THE NEW YORK PRESS.

Editorial Opinions of the Leading Journals Upon the Most Important Topics of the Hour.

COMPILED EVERY DAY FOR EVENING THEIGHAPH

The South and Congress.

From the Times . One of the cyils resulting from the policy of systematically excluding Southers representatatives from Congress, is that we are deprived of the constitutionally provided means of ascertaining the necessities, wishes, opinions, and sentiments of a large section of the Union, comprising one-third our entire population. We know that in many things the Southern States are suffering greatly for want of proper legislation, or for want of proper consideration of their necessities in those matters-lew, but important -over which the National Legislature has control. The Executive, so far as lies in his power, has carried on the ardnous work of re-establishing the frustrated interests of the South; but on a hundred subjects, and in a thousand points, legislation of a practical cast is imperatively required, as might be expected, after the cessa-tion of all effective legislation for four years, so far as the entire region lying south of the Potomac is concerned. In lieu of

interest and action upon these matters, which come clearly within its constitutional province, Congress has devoted itself to legislation on subec.s concerning which its power is at least dubious, and the most important results of which have been vetoed by the President on constitu tional grounds. Were there representatives from the Southern States on the floor-men familiar with the condition of things in their respective States, and with all the questions on which they require legislative action, we might expect to find not only more intelligent discussion of those delicate social topics which require treatment, but a proper presentation of those practical interests of the South which have been so long neglected, and which now so imperatively demand attention. Leaving out of notice here all the pressing matters of Soutaern interest which have been left out of notice in Congress, we will name but a single question that has been up within a few days past, upon which the arguments of Southern representatives would have been of great aid to intelligent legislation. We reter to the ques tion of an export tax upon cotton. It is but natural to suppose that the knowledge of members from the South as to the effect upon South ern industry, upon the cotton culture, and upon Southern prospects generally, of an export cotton tax of two cents per pound, would be more accurate and intelligent than that of members from the Northern States. Some may say, even on this question, which we bring up merely as an illustration, the local interests would lead all the Southern Representatives to vote one way, if they had the liberty of voting: but this is an

that of Southern members, We are likewise hindered from obtaining through legitimate channels the opinions and sentiments of the Southern people upon namerous important questions of national interest by the exclusion of their representatives. Congress itself has to fall back upon such means as t has adopted in calling before it for examination prominent men, such as Lee, Botts, and others from the Southern states. The people generally have to tall back upon what they learn from the newspapers; and this differs so widely, accordingly to the preddections of dif ferent journals, that nothing but confusion can result to the public judgment. Even those who regularly see Southern papers find it hard to gather from them the public sentiment of the body of the Southern people.

oment, if it be an argument at all, that w

both ways, and bears against the vote of North-

ern members as strongly as it would against

In one sense, newspapers are an index to public sentiment, but like indexes generally, which only give hints and detached glimpses a subject, they are very apt to mislead those who have not some familiarity with the matter treated of. Out of a great body of Southern papers now before us, we could, by adroit and unscrupulous seissoring, detach and bring to-gether pieces that would represent as prevalent any state of opinion and feeling we sire. We all know what discreditable ends some of our contemporaries constantly serve by this means; and we would as soon go to a man's most mangnant enemy to learn his true character as to these sources to learn the real condition of affairs.

We would obtain far more satisfactory answers to such important questions as those which the Congressional Committee put to General Lee, than were given, were the representatives from Southern States admitted to places in the Na-tional Legislature. We would be no less stringent than the most stringent—we would be no less stringent than President Johnson himself, in requiring from these representatives, before they took their seats, the most conclusive evidences of loyalty of spirit and purpose. But being satisfied as to this, we should also feel satisfied that the nation at large would have more intelligent opinions upon the Southern 'situation," and that Congress would be able to legislate more intelligently upon Southern inrests, were these representatives admitted to their seats.

Protection and High Wages.

