*.

CAROLINA WATCHMAN.

SALISBURY, N. C.

MONDAY EVENING, JANUARY 11, 1864.

Mr. Otho Lysterly will leave Salisbury on the 21st of January to visit the 49th Regiment. He will carry boxes to members of Chamber's Company, if those who wish to send them will bring them to Third Creek Station, or to Salisbury.

Col. HORACE L. ROBARDS, formerly well known as the proprietor of the Rowan Hotel in this place, died at his late residence, the White Sulphur Springs, in Catawba county, on Sunday the 3d inst. His body was buried in the English cemetery of this town on Thursday.

Gen. Forrest has been nominated by the President and confirmed by the Senate a Major General.

A heavy snow storm raged all day at Orange Court-house, Va., on the 4th.

Persons writing to soldiers or sending them papers, should prepay postage, otherwise they will not be delivered to them.

The first North Carolina Hospital at Charleston, S. C., was destroyed by fire on the morning of the 4th. All the sick and wounded, and all the medical stores, &c., were safely removed.

Some of the most valuable private residences in Fernandina, Florida, now in the hands of the Yankees, have been sold at public sale, and bought by Yankee officers, sympathising residents, &c., at prices ranging from \$5 to \$400! This shows how little confidence the purchasers of this property had in the value of their investments. The whole town, at the rate of the sales reported, would hardly bring the value of a single lot. Of course the Yankees do not expect to abide permanently in Fernandina.

The Distillery again.—The superintendent of the Government distillery at this place, denies, we learn, several propositions in our article of last week touching that establishment. Our statements were made on what we believed to be good authority, and the public would certainly experience satisfaction and pleasure to know that all the material ones were untrue. The Government belongs to the people, why then should their officials withhold from them facts on any subject about which they manifest dissatisfaction? It should be as pleasing a task for them