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The Kent News.

CHESTERTOWN:

SATURDAY MORNING, SEPTEMBER 27, 1862.

THE NEWS OF THE WEEK.

The invasion of Maryland and Pennsylvania is at an end. The full blown hopes that the disloyal entertained that Washington was to be captured, Baltimore occupied, and the Rebel army furnished with winter quarters at Philadelphia, have been most ruthlessly crushed. The resolve of the Rebel Congress at Richmond that their standard should be advanced into the territory of the enemy has proved to be an enterprise of not easy accomplishment.

An armistice was granted on Thursday at the request of the Rebel General for the purpose of recovering and burying his dead within our lines. Whilst this humane work was in progress he was doubtless using the time to expedite a general retreat across the Potomac. On Friday morning General McClellan found that the enemy had abandoned his position, leaving his dead and wounded on the field. Pursuit was immediately commenced and it was found that the enemy was leaving Maryland and retreating across the river.

Notwithstanding the escape of the Rebel army, Gen. McClellan has done all that man could do, and more than any other man in the army would have done. He has suddenly assumed command of a beaten and disorganized, if not demoralized army, hastily pursued the victorious enemy,—more numerous perhaps than his own force, flushed with triumph, and pushing northward in the confident belief of capturing Harrisburg, Philadelphia, Baltimore and Washington, and proclaiming the Rebel constitution in Maryland, Pennsylvania, Delaware and the national capital, and closing the war in a blaze of glory,—overtaken them, engaged them, beaten them on every field, captured large numbers of prisoners and great quanities of munitions, and finally driven them pell-mell across the Potomac into Virginia.—That he will yet destroy or disperse the remnant of them, and capture Richmond, if given full power and control of the army, no one need doubt for a moment.

The latest intelligence represents the Rebels as massed on the south side of the Potomac, as high up as Williamsport.—No portion of McClellan's army had crossed the river, but large bodies of troops were moving in directions which indicated that there must be a rebel stampede or a fight in a few days.

Harper's Ferry was evacuated by the Rebels and reoccupied by the Union army on Friday of last week.

A battle took place in Mississippi, near Iuka, on Saturday last, in which General Rosecrans attacked a large Rebel force, under Gen. Price, estimated at 15,000. The battle lasted from daylight until noon, when the enemy retreated and General Rosecrans started in pursuit. Our loss was between four and five hundred, and the Rebel loss supposed to be much larger. The Rebel Gen. Little was killed, and the Rebel Gen. Whifford wounded and taken prisoner.

The St. Louis *Democrat* has information that the Rebels, under Hindman, are concentrating on the border, twenty miles from Granby, Newton county, and that they now number from 30,000 to 50,000, with daily accessions from Missouri. This force is concentrating there with the avowed purpose of invading Missouri, and laying waste the country to the extent of its ability. Hindman, some ten days ago, in a speech to his men, declared that he should lead them no further than the Missouri line, and that there General Price would command them. Gen. Schofield left St. Louis for the Southwest on Friday last, as is supposed, with the intention of leading a National force against the Rebels.

Col. R. B. Price, of the 2d Pennsylvania Cavalry, made a reconnoissance on Sunday last to Ashby's Gap of the Blue Ridge, from Washington, routing a regiment that was stationed there, killing and wounding a number, and capturing the Rebel commander and two Lieutenants.

President Lincoln was serenaded on Wednesday night by those who believe that the rebellion can be suppressed by the abolition of slavery. The President attempted to make a speech in response to the calls, but he was so frequently interrupted by the cries and exclamations of his auditors that it was difficult for him to complete a sentence. He, however, said, in alluding to his emancipation proclamation that "he trusted in God he had made no mistake"—"that he had acted after due deliberation," and that it was "now for the country and the world to pass judgment upon it, and, it may be, take action upon it."

THE PRESIDENT'S PROCLAMATION.

The proclamation of President Lincoln, found in another column, declaring prospectively the emancipation of slaves in the rebellious States, is the most important document that ever emanated from a public man in this country. The declaration of Independence was not fraught with more momentous interests, nor did it excite more agitation in the public mind. The idea of a President, whose duties are prescribed in the Constitution—an officer sworn to "preserve, protect and defend" it—by a paper publication, changing the relation of master and slave, and emancipating four millions of human beings, of all ages, sexes and conditions—diseased, disabled, deranged, imbecile, and infants forming a large proportion—without any provision for their colonization, maintenance and support, excels in stupendous wonder and amazement anything that this or any former century has produced.