From the Tribune. Protection is the true policy of industrial countries wherein wages are high. Free trade is the policy of industrial countries wherein wages are low. Wages in Great-Britain are only about one quarter of what they are in the United States. Free trade, therefore, is just the thing for the British. That would open our ports to their low-priced goods, the product of low-priced labor, and would drive our mechanics from work into idleness, wherein they would buy everything and sell nothing, till they came by starvation to a deadly competition for employ-

ment with foreign operatives, who labor for the sheer means to keep soul and body together. In the "copper mmes," as Frederica Douglass calls the traitorous section of Northern polities, it is consistent for Americans to advocate and plot with foreigners British free trade. The cotton planters were educated by Calboun to the policy of keeping the Yankees from manufacturing, and confining them to raising cheap food for their slaves. The failure of their Bebellion has not softened the temper of this education. The reconstructed South would vote solid to destroy the wealth-producing industry of the loval States. And their unprincipled slaves in the "copper mines" would lick their shoes while they voted with them. But what explanation can be given for the votes that would tail after these, cast by men who don't reside in the copper mines, but do dwell in that neighborhood, and are mighty fond of their residence?

Inflation Blunders.

From the Tribune. It is instructive to note that no champion of a currency of printed lies can possibly state fairly the positions they pretend to controvert-Thus, one of their last efforts reads thus:-

"You claim that it would be good policy to withdraw from circulation the six or seven hun-millions of United States indebtedness which is now drawing interest, and convert it into bonds drawing six per cent. interest."

-Now, we "claim" no such thing, and teach nothing of the kind. What we "claim" is that the Government shall speak truth, as honest people do. It has issued several hundred milious of promises to pay, which it don't pay. That is bad morality and bad finance. Let it simply redeem its notes in coln on presentation at the Sub-Treasury in New York, and then so many of them as are useful to and needed by the public will remain in circulation. We, for example, can use greenbacks in our business to I

think of presenting the former for conversion into the latter, provided they were kept at par. What we ask, and all we ask, is that every dellar that circulates shall be a real dellar, worth ten dimes in United States con, And, it the Gov-ernment chooses to keep a let of its promises affoat as money, we insist that it at all redgem them on demand, as good tanks redeem their issues. If it redeems them at par in New York it may pay out greenbacks reely in New Mexico Utah, Texas, and wherever else it has disbursements to make in our own country, and they will be at least as good as gold—tor some pur-poses, better. But, if the Government will bank, let it do it on a solid basis—none of your Owl Creek banking, but the real thing.

The World Moves.

From the Daily News.

To-day a year ago, that saw the power of the Confederacy crumble in the ruin that befel its capital seemed, also, in that loss, to maugurate the decline of one of the main principles of the Republic. Apparently, in that day, the champion that had done battle for the rights of the States lay conquered beneath the heel of Apolyon, Centralization, in that moment, flushed with the victory that had been accorded , raised the pean above its prostrate antagonist; and to the appeasing of its long-cherished hatred of the South, is united that other plea-sure that should spring from the triumph of its old conspiracies against the spirit of republi-

How these conspiracies were sprung, first in the Senate and more recently in the House; how the Radical Directory in those bodies, Stevens and Summer, respectively the Manton and Robesplerre of the movement, prated exultingly of their purposes to the detriment of the republic; how the former could find no other be for the President than "the man at the other end of the avenue;" hew the latter openly accused the President of sending in a "white-wa hing message" to the Senate; and how, finally, when their purposes were made appareat, Mr. Johnson out them short in their auticonstitutional career by his two vetoes of their evolutionary measures against the rights of States—all these events will live in history as a part of the record of the times that saw arise, ven among the opponents of the creed that all men looked upon as dead, the stoutest champion of that principle-one who, unhampered by suspicion of "treason" and with the power and the majesty of the republic at his back, has palsied the arm of revolution in its downward sweep, and has given a new meaning to the in-spired declaration of the old Galileo; that, in ite of prejudice, in spite of ignorance, in spit of malice, in spite of every weapon brought by the wicked to militate against the good, the world still moves, and, with this movement, brings to the sight of men regribusion, and the vindication of the faith,

The Woman's Rights Bill and the Civil Rights Bill. From the Herald.

