

Evening Telegraph

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THURSDAY, OCTOBER 25, 1866.

Secretary Browning's Assault Upon Popular Government.

The manifesto of Secretary Browning, which we published yesterday, contains the most studied attack upon the Legislative branch of the Government that the present discussion of public affairs has called forth. He says:— "The Legislative is much the strongest of the departments, and the most aggressive, because its members are responsible to no power but the will of the dominant party for acts of usurpation. It is the only department from the encroachments of which any serious danger to our institutions is to be apprehended. It has heretofore exercised more influence than is compatible with safety and entire freedom over both the Executive and the Judiciary. It has sometimes imposed a pernicious influence upon judicial action, and where it has failed to accomplish that in advance of judgments has subsequently overruled and annulled them. And without at all impugning the motives of legislators, I may venture to say that the present Congress were not restrained by positive and explicit provisions of the Constitution, they would readily abridge, if they did not altogether annihilate, the power of appointment to and removal from office now confided to the Executive, and the salutary restraint which he holds over legislation through the veto power."

It is one of the singular features of the day that, at the very time when the popular will is being most openly and flagrantly defied by the Administration, when the abuse of public patronage is the most corrupt that it has ever been since the foundation of the Government, and when the Executive is claiming not only to execute, but also to make the laws—it is a singular feature, we say, that all this is done under the plea that the people are in danger from their own Representatives, and that the popular branch of the Government is hostile to "our institutions!" The tone of the extract which we have above quoted from Secretary Browning's article is an insult to popular intelligence. It asks the American people to believe that they are in danger from themselves, and that the popular branch of the Government, fresh from the people, the lower House, elected every two years by a direct vote, is "aggressive," given to "encroachments," "dangerous to our institutions," etc. This is mere dust to blind the eyes. How can Congress "encroach" when it is the supreme law-making power of the nation? Who is it to encroach upon? Not the President, for he has no business to do anything but to execute the laws that Congress may pass. Not the Judiciary, for it has merely to decide questions which arise under the laws. It is quite true that the Legislative is "much the strongest of the departments," and it ought to be, for it is the direct agent of the people, through whom they express their will. Indeed, it is the only final and supreme department in the Government, for it is solemnly invested by the Constitution with the only final and supreme authority in the Government. Every officer in the United States, from the highest to the lowest, and in every department, is amenable to Congress for any failure in duty or for any personal or official misdemeanor whatever.

What would Mr. Browning and his friends have? Would they have the people give up this great law-making function, and confer it upon one man? Would they have the final authority of the Government located somewhere else than in the hands of the people's representatives? Mr. Browning says the Legislative department has already "exercised more influence than is compatible with safety and entire freedom over both the Executive and the Judiciary." We deny the assertion, and defy him to show a single instance. On the contrary, the history of the country shows exactly the opposite. It is the Executive branch of the Government that constantly tends to aggression and usurpation. It is the Executive who, through a thousand avenues of official influence, attempts to control the legislative policy of the country. Indeed, so far has this gone, that we now find an attempt made by the Executive to thrust his "policy" upon the country, in defiance of the will of the people, as expressed through their representatives. Nor is this the first time, unfortunately, that we have beheld such a spectacle. In 1858 Mr. Buchanan made precisely a similar effort. He had concocted a certain "policy" in regard to the admission of Kansas under the Lecompton Constitution. Instead of confining himself to his legitimate duties of executing the laws, he took it upon him to force Congress into an adoption of his "policy." Then as now, we saw the power of Federal offices and patronage prostituted in an attempt to override the will of the people. But Congress stood firm, and saved the liberties of the people.

We do not wonder that Mr. Browning and his sort of politicians dislike the people, and would be very glad to limit their power in the Government. The people are opposed to them and their plans. The people have decided against them on a simple and square appeal. They don't like the decision, and so they have fallen to declaiming against the popular branch of the Government. But the people are not disposed to give up the right of making their own laws. Despite Mr. Browning's false logic and false history, they will continue to stand by that great bulwark of popular liberty, the Congress of the United States.