As the Executive officer of the nation, his duty is to preserve and defend the Constitution, and no authority exists in him nor in the Government combined to interfere with the relation of slavery. It is only as commander-in-chief can any color of assumption be claimed for any such purpose. But it should be remembered that no commander can change the relation by a proclamation. The power of a military chieftain over the property of the enemies of the country can only be exercised, as a punishment, when in actual possession and taken captive. Such persons may be worked, or sent away, but cannot be emancipated and remain, for as soon as the possession is regained the former relation is restored. If a city be captured, it may be used while in possession, or be destroyed: so of horses, &c. But the moment the possession is regained by the owners, their original rights attach in full force. It is an an old adage that it is best not to dispose of a bear's hide until you catch and skin him. The thing is impracticable, and can only weaken the administration in all the States where conservatism prevails.

Another insuperable objection to such wholesale emancipation is, that by the Constitution three-fifths of the slaves are counted to make up the representation of each slave State in the House of Representatives, and before the rebellion the South had about twenty representatives on that basis alone. The Constitution also provides that direct taxation shall be made upon the same basis, viz: three-fifths of that population. How can the President or a General of an army, by a published proclamation, take twenty members from the House of Representatives—reduce the representation secured by constitutional guaranties, and abrogate the organic law in relation to the laying of a direct tax? If he claims a power to punish an enemy, he cannot exercise a power to destroy the principle of direct taxation, reduce the revenues of the Government, and annul a constitutional provision advantageous to it.

But the proposed scheme is not only unconstitutional, but it is in direct violation of the solemn pledge of Congress in 1861, endorsed by the President, that the war is waged not to interfere with slavery in the States, but only to restore the Constitution and the Union, and enforce the laws. But further, it closes the door to reconciliation—places the Confederates at defiance—embitters and aggravates the feelings of hostility between the sections, and constitutes the war one of subjugation, will prolong it indefinitely, and invest it with new horrors and desperation. We hope the President will recede from his contemplated position, discard the extreme and evil counsellors that excite and mislead him in relation to the effect of such a measure, and return to the conservative counsels of the spring and summer of '61.

The President in his proclamation says that he does "hereby proclaim and declare that hereafter, as heretofore, the war will be prosecuted for the object of *practically restoring the constitutional relations* between the United States and each of the States, and of the people thereof, in which States that relation is or may be suspended or disturbed." The Constitution protects slavery in the States; recognizes the institution; provides for its representation and taxation, and the return of fugitives. How then can the constitutional relation be "*practically restored*" if these essential interests thus guarantied are "*practically*" destroyed?

By the Constitution the President is constituted commander-in-chief of the army and navy of the United States and of the militia of the several States when called into actual service. It is not the individual, occupying the place as a person, but it is the President as such and *ex-officio*, and consequently the obligations of the oath as President to preserve and defend the Constitution is inseparable from his duty and action in every department. The President is as much the commander of the militia as of the army. Can it be supposed that he has a right to call out the militia of one slave State, under the Constitution, to enforce a scheme of emancipation in another? Such a construction would be absurd; but how could it be distinguished from the assumed power in case of regulars or volunteers from the States when called to enforce a similar measure? The error lies in the confounding of the position of a General fighting a foreign foe with unlimited powers, and the President of a constitutional republican government, bound by constitutional obligations and restrictions, surrounded by limitations and bulwarks, and engaged in suppressing a rebellion.

There is a duty to the border loyal States that should not be overlooked, but respected. It is a principle with national law writers that a generous conqueror will study to relieve his new subjects and mitigate their condition, and one has said: "The most secure dominion is that which is acceptable to those over whom it is exercised." There can be no Union, permanent or fraternal, that is based on anything but the virtual original declaration of Congress and the President: "the Union as it was, the Constitution as it is, and the enforcement of the laws."

We go for a vigorous prosecution of the war, for the draft and volunteers, and the exertion of all the energies of the Government to suppress rebellion, and hope it may be accomplished before the first of January, but we hope never to see such a proclamation as that which the President threatens to issue. Better counsels we hope will prevail.