The women of America have sense enough to perceive that their time has come. They are determined that the agitation in Congress about universal suffrage shall not be understood to refer to negro suffrage alone. They claim the right to vote, and in a circular, which we published in yesterday's paper, they have called a national convention, to meet at the Church of the Puritans, on Thursday next, in order to direct the attention of Congress and the people to this important subject. All distinctions of color having been abolished, Mesdames Stanton and Anthony now demand the abolition of all dis-tinctions of sex. The negro is not to be ex-cluded from the ballot-box on account of his skin, and why should a woman be excluded on account of her petticoats? Great stress has been laid upon the fact that the word slave does not occur in the Constitution; but the word woman also ignored in that ancient and respected locument.

There is not an argument used in favor of negro suffrage which is not quite as potential in favor of woman suffrage. On the other hand, most of the arguments used against giving the ballot to the negro fail to apply in the case of the woman. If negroes served the country war so did negroes are born free and equal, so are women. But the accusation of want of intelligence, so often urged against the blacks, cannot be made against our tair female friends. Nor can it be said of women, as it is of the negroes, that they will be too much under the influence of the white mcn, since the contrary is notoriously the case. The time, then, is propitious. We have a Congress ready for any extravagance. Let some radical member present a Woman's Rights bill, and it will pass more easily than the Civil Rights bill, and be much more acceptable the people.

way of hints or texts for the addresses to be delivered "by persons to be hereafter an-nounced," Mrs. Elizabeth Cady Stanton's circular places before us a few of the reasons why women, as well as negroes, should be allowed to vote. And let us declare in advance, lest this conjunction of women and negroes should prove offensive, that the association is suggested y the circular itself, and is, indeed, one of the very strongest points upon which the women of America rely in their appeals to the tyrant, man, for justice and equal rights. In the most logical and nresistible manner they take it for granted this Government is a failure, and then explain that this is because our practice has not been according to our principles—that is to say, because we have not given equal rights to all men, women and negroes. Well, if the Govern-ment is a failure, we think that the above explanation is about as good as any other. The next step of this sublime argument is very plain. If the Government is a failure, and if withholding equal rights is the cause thereof, then we have only to bestow equal rights in order to make the Government a success. And here Mrs. Stanton and the other women find fault with Congress, which only proposes to give equal rights to the negroes. Why, that will not rights to the negroes. Why, that will not remedy the evil. That will not "come one line nearer the Republican idea." The negroes are not "all." Women, too, must be endowed with those 'rights, privileges and immunities" before we can "reconstruct the Government on the one enduring basis that has never yet been tried." There is the whole matter in a nut-shell, as clear as the sky in June and as irrefuable as the logic of events. It is true that Mrs. Stanton and her lovely assistants did not have space enough in their circular to tell us why this Government is a failure, or to prove that the founders of the republic, the originators of our 'republican idea," intended that women and negroes should vote; nor to inform us how a "basis that has never yet been tried" can be so confidently pronounced "the one enduring basis;" but all these trifling emissions will doubtless be supplied at the convention next Thursday. Mrs. Stanton's circular reminds us of Calhoun's speeches, because if you admit its premises you cannot deny its conclusions. But in this respect its logic is also not so very different from that of the famous stanza, familiar in all well-regulated households:-

If a man who turnips cries. Cries not when his father dies, 'His a proof that he would rather Have a turnip than his father.