American Freedmen's Union Commission. A meeting of the American Freedmen's Union Commission was held last night at the Coopers' Institute, New York, at which addresses were made by Henry Ward Beecher, Major-General Howard, Thomas J. Durant, Esq., and others. An interesting letter from Chief Justice Chase, the newly elected President of the Society, was read, containing, among other things, the following:— "I certainly should not accept this post, which adds serious duties and responsibilities to those with which I am charged, did I not feel a profound conviction of the importance of promoting in every right and practicable way the moral, religious, and educational improvement of our emancipated countrymen; and this, not by officious and intrusive interferences with themselves and of the whole country. The peace and prosperity of all can be no way so certainly and so thoroughly secured as by complete recognition of rights and cordial interchange of benefits. It is the part of patriotism, South and North, to remove, as specifically as possible, every cause and every sentiment of distrust and alienation."

The Society has had, during the past year, under its charge 301 schools, 769 teachers, and 50,000 pupils. This is one of the most important instrumentalities of the times for educating the masses of the South, and should receive the hearty support of every Christian and patriot.

Our Next State Treasurer. Throughout all the Republican party there seems to be but one opinion in regard to the choice of a State Treasurer for 1867, and that is in favor of the re-election of the present incumbent, the Hon. William H. Kemble. That gentleman, after an experience of several years in the position, has demonstrated his admirable fitness for the responsible post, and his undoubted financial ability, as well as sterling honesty. We have always advocated the retention of any capable and honorable public servant, if his sentiments are in accordance with those of the dominant party. Rotation in office is an error of the worst kind, and should always be avoided, unless some other opposition than merely possession be brought against the incumbent.

We, therefore, are most emphatically in favor of Mr. Kemble's re-election. The finances of the State were never so well managed as they have been during his term, and it is a duty which the party owes to the Commonwealth to retain in his position one so well qualified to hold the financial portfolio. He is an earnest Republican, radical to the core, and correct in all his principles; and is just the man for the place, and in the place he will be retained.

THE BATEMAN CONCERTS. No. III. With an Essay. When man was created, his person beautified, and his mind endowed, and placed in the midst of a material creation whose yet hidden properties he was to discover and improve into sources of most exquisite delights—those personal beauties, those mental endowments, and those material properties had all one purpose and one end—the service of God and the happiness of man, for both were then but one, and could not be dissipated. When these ends parted, and man chose himself a happiness independent of his Creator, he took to his own share those splendid gifts, these treasured materials of delight, these stores of intellect—another's workmanship—and, regardless altogether of the purpose of their creation, devoted them to his own pleasure, honor, or advantage; or what, in his corruption, he considered such! God let it be. With those powers that He had created for His glory and service, He let His creatures make themselves a happiness to which He was no party, until, in the revel of possession, they found they could do without the Giver.

Musical, sweet music, was one of the gifts of God. Man did not communicate to the extended wire its vibrations, give to the surrounding air its undulatory motion, organize the thoughts to exact responsiveness, or the brain to such acute sensibility of what the ear conveys. We speak the foregoing as a prelude to the plain substantiality, that what is at the present day termed music is, to too great an extent, that smacking of the indifferer or ludicrous, whilst the artistic art is placed upon the back shelf, so far as any demonstrative exhibition of applause is to be taken as an evidence of appreciation. We should feel regret to be obliged to point too clearly to the music-loving people of Philadelphia in this particular, and do not feel especially disposed to do so; but it is a fact beyond contradiction, that the Bateman Concerts being given this week at Musical Fund Hall, are valuable, rare, and important personifications and exhibitions of vocal talent. To go there is a treat to a connoisseur, much less an amateur, and notwithstanding the vast number of "Professors of Music," "Musicians," "Sight Singers," etc. etc. (vide proof pages of "McKibben's Directory for 1867"), in this city, the attendance, in all candor, is not great. We mean it is not comparatively great for the talent and execution which is there presented. Last night, which was the third performance, there was a tolerably large and appreciative audience. But it was not commensurate with the programme presented. Mme Parepa, with the Signor Brignoli, Fortuna, and Ferranti, and the addition of S. D. Mills and Carl Rosa, piano and violin soloists, with Mr. J. L. Hutton as general accompanist, should be sufficient to bring forward hosts of musicians, "good men and true." "Why?" asks the general reader. Because, we answer, they have musical fame, and deserve commendation; they love their profession, and practice it well; but, as the old Latin proverb has it, "Amara est sapientia sine conscientia" ("To love and be wise is scarcely granted to the highest"), musical fame is very unstable.

