THE DAILY BEE
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NEW ORLEANS:
WEDNESDAY MORNING, JAN. 21, 1863.

THE VARIETIES.—One of the largest houses of the season attended the performance of the evening spectacula drama "The Corsican Brothers," which Mr. Baker put upon the stage with an *éclat* seldom surpassed here. The crowded state of our columns precludes an extended notice of the performance to day, but when we say that the performance with regard to effect and interpretation left nothing to be desired, we could add no higher words of praise. To night "The Corsican Brothers" and "Perfection" are to be given.

THE ACADEMY OF MUSIC.—Slats and Campbell put a little more than "*Ham fat*" last night on the occasion of their benefit, as this place of amusement was crowded. To-day at noon there will be a performance for the benefit of the young people and the usual performance to night.

HEDDICK & CO.—We would call the attention of our readers to the advertisement of this house published elsewhere; families especially would do well to notice it.

Mr G P. Phinney sells this morning at 10 o'clock, at No. 33 Front Levee street, sixty-three hogsheads sugar and 450 barrels molasses. The terms of sale are cash in Treasury notes.

The United States transport steamship St. Mary, Capt. W. H Talbot, sailed last evening for New York via Key West, with a full freight, the United States mails, and the following passengers:

Major Exter and clerk, United States Paymaster; Capt and Capp. A. S. Seab, Captain Hadden Dr. J. H. Brinckle, Colonel T. W. Sherman, Rev. Benedict Wheaton, Lieuts. N. S. Post, A. F. Washburn, Miss Madge and child, Mrs T. S. Trapp, Gen. Hamilton and staff, S. M. Gladden and family, Mrs. Batchelder and family, J. W. Sawyer, O. W. Bibles, Ed Wiley, Lieut. W. F. Auer, Dr. J. S. Law, C. C. Stewart Wm ten, James Howard, Rev. L. S. M. Wheelock.

[From the Picayune of yesterday morning.]

Further News from Southern Sources.

The Battle of the 31st ult. at Murfreesboro'—The War in North Carolina—Confederate Congress—Latest from the North—The Attack on Vicksburg—Message of Gov. Robinson—Capture of Springfield—General News.

We continue our extracts from late Jackson papers, giving this morning all that our crowded columns will allow:

LATEST NORTHERN INTELLIGENCE.

Richmond dispatches of January 13 give the following intelligence, derived from Northern papers received there:

THE ATTACK ON VICKSBURG

The Philadelphia *Inquirer's* latest dispatch from Vicksburg announces the arrival of Porter's fleet. Banks and McClernand were expected every moment, when the combined fleets will make another attempt to overthrow the Gibraltar of the West.

The Federals lost 5000 at Vicksburg on the 29th (General Morgan was killed, and Gen. Smith, of the Federal army, mortally wounded.

PROBABLE CAPTURE OF SPRINGFIELD, MO.

Dispatches from St. Louis indicate the probable capture of Springfield, Mo., by the Confederates, with a very large amount of army stores.

MESSAGE OF THE GOVERNOR OF KENTUCKY.

Governor Robinson's message recommends that Kentucky reject and protest against Lincoln's proclamation, which, he thinks, will inflict upon Kentucky a fatal though indirect blow.

THADDEUS STEVENS'S POSITION.

Thaddeus Stevens, in a speech in the House of Representatives, declared that the States in rebellion were not only out of the Union, but had no constitutional obligations, and all relations between them and the Federal Government were solely out of the war measures on the part and their position as belligerents.

SENATORIAL ELECTIONS.

Chandler has been re-elected Senator from Michigan. There is a strong probability that Bayard will be elected from Delaware, W. A. Richardson, from Illinois, and Fernando Wood, from New York.

THE TIMES CORRESPONDENT ON FREDERICKSBURG

The New York correspondent of the London *Times* says that the passage of the Rappahannock was the boldest episode of the war, and characterizes the battle of Fredericksburg as the upmost and undoubtedly the most calamitous of the war to the Federal army.

THE CAPTURE OF THE VIRGINIA.

The Confederate steamer Virginia was captured by Walker in Mosquito waters, and the *Herald* thinks it will lead to trouble.

THE ELECTION IN NORTH CAROLINA.

The recent election in the Second District in North Carolina, for a member of the U S Congress, has caused much dissatisfaction among the Federals, and the removal of Governor Stanley is demanded.

THE MONEY MARKET.

Gold in New York on the 9th 136 Stock market excited.

CONFEDERATE STATES CONGRESS.

Richmond, January 12 —Congress assembled to day. Nine Senators and fifty three Representatives were present. No quorum in either branch. Adjourned until to morrow.

ANOTHER SUCCESS IN VIRGINIA.