☞ We publish elsewhere a significant article from the Richmond *Examiner*, which admits that the northward move of the Rebel army is made for "meat and bread," and is one of necessity and compulsion, rather than of choice. It gives a sorrowful picture of the barrenness and desolation which prevail in Virginia and many other parts of the South, and confesses in substance that adequate supplies for the subsistence of their army are not to be had. Prisoners taken in the recent battles complained that they were not half fed, (it was not necessary for them to say they were not half clothed,) and their lank and forlorn appearance fully corroborated the statement. It is no wonder that they made a desperate effort to reach the land of plenty, where it is said they were promised unrestrained indulgence. But what must now be the feelings of the defeated and disappointed host, as they trudge their way back, hungry and in rags, to spend the winter in cold and want and suffering? There is a limit to the powers of human endurance, and we cannot now conceive how it is possible to maintain the Rebel army in the South through the coming winter, for the scarcity of supplies there is no doubt much greater than represented. Coffee is selling at $3.50 per lb. in Richmond, tea $16, and sugar 60 cts. to $1 per lb. Soap (no wonder the Rebels are dirty) is worth 75 cts. to $1 per lb. Some of these articles, it is true, are not standard army supplies, and all may in cases of extreme necessity be dispensed with, as they long ago seem to have done with that last named, but the prices serve to show the general scarcity which exists, and even the commonest necessaries of life are sold at the same fabulous rates. The signs at present indicate that the war is to be terminated by starving the rebels out!

THE UNION PARTY.

While the Union party of Maryland has always maintained the inviolability of the Constitution, the supremacy of the Constitution and the enforcement of the laws, and a vigorous policy of the Administration to suppress rebellion, and are still so, it has not approved all the measures of the Administration in respect to the slavery policy. The emancipation in the District of Columbia, and the recent scheme of future emancipation in the South, are measures disapproved by the Union party, who are constitutional, conservative and patriotic. They are still for the suppression of the rebellion.

☞ A few of our subscribers will soon be in arrears for two years' subscription. To such we send bills with this week's issue. If paid before the first of November next they will be allowed a deduction of FIFTY CENTS—if not paid by that time the whole amount will be exacted, according to our terms. The heavy advance in the price of printing materials, while our paper is supplied at the old rates, renders it necessary that subscribers should be prompt in the payment of their subscriptions.

REVISION OF THE ENROLLMENT.

The final revision of the County enrollment, preparatory to the draft, will be made on Monday and Tuesday next.—Wednesday, the first of October, is the day designated for commencing the draft in Maryland.

LOUISVILLE SAFE.--All apprehension for the safety of Louisville was removed on Wednesday. A portion of Buell's army was approaching the city in advance of Bragg, which added to the force already there renders the city perfectly secure.

An exchange of ten thousand prisoners, rank and file, was effected by Lieut. Col. Ludlow, of Gen. Dix's Staff, at Harrison's Landing on Monday. Three hundred officers were also exchanged.

Proclamation by the President.

The Slaves of all States in Rebellion on the First of January, 1863, to be thenceforward and forever Free.

By the President of the U. S. of America:

A PROCLAMATION:

I, Abraham Lincoln, President of the United States of America, and commander-in-chief of the army and navy thereof, do hereby proclaim and declare that hereafter, as heretofore, the war will be prosecuted for the object of practically restoring the constitutional relations between the United States and each of the States, and the people thereof, in which States that relation is or may be suspended or disturbed.

That it is my purpose, upon the next meeting of Congress, to again recommend the adoption of a practical measure tendering pecuniary aid, subject to the free acceptance or rejection of all the slave States so called, the people whereof may not then be in rebellion against the United States, and which States may then have voluntarily adopted, or thereafter may voluntary adopt, the immediate or gradual abolishment of slavery within their respective limits; and that the effort to colonize persons of African descent with their consent upon this continent or elsewhere, with the previously obtained consent of the governments existing there, will be continued.

That on the first day of January, in the year of our Lord one thousand eight hundred and sixty-three, all persons held as slaves within any State or designated part of a State, the people whereof shall then be in rebellion against the United States, shall be then, thenceforward and forever free, and the Executive government of the United States, including the military and naval authorities thereof, will recognize and maintain the freedom of such persons; and will do no act or acts to repress such persons, or any of them, in any efforts they may make for their actual freedom.