A lover of music feels something painful in the reflection that the art is so liable to change. A great poet is sure of immortality.

When man was created, his person beautified, and his mind endowed, and placed in the midst of a material creation whose yet hidden properties he was to discover and improve into sources of most exquisite delights—those personal beauties, those mental endowments, and those material properties had all one purpose and one end—the service of God and the happiness of man, for both were then but one, and could not be dissipated. When these ends parted, and man chose himself a happiness independent of his Creator, he took to his own share those splendid gifts, these treasured materials of delight, these stores of intellect—another's workmanship—and, regardless altogether of the purpose of their creation, devoted them to his own pleasure, honor, or advantage; or what, in his corruption, he considered such! God let it be. With those powers that He had created for His glory and service, He let His creatures make themselves a happiness to which He was no party, until, in the revel of possession, they found they could do without the Giver.

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of the best kind—that which arises out of the unceasing admiration of his works. The poems of Homer and Virgil have survived for ages the languages in which they were written—languages that are dead, but embalmed and preserved for the sake of the treasures of the genius which belong to them. Even the painter enjoys to a great extent a similar immortality. Michael Angelo, Raphael, and others are not mere barren names. Their works live and breathe before us, inspiring a love and veneration for their authors; and so religiously are these divine productions preserved, that it is impossible to assign a limit to their duration.

How different is the case with the musician! His art is as ancient as poetry or painting, yet the fame of the musician is evanescent and perishable. Where, to-day, is Palestrina, who, to the most sublime conceptions, united powers of harmonical combination of great and lasting excellence? His works may have been preserved in the Catholic Church, it is true; but does his memory live loftily among the people? It does not. His works are almost only recognized nominally; and in the same proportion, may not the exquisite singing of a Parepa and Brignoli, the fine performances of Mills and Rosa (*Quis custodiet ipsos custodes?*), and the humors of Ferranti and Fortuna, pass away comparatively unnoticed?

It has not been the intention of THE EVENING TELEGRAPH to devote much space to, or indeed to speak at all concerning, ordinary musical matters. We will, however, continue to give a full and elaborate account of the proceedings and doings of artists of distinction, such as the troupe this week performing at Musical Fund Hall, feeling certain that the column will prove as acceptable and readable to the general reader, as it will be fruitful and instructive to the music-discriminating in our midst. The press is an engine by which large numbers are at once addressed and acted on, but its object ought not to be to flatter the prejudices or to favor the inclinations of the multitude. It should be the organ of a select world, for in almost everything it is the few who give the impulse to the many. The press (and we speak here of it as connected with the fine arts) is called to exercise a moral influence on those who are continually arising to people this land of imagination and beauty. To speak specially of the performance of last evening, it was the best yet given by the Bateman troupe.