Petersburg, January 12—Gen. Pryor encountered Dodge's mounted rifles, five miles from Suffolk, with two companies of cavalry, and routed them, inflicting considerable loss. Learning that three regiments had been sent to Carrsville, Pryor joined across to intercept them. They fled on his approach, and escaped

COMING SOUTH.

A flag of truce boat arrived at City Point, below Richmond, on the 10th inst., with over five hundred women and children.

DUEL BETWEEN MEMBERS OF THE WASHINGTON ARTILLERY.

We find the following in the *Mississippian* of the 13 h inst.:

An affair of honor took place at the Springs, near the battle field of Fredericksburg, on the 11th inst., between R. Harley, of Lafayette, S C. and Alf. Roselius, of New Orleans, both members of the 1st Company Washington Artillery, of New Orleans Harley was the challenging party. The parties fought with horse-pistols at twenty-five paces. At the first shot Harley's pistol missed fire, his adversary shooting off but without effect. The seconds then refused to allow another exchange of shots. The demand for satisfaction was caused by some remarks made by Roselius.

Still Later from Southern Sources.

The *Picayune* continued its extracts last evening from Southern papers of the 14th. We condense:

The Confederate pickets were on the 13th six miles from Murfreesboro'.

The official reports show a more sanguinary conflict before Murfreesboro than was at first supposed.

Every officer of Brockinridge's staff was wounded or had his horse shot from under him.

The Confederate loss was not on the 13th. The message was not read on that day.

A special dispatch to the Jackson *Appeal*, dated Grenada, January 13th, is as follows:

FEDERAL REPORTS FROM THE RIVER—ANTI ADMINISTRATION MEETING IN ILLINOIS.

Memphis papers of the 10th, received here, confirm officially the reports that Sherman's army had arrived at Napoleon.

McClernand did not arrive in time for the fight at Vicksburg. Gen. M. L. Smith, of the Federal army, was wounded.

It was unknown whether the fleet would return to Vicksburg or go further up the river.

The *Bulletin* understands that the fleet on its way up destroyed a battery at Cypress Bend, but the *Argus* says there was no Confederate force nearer Napoleon than Arkansas Post, and pronounces the Cypress Bend report a canard.

The New York *World* admits a severe Union defeat at Vicksburg, with a loss of 5000 and many valuable officers.

The Chicago *Times* of the 7th contains an account of the meeting at Springfield, Ill., to protest against the conduct of Lincoln's administration. Dunn, Speer and Richardson, Merrick, Marshall and Goudy.

Rumors were prevalent in Memphis that Van Dorn was about to make another raid North.

The Confederates captured and captured the steamer Monmouth a short distance above Island City.

They compelled the engineers to complete the repairs and then run the boat up the stream, capturing a flat boat, twenty wagon cattle, fifty hogs and other stores. Subsequently the boat was run ashore, the stores removed, and the vessel burned. The crew was paroled.

The Arkansas Legislature has imposed a fine of not less than $5000, nor more than $10,000, and imprisonment in the penitentiary from five to twenty five years, upon parties caught trading with the enemy.

Capt B C Yancey, son of Hon William L Yancey, was one of the slain at the battle of Murfreesboro.

PROPOSITION FOR AN ARMISTICE.

In the Federal Congress, on the 9th, Norton of Missouri, submitted a proposition to disband both armies, and ask for a national convention to arrange the present troubles and restore the Union.

Bingham, of Ohio, characterized Norton's speech as a lame and impotent apology for a most wicked and infamous rebellion, and asked how it was to be done Mr Norton replied through the State Legislatures. Bingham denounced the secessionists of those States as gladorious for the Union as it was, and alluded to the scheme of Vallandigham to divide the Union into 4 states.

On the 10th gold closed at 135 The *Herald* says it will be 160 very soon.

News of the Federal disaster at Fredericksburg was disheartening to Northern sympathizers in England.

The *Herald*, of the 11th calls for the removal of Stanton, Halleck, Chase and Seward.

Valiandigham has been a resident in New York. He is a bold speech, and denounced Lincoln, his Cabinet and Congress. He said the Constitution was trampled under foot much longer, the guillotine will be used against traitors.

Governor Seymour's Message.

The New York papers of the 8th contain the message of Governor Seymour, which occupies seven columns of the New York *Times*. Our restricted space will not allow us to give but a summary of this important document.

The message begins as follows:

To the Senate and Assembly:

We meet under circumstances of unusual solemnity to legislate for the honor, for the interest and for the protection of the people of the State of New York. The oath which we have taken, to support the Constitution of the United States and the Constitution of the State of New York, and to perform our duties with fidelity, has at this time especial significance. It teaches us to look upon each of these Constitutions as equally sacred, that each is to be upheld in its respective jurisdiction. At the time the power of the one is openly denied by armed rebellion, while the other is endangered by the confusion and discord growing out of civil war. This "oath, declaration or test," is not a mere ceremonial; it is a part of the bonds of the offices we hold. Until we have thus solemnly submitted ourselves to the command of these instruments, giving up our personal views and opinions, and pledging ourselves to obey their requirements, we are not permitted to perform one official act.