That the Executive will on the first day of January aforesaid, by proclamation, designate the States or parts of States, if any, in which the people thereof, respectively, shall then be in rebellion against the United States; and the fact that any State or the people thereof shall on that day be in good faith represented in the Congress of the United States by members chosen thereto at elections, wherein a majority of the qualified voters of such States shall have participated, shall, in the absence of strong countervailing testimony be deemed conclusive evidence that such State and the people thereof are not in rebellion against the United States.

That attention is hereby called to an act of Congress, entitled "An act to make an additional article of war," approved March 13th, 1862, and which act is in the words and figures following:

"Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That hereafter the following shall be promulgated as an additional article of war for the government of the army of the United States, and shall be observed as such:

"Article—. All officers or persons in the military or naval service of the United States are prohibited from employing any of the forces of their respective commands for the purpose of returning fugitives from service or labor who may have escaped from any person to whom such service or labor is claimed to be due; and any officer who shall be found guilty by a court martial of violation of this article shall be dismissed from the service.

"Section 2. And be it further enacted, That this act shall take effect from and after its passage."

Also, to the ninth and tenth sections of an act entitled "An act to suppress insurrection, to punish treason and rebellion, to seize and confiscate the property of rebels, and for other purposes," approved July 17, 1862, and which sections are in the words and figures following:

"Section 9. And be it further enacted, That all slaves of persons who shall hereafter be engaged in rebellion against the government of the United States, or who shall in any way give aid or comfort thereto, and captured from such persons and taking refuge within the lines of the army, and all slaves captured from such persons, or deserted by them and coming under the control of the government of the United States; and all slaves of such persons found on or being within any place occupied by the rebel forces and afterwards occupied by the forces of the United States, shall be deemed captives of war, and shall be forever free of their servitude and not again held as slaves.

"Section 10. And be it further enacted, That no slave escaping into any State, territory, or the District of Columbia, from any other State, shall be delivered up, or in any way impeded or hindered of his liberty, except for crime or some offence against the laws, unless the person claiming the said fugitive shall first make oath that the person to whom the labor or service of such fugitive is alleged to be due is his lawful owner, and has not borne arms against the United States in the present rebellion, nor in any way given aid and comfort thereto."

No person engaged in the military or naval service of the United States shall, under any pretence whatsoever, assume to decide on the validity of the claim of any person to the service or labor of any other person, or surrender any such person to the claimant, on pain of being dismissed from the service.

And I do hereby enjoin upon and order all persons engaged in the military and naval service of the United States to observe, obey and enforce within their respective spheres of service the acts and sections above recited. And the Executive will, in due time, recommend that all citizens of the United States who shall have remained loyal thereto throughout the rebellion, shall, upon the restoration of the constitutional relations between the United States and the people, if that relation shall have been suspended or disturbed, be compensated for all losses by acts of the United States, including the loss of slaves.

ABRAHAM LINCOLN.

Opinions of the Press.

[From the National Intelligencer.]

With our well-known and oft-repeated views respecting the inutility of such proclamations, it can hardly be necessary for us to say that where we expect no good, we shall be only too happy to find that no harm has been done by the present declaration of the Executive.

This new proclamation with regard to the contingent emancipation of slaves in the insurgent States not being self-enforcing any more than the proclamation of General Hunter in regard to the immediate emancipation of slaves in the States of South Carolina, Georgia and Florida, the only difference between the two papers resides in the signatures respectively attached to them. And as, in themselves considered, they are likely to prove equally void of practical effect, we are not without the suspicion that the President has taken this method to convince the only class of persons likely to be pleased with this proclamation of the utter fallacy of the hopes they have founded on it.

[From the Baltimore Clipper.]

The subject is one which the loyal men of the border States cannot but believe is *not* calculated to aid the Union cause, and therefore regret to find it thrust before the public again. No good, we believe, will come of its reproduction, and we hope no evil may flow from it; but we think it had better been left alone.

[From the Baltimore American.]