In a practical point of view, we have not the slightest doubt that the present Congress will give woman the suffrage after it gets through with the negro. Senator Sumner, the radical with the negro. Senator Sumner, the radical leader, shows great lack of gallantry in not allowing the women the preference. Mrs. Stanton indignantly asks, "Should not our petitions command as respectful a hearing in a republican Senate as a speech of Victoria in the House of Lords?" But she might ask, still more indignantly, "Should not a Senate of white men attend to the rights and wrongs of afteen millions of white women who pay taxes, instead of devoting themselves exclusively to three millions of ignorant negroes?" sively to three millions of ignorant negroes?" One of Mrs. Stanton's other queries—"Shall an American Congress pay less honor to the daughter of a President than a British Parlia-ment to the daughter of a King "—may as well be omitted in future publications; for its force s somewhat weakened by the fact that the of South Carolina) was a citizen; and admitted

advocate or won an's right. Neither do we helieve that the wrongs of woman, as recapitulated by Mrs. Stantan, are calculated to cause a crussde on her behalf. Mrs. Stanton's complant is that women constitute "the aristo cracy," and that "woman holds an ideal posi-tion above man and the work of lite," and that this is "imitating the pomp, heraldry, and dis-tinctions of an effete European civilization." Here is just ground, perhaps, for complaint on the part of man; but it to costainly rather singular for woman to find fault because we make her an aristocrationd place her above us and will not let her work. Nevertheless, if woman does not like it; it she prefers to have a ballou-in her hand "and digrety on her brow;" If she wants to try her fortunes with the roughs at primary meetings and do her Mrs. Caudleing on a grand scale upon the floor of Congress; it she insists upon assisting us in our political can-vasses and carrying her knifting or embroidery nate political conventions; if, in short she is really desirons of heuring on the stump and being recognized as "heir-apparent to the throne," or candidate for the Presidency, why should we obtect? We have had so many old women in politics and high places that a few young ones would be a decided relief. The peo-

ple would rather have woman suffrage than negro suffige any day.

Maybap the radical Senators, who were so willing to accept Senator Stewart's bargain of universal amnesty for universal suffrage, will be equally willing to substitute a Woman's Richts bill for the Civil Rights bill. If so, we will goarantee them against another veto. What says the chivalric Summer? What says the irrepressible Stevens? The project would create many nore millions of new voters and be much less Sangerous to the Republican party. Who will move its adoption? Where is the Reconstructon Committee?

Is the President Bound to Execute an Unconstitutional Law?

From the World. This question is merely speculative—as yet. Considering how completely the radicals are checkmated in the New Jersey Legislature, the chances are good that the veto will be sustained. Even if the Civil Rights bill passes over the veto, the question of its enforcement by the Prestdent does not necessarily become practical. As the bill is drawn, its execution depends mainly on the judiciary. The swarms of new officers it contemplates are not appointees of the President, but of the various Circuit Courts. The Courts are to appoint as many Commissioners as they please; and these Commissioners, in turn, can appoint as many persons as they please to make arrests and execute their process. the President is several times alluded to in the oili; but the powers it clothes him with are merely permissive, not mandatory. He "may" empower persons to execute the act; "it shall lauful for him to order the courts to hold extra sessions at unusual places for the trial of offenders; "It shall be lawful" for him to employ the army to enforce the provisions of the act. He has the color of law to help him if he chooses to exercise the power; but there is nothing in the act to constrain his choice

The bill might have been differently drawn. It might have run— The President shall appoint, by and with the advice of the Senate, he new officers charged with the execution of the law. If impeachments should follow from its non-execution, the judges of the Circuit Courts would be the culprits; the bill declaring that "it shall be their duty" (a form not merely permissive, but mandatory) to appoint the additional Commissioners necessary. The question of impeaching the President cannot arise under

this bill, even if it should become a law.

But the ability to pass this bill over his veto implies the ability to pass other unconstitutional laws, in like manner. When the radicals feel sure of their power, other acts will be passed requiring the co-operation of the President in their enforcement, against his sense of constitu-tional obligation. What would be his duty in such a case is a grave question, which he must decide for himself, if it should arise. Power to pass laws over his veto is power enough to im-peach and depose him; and as the radicals assume that a law is constitutional in passing it, they would also assume that it was constitutional in condemning the President for its nonimportant and delicate questions would arise Ought the President to co-operate in a strategem for his removal, by acting precisely as his opponents would wish? Ought he, on the other hand, to lend himself to break down the Consti-tution? Would such a revolutionary attempt to put a compliant Republican in his place justify orcible resistance?