To uphold the General Government New York has sent to the battle field of this war 240 000 of her citizen soldiers. To organize these vast armies, to equip, discipline, and these acting under the direction of the military staff have need numerous laws, and with such capacity. The duties growing out of this service have been greater than those of any concern of civil life. Our soldiers are fighting their battles. Their performance compare favorably with the conduct of the war on the part of the General Government. While our soldiers are perilling their lives to uphold the Constitution and restore the Union, we owe it to them, who have thus won our confidence and patriotism unsurpassed in the history of the world, that we emulate their devotion in our field of duty. We are to take care when they come back that their home rights are not impaired, that they shall not find when they return to their usual peaceful life that the securities of their person, the sanctity of their homes or the protection of their property have been lost by us, while they were battling for their national interest in a distant field of duty.

The first point considered in the message is upon the affairs of the State of New York, which has a local bearing only. The following paragraph, however, does not lack interest, as regards the military feeling upon which the State of New York can be placed, in view of the number of persons returned by the enrolling officer as liable to military duty. The Governor continues in his message to State:

The population of this State in 1860 was 3,880,728. The number of men returned by the enrolling officers, as liable to military duty, is 764,603. The number here in the service in 18 and 45 returned as exempt from various causes, is 139,194. Since the beginning of the present war the State of New York has sent to the field 222 836. The number from this State, now in the field, is estimated at 225,000, showing the total waste since the beginning of the war of 87,836, being an annual waste of about 33 per centum of the whole number, equal to 12,000 per year. To fill the quota of this State under the calls 30 734 more volunteers are required unless the General Government will grant a State credit for the proportional excess sent to the field before July 4, 1863.

Upon the question of National affairs, he states the following:

The Constitution makes it my duty to communicate to you the condition of the State. I cannot do this without speaking of our Union and of the war which it is our country, and which also affects the extended powers now in New York. Issues of gigantic pursuits, has taken more than 200 000 men from our workshops and fields, and have carried mourning into the homes of our citizens. The purpose of our government, and the interests of our people demand that the subject of the war should be discussed with entire freedom. Not only is the National life at stake, but every personal, every family, every sacred interest is involved. We must grapple with the great question of the day. we must confront the issues of our position, and with unfaltering purpose of our people, and military execution must not be left back. There must be no attempt to put down the full expression of public opinion. It must be known and heeded, to enable governments to maintain public advantages. Therein a vexing desire among our people to learn their actual condition. They demand free discussion. This should be conducted in an earnest, honest, patriotic spirit. The solemnity of the moment and the enlarging of the war all call upon us to discard the light pretence and the party spirit of the American people. The decoy of treason have brought our calamities upon us.

CAUSES OF THE WAR.

Afflicted as the country have wrought, the authors of our calamity at the North and South insist that the war was forced by an unavoidable conflict of rights. This the basis of the subject is at the present controversy. We are to look for the good of this war in a pervading disregard of the obligations of law and Constitutions in disrespect for constituted authority and, whose aim, in the last resort, would have put up the two extremes of the Atlantic States—the two extremes of our country, whose interests have made them allies will fit to be and whose interests have made them less considerable, with regard to this condition and tendencies of local ideas, even when those ideas are sentimental and western sections of our Union. I refer to honest statement of our difficulties which does not touch that one or the same reason to ourselves, as well as the people of the Government and the people of our country. There is certainly no subject on which we are more closely interested by our duties as the result of the passions and local predilections which have grown up during the past thirty years.

It is not too late to save our country, if we will exert the highest duty in the right spirit and in the right way. When we do so, the effect will be seen and felt throughout our land and by the civilized world. We shall then strengthen our Government, we shall then weaken the resources we shall unite our people and the world will respect the capacity for self-government when we show that we are capable of self-restraint.

He then passes over to the question of respect for laws and rulers, and says that the very idea of the favor and right to establish Government presupposes the duty of every individual to obey the established government. He then considers that to say that Free and Slave States cannot exist together in the Union, is only an evidence that the two parties maintaining their sentiments will not respect the laws and the Constitution. He closes this point by as follows:

This war should have been averted, but when it had gotten well under way, the Administration could not check its monstrous nor control its sweep. Government was borne along by the current, and strengthened. All that could with the resources of the State and National power be done in military or financial problems. Hence we are not to sit in harsh judgment upon errors in conduct or policy.

But while we concede all these excuses for mistakes, we must not to adopt errors nor condition violations of principle. The same causes which exonerate their authors from judgment none the more exempt us from vigilance against their influences. Unusual dangers demand unusual vigilance.

He afterwards turns his attention to questions of Economy and Integrity.