We have long ago expressed the conviction that slavery in this country is *doomed;* and the advent of this Proclamation we can scarce consider, under the circumstances, as hastening its fate. Perfectly mad as the Cotton States were in challenging a conflict for its extension, the ferocious spirit they have shown in the fight has, little by little, lost them the sympathies of the world at large; until left alone as its especial champions, and inadequate to sustain a much longer struggle, it would have perished, ultimately, whether the Executive had moved in the matter in the way he has seen fit to do or not.

[From the New York Tribune.]

It is the beginning of the end of the rebellion; the beginning of the new life of the nation. God bless Abraham Lincoln!

[From the Philadelphia Press.]

If slavery lives the republic dies. The republic must live, and so slavery must die. This is the meaning of the President's proclamation, and his words record slavery's inevitable doom.

President Lincoln has followed the logical course of events in issuing this proclamation. He has been neither too soon nor too late. He had a multitude of interests to consult, all of which involved the social, commercial and political happiness of our people. * * This proclamation of the President ends the rebellion. It will not do so to day, or even to-morrow, but it will end it in a very short time and in a very summary manner.

[From the Phila. North American.]

This proclamation of the President is the decree of fate rather than the utterance of any man, and no one who has thoughtfully observed the course of recent events, could fail to foresee that the cloud setting darkly around us would very soon be lighted up with a flash that would mark the turning point of the accumulation. The storm is not over, but it is no longer gathering. We can see now that there is to be an end, and we know the end is to be favorable to the future unity and prosperity of this great nation.

[From the N. Y. Journal of Commerce.]

It will be observed that the President postpones the day for his proclamation of freedom to take effect until the first day of January next. He appears to regard it in the light of a threat rather than a weapon of war, and it would seem that he anticipates some effect on the minds of the rebellious men of the South from connecting with the threat a proposal to free slaves on the compensation principle which he suggested to the last Congress. That it will have any such effect no one who appreciates the state of the rebels can have much hope. The only result which an adherance to the principles of this proclamation can lead to, is a continuation of the war, in a dark future, in which the end is beyond our vision.

[From the New York World.]

This new proclamation really amounts to little. The President proclaims, in substance, that on the first of next January he will issue still another proclamation, putting in force the main provisions of the confiscation act. It is unbecoming the dignity of a great government to make such menaces as to what it will hereafter do in territory of which a powerful armed foe disputes the jurisdiction. If, on the first of next January, the war is substantially ended, there would be some reason in giving the insurgents their election between submission and civil penalties. But they will laugh such offers to scorn so long as they can confront us with great armies. That part of the proclamation which relates to slaves coming within our lines is particularly weak. The law is the same that it was several months ago. If a proclamation on this point is necessary, why was it so long delayed?

[From the New York Times.]

It has been declared time and again by President Lincoln that as soon as this step became a necessity, he should adopt it.—Its adoption now is not a confession that the military means of suppressing the great rebellion have proved a failure, but simply that there is a point at which any other legitimate appliances that can be called in shall also be availed of. Slavery is an element of strength to the rebels if left untouched; it will assuredly prove an element of weakness—it may be of total destruction—to them and their cause, when we make such use of it and its victims as lies in our power.

AFFAIRS IN CAROLINE.—We copy the following from the Denton *Amer. Union:*

A Bold Attempt at Robbery.—On Tuesday night last, about 10 o'clock, an attempt was made to rob the office of Mr. Ridgaway, the Commissioner under the draft, which is in one wing of the Court House, and had so far succeeded in gaining an entrance, as to have removed the lock from the door. A couple of gentlemen passing by the office caught them in the act, when they *vamoosed at double quick.* Their intention was to destroy the enrollment books and papers of the Commissioner, so as to defeat the draft.

The Draft.—The Commissioner for this county has closed his labors. The number of persons enrolled amounts to 1537. The amount of exemptions for all causes, foot up 438. The quota for the county is 110 men. Fifty-five have volunteered since the draft was ordered, which leaves 55 subject to draft for the quota for this country.

The True Cause of the Confederate Northward Move.

[From the Richmond Examiner, Sept. 12.]