Mme Parepa was an exquisite singer, and introduced herself by a German aria from Weber—"Und ob die Wolke." She sang it with appropriate and becoming accent, and was at its conclusion warmly applauded. Von Weber was a queer genius, and hard to understand, ergo, his works are difficult of translation, i. e., to the masses of the people—not Mme Parepa. The "Il Bacio" of Arditia we were not especially captivated with, some slight defect being observable in the accompaniment. This did not, however, prevent the singer, and therefore was not the cause of any untowardness. Her voice was certainly not as direct in character as in her other songs, and for this cause alone dependent upon the singer, the aria is too stereotyped, and therefore indigestible, is a surferage, and we decline subscribing our endorsement to it.

Signor Ferranti continues to grow in popular favor, and Signor Fortuna is also a great favorite. Rosa on the violin and Mills on the piano are respectively meritorious, and it may be a long time before we have seen another company amounting for the purposes of a miscellaneous concert. Let us hope, for a continuance of excellence like that we have thus far enjoyed. To-night a programme of rare excellence is presented. Mme Parepa will sing a recitative and aria from the grand oratorio of *Moses*, by Handel, and several other songs. Signor Brignoli will give the sonata "Don Giovanni," by Donizetti; also a duo from *L'Elisir d'Amore*, entitled "Voglio d'or," a fine selection, whilst those of the other performers will be equally so. The last concert will be given to-morrow night.

SPECIAL NOTICES.

JANET PRIDE at Chesnut St. Theatre To-night

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FALL STYLE HATS. THEO. H. M'CALLA, Hat and Cap Emporium, No. 804 CHESNUT Street.

"JANET PRIDE" at Chesnut St. Theatre To-night

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WILLOPEN, ON SATURDAY, THE 27th, AT OUR NEW STORE, No. 25 N. EIGHTH ST., A NEW AND SPLENDID STOCK OF CLOAKS,

Compiling some of the Newest PARIS STYLES. CHARLES KAUFMAN, Dress Trimmings, Cloaking Cloths, Etc.

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LETTER COPY-BOOKS, 300 pages, \$1.50. LETTER COPY-BOOKS, 500 pages, \$3.00. LETTER COPY-BOOKS, 1000 pages, \$3.00.

FABER'S PENCILS, 75 cents a Dozen. ENVELOPES, \$1.35 per thousand. R. HOSKINS & CO., BLANK BOOK MANUFACTURERS, STATIONERS AND CARD ENGRAVERS, No. 913 ARCH STREET.

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This Agency collects from the United States All Arrears of Pay, Bounty, and Pensions due Pennsylvania Soldiers, or their Widows and Orphans.

Including the additional Bounty under recent acts of Congress, FREE OF CHARGE. All business can be transacted through the mails, and all correspondence will receive prompt attention. The Agency cannot act for Claims in the hands of other Agents or Attorneys, and it is not proper for Agents or Attorneys who collect for pay to expect this Agency to do their work.

F. JORDAN, Colonel, and Military Agent of Pennsylvania. 10 25 St. 11th

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We import our Teas and Coffees, and can therefore sell much lower than most Stores in this line.

Our \$1.00 Black Tea is as good as the usual \$1.25 Tea.

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Our \$1.50 Black Tea is the finest imported, and equal to the usual \$2.00 Tea.

Our \$1.25 and \$1.50 Japan Teas are superior Teas, and usually sold at 50 cents per pound higher.

Our \$1.60 Japan Tea, and our \$1.60 Oolong (Black) Tea, are the finest Teas imported, and usually sold at \$2.25 per pound.

COFFEE! COFFEE! Our 40 cent Coffee is the finest Coffee imported, and considered by every person who uses it as fine as any 50 or 55 cent Coffee.

If you wish to drink real fine Coffee, try our 40 cent Roasted Coffee. Nothing finer to be had in the market. Imported and to be had only at the American Tea Company's.

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Our Coffees are roasted fresh every day without water, lard, or grease.

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CHILDREN'S CLOTHING. A Splendid Assortment in the Latest Styles. Special attention is invited. M. SHOEMAKER & CO., 10 4 (104) St. Nos. 4 and 6 North EIGHTH Street "JANET PRIDE" at Chesnut St. Theatre To-night

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