

service whatsoever, against the Government and lawful authority of the United States, then and in every such case the person to whom such labor or service is claimed to be due shall forfeit his claim to such labor, any law of the state or of the United States to the contrary notwithstanding. And whenever thereafter the person claiming such labor or service shall seek to enforce his claim, it shall be a full and sufficient answer to such claim that the person whose service or labor is claimed had been employed in hostile service against the Government of the United States, contrary to the provisions of this act.

Our readers can turn to the Proclamation of Fremont in the *Circular* of the 5th inst., and by comparing it with the above section of the confiscation act and Mr. Lincoln's letter, they will understand the effect of the modification.

The heart of the North, we think, is with Fremont, and we hope the people will stand by him and his policy. An hour like the present is not the time to interfere in favor of Slavery, and the President betrays an unwise timidity in arresting the earnestness and vigor of Fremont.

T. L. P.

The President and Fremont.

The Proclamation of Gen. Fremont—the truest, noblest, most statesmanlike and earnest thing which has been done during the entire course of this war—has been modified by the President. How modified is explained in the following letter from Mr. Lincoln to Gen. Fremont:

WASHINGTON, SATURDAY, SEPT. 11, 1861.

Major-General JOHN C. FREMONT:

SIR: Yours of the 8th, in answer to mine of the 2d inst., was just received. Assuming that you, upon the ground, could better judge of the necessities of your position than I could at this distance, on seeing your proclamation of August 30, I perceived no general objection to it; the particular clause, however, in relation to the confiscation of property and the liberation of slaves, appeared to me to be objectionable in its non-conformity to the act of Congress passed the 6th of last August upon the same subjects, and hence I wrote you expressing my wish that that clause should be modified accordingly. Your answer, just received, expresses the preference on your part, and that I should make an open order for the modification, which I very cheerfully do. It is therefore ordered that the said clause of said proclamation be so modified, held, and construed as to conform with and not to transcend the provisions on the same subject contained in the act of Congress entitled: "An act to confiscate property used for insurrectionary purposes, approved August 6, 1861;" and that said act be published at length with this order.

Your obedient servant.

[Signed]

A. LINCOLN.

The act of Congress here referred to, entitled "An act to confiscate property used for insurrectionary purposes" may be briefly described. The first section provides that all property purchased, sold, or given, with the intention of being used in promoting the Southern Rebellion, and all property thus actually used, shall be subject to seizure, confiscation, and condemnation. The second and third sections direct that such property shall be condemned in the District or Circuit Courts of the United States, sitting in districts where the property was seized or into which it may be taken. The fourth section is as follows:

And be it further enacted, That whenever hereafter, during the present insurrection against the Government of the United States, any person claimed to be held to labor or service under the law of any state, shall be required or permitted by the person to whom such labor or service is claimed to be due, or by the lawful agent of such person, to take up arms against the United States, or shall be required or permitted by the person to whom such labor or service is claimed to be due, or his lawful agent, to work or to be employed in or upon any fort, navy yard, dock, armory, ship, intrenchment, or in any military or naval