Of these points, which are, as yet, merely speculative, we will consider but one. The President being sworn to "preserve, protect, and detend the Constitution of the United States," can be under no obligation to execute a law clearly repugnant thereto. The Constitution being the appremelaw, all laws in conflict with it are void, and should be disregarded or reisted, as the case may require. But this prin ciple can extend only to the action of the Execu tive. The President can refuse to act under an processitutional law; but he cannot interfere to control the action of the Courts, who will enforce it, or declare it unconstitutional, in the inde needent exercise of their own judgment. If an unconstitutional law declares penalties, and the Courts convict and pass sentence, the President has no more power to dictate to the judges than the judges to him. But after sentence, complete control over it belongs to the President by his power to grant reprieves and pardons. Even where the law is constitutional, be has this authority, with no limit on its exercise but his own discretion. In the case of an unconstitutional law, he would be justified in cancelling every sentence by a pardon-a prerogative with which neither the Legislative nor the Judicial De partment can interfere, as he derives it directly

from the Constitution.

If President Johnson should assert the indeendent right of the Executive to judge for himself of constitutional questions connected with his own duties, he could adduce the authority of he two most eminent and illustrious Democratic predecessors—Presidents Jefferson and Jackson. The following exposition, by Jet-ferson, of his views on the subject, is worth re-calling; it is from a letter to Judge Roane:— 'My construction of the Constitution is very different from what you quote. It is that each department is truly independent of the others, and has an equal right to decide for itself what is the meaning of the Constitution in the cases submitted to its action; and especially when it is to act ultimately and without appeal. I will explain myself by examples, which, having

occurred while I was in office, are better known to me, and the principles which governed them. "A legislature had passed the Sedition law. The Federal courts had subjected certain individuals to its penalties of fine and imprisonment On coming into office, I released these indi-viduals by the power of pardon committed to Executive discretion, which could never be more appropriately exercised than when citizens were suffering without the authority of law, or, which was equivalent, under a law unauthorized by the Constitution, and therefore null. In the case of Marbury and Madison, the Federal judges de-clared that commissions signed and scaled by the President were valld, although not delivered. deemed delivery escential to complete a deed which as long as it remains in the hands of the party is, as yet, no deed, and I withheld the delivery of the commissions. They cannot issue a mandamus to the President or the Legislature, or to any of their officers. When the British treaty of — arrived, without any provision against the impressment of our seamen, I determined not to ratify it. The Senate thought I should ask their advice. I thought that would be a mockery of them, when I was predetermined against following it, should they advise its ratification. The Constitution had made their advice necessary to confirm a treaty, but not to reject it. This has been blamed by some, but I have never doubted its soundness. In the cases of two persons ante-nati under exactly similar circumstances, the Federal Court determined that one of them (Duane) was not a ollizen; the House of Representatives nevertheless determined that the other (Smith,

daughter of the President is not known as an | bim to a seat in their body. Duane was a Ropublican and Smith a Federalist, and these decisions were made during the Federal ascen-

> "These are examples of my position, that each of the three departments has equally the right to decide for itself what is its duty under the Constitution, without regard to what the others n sy bave decided for themselves under a similar

SPECIAL NOTICES.

SEMINARY OF ST. CHARLES BOR-ROMEO. THE CORNER STONE the New Seminary of St. Charles Borromeo will be

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SAMULL J. BAYAKD. Secretary.

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DENTISTRY.

SAIAH PRICE, DENTIST, GRADUATE OF Philadelphia College of Dental Surgery, class 1851-4, formerly of West Chester, Pa., having served three years in the Army, has resumed the practice of his profession at No. 241 N. ELEVENTH Street. Philadelphia, where he will endeavor to give satismetory attention to all wh may require his professional services. 118 §

THE EYE AND EAR.

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