Upon the limitations of power he says the following:

LIMITATIONS OF POWER.

There are not only obligations resting upon our people toward our authorities, but, under our political systems, there are limitations between the departments of the Government, and between the State and National Governments, which must be observed to secure the public safety. At this time the warning words of Washington have peculiar significance.

It is important, however, that the habits of thinking in a free country should inspire caution in those entrusted with its destinies, to confine themselves within their respective constitutional spheres; avoiding, in the exercise of the powers of one department, to encroach upon the other. The spirit of encroachment tends to consolidate the powers of all the departments in one, and thus to create, whatever the form of Government, a real despotism. A just estimate of that love of power, and proneness to abuse it, which predominates in the human heart, is sufficient to satisfy us of the truth of the position.

The Legislative, Executive and Judicial Departments are co-ordinate. It is equally treasonable to resist the rightful authority of either. To overthrow the power of either Department is revolution. Legislative right, Executive power, and Judicial independence are alike sacred. Disregard of these, or of State and National jurisdictions, and the interference of one Department with the duties of another, are not only opposed to the genius and organization of our civil Government, but they have caused disasters in the conduct of the war.

While the War Department set aside the authority of the Judiciary, and overrides the laws of States, the Governors of States meet to shape the policy of the General Government, the National Legislature appoints committees to interfere with the military conduct of the war, and Senators combine to dictate the Executive choice of constitutional advisers. The natural results of meddling and intrigue have followed. While our armies have gained victories in fields remote from the Capital, within its influence the heroic valor of our soldiers and the skill of our Generals are thwarted and paralyzed.

STATE RIGHTS.

Not only must the National Constitution be held inviolate, but the rights of States must be respected as not less sacred. There are differences of opinion as to the existing line between State and National jurisdictions, but there can be none as to the existence of such separate jurisdictions, each sovereign subjects of legislation and jurisprudence essential to the public security and welfare. A consolidated government in this vast country would destroy the essential home rights and liberties of the people. The severe restrictions of the States, except as they are limited by the Constitution, can never be given up. With weakness our Government can not stand. It must stand and it can be changed by State energy. This is shown by the following provisions of the instrument itself:

"The ratification of the Conventions of nine States shall be sufficient to the establishment of the Constitution between the States so ratifying the same."

Again: three-fourths of the States can add to or take away from the powers of the General Government, by demanding a Convention in which amendments can be proposed, which, if ratified by three fourths of the States, become parts of the Constitution.

While they can thus take away or add to its power, the General Government can in no way touch one right of the States or invade their jurisdiction.

The obligations which rest upon the States to respect the Constitution, laws and authorities of the General Government, also demand that the General Government shall show equal respect for the rights and constituted authorities of States.

To State legislation and authorities, we look for the good order of society, the security of life and property, the protection of our homes and all that is dearest and dearest to us, in the relations, duties and actions of life. It is dangerous and demoralizing to show contempt for State and National laws. Insidious ones aside the foundations of State and National Government, by breaking up the social system. If those laws are not respected, the more general authority will not be regarded.

ARBITRARY ARRESTS.

Our people have therefore viewed with alarm practices and pretensions on the part of officials, which violate every principle of good order, of civil liberty, and of constitutional law. It is claimed that in time of war, the President has powers as Commander in Chief of our armies, which authorize him to declare martial law, and only within the sphere of hostile movements, where other law cannot be enforced, but also over our whole land. That at the pleasure he can deprive us not only of personal liberty, but the decisions of the national judiciary. Even in loyal States the least intelligent class of officials may be clothed with power not only to act as spies and informers, but also, without due process of law, to seize and imprison our citizens, and hold them in distant forts and States, to hold them in prison without a hearing or a knowledge of the offenses with which they are charged. Not only the pas ions and prejudices of these inferior agents lead them to acts of tyranny, but their interests are subserved by their positions secured by promoting discontent and discord. Even to ask the aid of counsel has been held to be an offense. It has been well said that, "To be arrested, for one knows not what, to be confined, no one entitled to ask where, to be tried, no one can say when, by a law nowhere known or established, or to linger out life in a cell without trial, presents a body of tyranny which cannot be enlarged."

The suppression of journals and the imprisonment of persons have been glaringly partisan. All owing to spans the most acrimonious of criticism, and punishing others for the fair exercise of the right of discussion. Conscious of these gross abuses, an attempt has been made to shield the violators of the law, and suppress all inquiry into these monstrous crimes. This attempt will fail. Unconstitutional acts cannot be shielded by unconstitutional laws. Such attempts will not save the guilty, while they will bring a just condemnation upon those who try to pervert the powers of legislation to the purposes of oppression. The enormity of such usurpations by military authority, the use of the public treasure in the name of military necessity, the use of the public treasure in the name of military necessity, the use of the public treasure in the name of military necessity