The grain-growing and provision-raising country which stretches from the Potomac at Harper's Ferry to Memphis on the Tennessee is now exhausted of its provisions. The armies of the South have consumed everything in the central portion of it; and the joint armies of the two belligerent powers have consumed the supplies of the extremes. Much of the productive portions of North Carolina and the Gulf States have been also exhausted, and the general scarcity of all sorts of supplies is attested by the high prices of everything eatable. Wheat is worth two dollars and a half a Bristol, in the heart of a fine wheat country, and cattle are bringing seven cents gross in Southwestern Virginia, the chief cattle-raising region for the whole South. Pork is not to be engaged now of the pork-raisers of East Tennessee at twenty-five cts., though one-fourth that figure has always been thought a good price after it had reached the markets of consumption. Hay, which used to be difficult of sale at fifty cents a hundred in the interior, now cannot be obtained in sufficient quantities to supply the demand at two dollars. Every article of farm produce has gone up to these fabulous prices, and the ready payment of these tempting rates has exhausted the farming regions of the South of their supplies. High prices now no longer command, in requisite quantities, the farm staples of the country.

The fact has resulted from the circumstance that a comparatively limited region of country has been compelled to support, not only its own population, but also the armies both of friend and foe. The exhaustion which has resulted is almost complete, as is shown by the fact that while a dozen eggs may be procured for three cts, in Boston, they readily command a dollar in Richmond. As our armies have now advanced into Kentucky and Maryland, this scarcity of food will be relieved to the extent of the army supplies; but the exhaustion is so absolute that it must be some time before prices can subside to their accustomed rates.

There are two sources only from which government and people can obtain the provisions necessary for their support.—The first source is the cotton country, in which unusual areas, heretofore devoted to cotton, are said to have been sown and planted in grain. It may almost be assumed that, in respect to grain, this source of supply will be ample for the emergency. But the rearing of animals cannot be increased with the same rapidity as that of grain crops, and the cotton country will remain still longer a consumer of meats rather than a producer. The deficiency in cattle might possibly have been made up from Texas, and probably will be to some extent; but the command of a large portion of the channel of the Mississippi by the enemy will seriously diminish the supply of flesh derived from that quarter.

The great and true source of meat supply is the State of Kentucky. If our armies could push directly forward over that State and occupy it to the banks of the Ohio, the political advantages secured to the South would be of even small account compared with those she would derive in a sumptuary point of view. There are more hogs and cattle in Kentucky available for general consumption, two or three to one, than are now left in all the South besides; and steps ought to be taken by government to drive back these animals, as well as mules and horses, as our armies march forward, and place them within our lines.

TRADE WITH BALTIMORE.

An Oath required to be taken by Merchants.

In consequence of the large quantities of supplies which the Rebels have been receiving from the city of Baltimore, the Government has issued an order requiring all persons purchasing goods in that city to take an oath to the effect that no portion of such goods shall be disposed of in any way that will give aid or encouragement to the rebellion. It has been a customary thing for whole cargoes of goods to be purchased in Baltimore upon the representation that they were for the local trade of some of the counties of Maryland, and afterwards shipped direct to the rebel army. The many vessels which have been caught in this illicit trade is abundant proof of its existence.

The following is the form of oath required, which can be taken before any Justice of the Peace. All difficulty can be obviated by sending the oath along with the order:

I, ——, of —— County, State of ——, make oath on the Holy Evangely of Almighty God, that the quantities, descriptions and values of the invoices of goods, wares and merchandise filed with this affidavit with the Collector are correctly stated; and that the packages contain nothing except as stated in the invoices; that the merchandise so permitted shall not, nor shall any part thereof, be disposed of by me or by my authority, connivance, or assent, in violation of the terms of the permit, and that neither the permit so granted, nor the merchandise to be transported, shall be so disposed of by me or by my authority, connivance or assent, as in any way to give aid, comfort, information, or encouragement, to persons in insurrection against the United States. And furthermore, that I am loyal to the Government of the United States, and will in all things so deport myself.

(Signed,) ——

SWORN BEFORE ——, J. P.

A despatch from General McClellan's Headquarters says that a deserter from the Rebel army reports their loss much heavier than has heretofore been supposed. Gen. Height, of Georgia, was wounded in two places; General Branch, of North Carolina killed; Gen. Longstreet, wounded; Gen. Anderson, commanding division, wounded; General Colquit, of Georgia, killed. The Rebels admit their loss to be twenty thousand at the battle of Antietam, and thirty thousand since they entered Maryland.—The Alabama Brigade, commanded by Col. Corning, acting Brigadier General, has not been able to muster fifty men since the battle.