THE NEW YORK PRESS.

EDITORIAL OPINIONS OF THE LEADING JOURNALS UPON CURRENT TOPICS.

The Offer of Amnesty.

From the Independent. WINTON, Iown,-Count Gasparin's letter has floated across the sea to this far-away country town of the West. I admire that republican Frenchman. He understands American affairs, loves American ideas, and believes in the American people. I took off my hat to his rather ugly portrait when I first saw it on the walls of the Union League in New York. But a good man may give bad advice. The Count adds his voice to the cry for a general amnesty. It is an easy thing to pardon wrongs which are done, not to ourselves, but to other people. It is a French philanthropy that pardons the South for wronging the negro. If, instead, the South were at this moment shooting down Frenchmen, burning their school-bouses, and stealing their children, Count Gasparin would probably not ask for an amnesty to the South.

It is difficult to make a foreigner believe that a rebelifor in the interest of human slavery—a sheliton insugated by the three combined lusts of power, or greed, and of passion-a rebellion whose atrocities have been paralleled only by the wariare of Indian savages-a rebellion sub-dued on the field, but still raging in Southern men's breasts; it is difficult, I say, to make even one of the most intelligent of foreigners, like ount Gasparin, believe that such a rebellion is the work of an ordinary enemy, who is to be dealt with by ordinary means, and trusted on

ordinary terms.

The South, when accustomed to rule, patterned her public conduct after that of her most tyrannous slave-masters-ruling royally, brooking no opposition, and playing the oppressor grandly. But the South, forced to obey, copies grandly. But the South, forced to obey, copies the conduct of her most vicious slaves—feigh ing a submissiveness, practising a decoit of loyalty as a mask for treason, and pretending

he at peace while yet plotting war.
An annesty to the South, which shall invest her with her old political prerogatives, which shall give her an equal voice with the North in the government of the Union, and which shall leave in her hands her old opportunity to oppress the negro, would met the opproblum of the civilized world. Nevertheless, the radical party, in demanding justice to the negro, demands no injustice to the white man.

I am acquainted with nearly all the representative radical men of the North-acquainted, also, with the r public views and utterances— and I speak within bounds when I say that the radical party, as distinguished from its sur-rounding rind of the Republican party, has been in favor of lement rather than of severe terms in setting with the Rebellion. The radical party holds, with Macaulay, that after a rreat rebellion, a wise, victorious, and humane Government will pardon the many and purish the few. And even in punishing the few, what shall be the punishment? Death? The radical party asks for no drop of blood. Confiscation? It begrudges no man his property. Exile? It bears too little ill-will to foreign nations to exatriate American renegades to foreign shores. What then? It demands that the ring-eaders of the Rebellion shall be deprived of What then? the power of easting a ballot and of holding an office. In New York State, even a pickpocke who steals fifteen collars, and goes to jul, can never afterwards, on coming out, go to the ballot-box or ran for an office. Is treason a less crime than petty largeny? The radical party, therefore, demands that the men who lately litted their hands to destroy this nation shall not now be invited to govern it. To this end, it demands that the test-oath, like a sword of fire, shall guard the doors of the Federal Capitol against the intrusion of traitors. demands that Andrew Johnson's usurping State Governments shall be displaced by legal and valid legislatures. It demands that a Southern black man shall not fare worse for being a loyalist than a Southern white man for

All these demands may be very unreasonable, theless, they are made; nor should they be abated.

Count Gasparto speaks against the Constitutional amenament. I am glad he distince it. The radical party shares this repugnance. "It has always appeared to me," says he, "that, for the first time, to sanction by an article of the Constitution a distinction founded on color is to give a strange conclusion to a victory of the North." These are wise words. The Independent re-echoes them. Opposed to the Constitu-tional amendment from the beginning, this journal will oppose it to the end. The amendnent commits the political fate of the negro to the hands of the Rebel. This is an act of moral delinquency of which the North ought not to be guilty. Count Gasparin has clear moral perceptions, and sees that under the Constitutional amendment, as under the old regime of slavery, the negro must submit his neck to the oppressor's book.

But Count Gaspario, in asking for the admission of the Southern States, does not know their temper. A law is one thing; its observance another. The Count thinks that, under a law of impartial suffrage, we could afford to admit the South. But what reverence does the South show for any law enacted in the interest of the negro of the North? For instance, there has always been a constitutional provision guaranteeing freedom of speech and of the press in all parts of the United States. But of what validity has this provision been in the Southern States? Has it protected a Northern man in the utterance of his opinions? There is, moreover, a Constructional accordment which forever prohibits slavery in the United States. And yet, have not negroes lately been sold as slaves in Maryland by order of the courts? Would the Count like know under what pretext they were sold? The phraseology of the prohibitory amendment is, "Neither slavery nor involuntary servitude, except as a punishment for crime." A negro com-mits a crime-s cals a chucken, perhaps, or shows his dusky skin and precents to be a human being, which is crime enough in Maryand-and he is sold by the courts into involuntary servitude. Now are Rebels, who recommit the ancient outrages of the slave-market upon loyalists, to be rewarded for their barbarity by

The last number of the Memphis Avalanche publishes a "black list" of such of the business nen of that city es were opposed to the Rebal-on. commenting thus:- "From this time henceforth and lorever, let every true Southern man who was an ex-Robel, or whose son, brother, father, or coasin was one-let him avoid the business firm of —" (then follows the list). The journal then adds, "Henceforth they are famous. Small-pox ov Tarantals. Either will answer, Now does Count Gasparin propose to offer to the Memphis Avalanche an

an act of amnesty?

act of ammes v North Carolina is said to have been, and to be now, the least rebellious of the Rebel States. But what is the loyalty of North Carolina! The Wilmington Dispatch threatens another rebel-lien. "Already," it says, "the Southern people have given evidence of their capacity as soldiers, With the North united against them, many of their own people against them, no organized government to commence with no army, no nay, no resources, nothing to coalesce them but a principle, and on that thousands requiring to stand, they kept up an uneven contest for independence for four years with a valor unexampled, a fortitude upparalleled, and a determi-nation unexcelled. In this approaching conflict, for conflict there will be if Consress at-tempts to destroy the States, they will have pearly half of the North as alites, and will be themselves united. They will fight to the kulle, and then to the hill." Does Count Gasparin think that the Wildington Dispatch argues con-

vincingly for an act of amnesty?
Texas is introducing into her schools (what

books adapted to the South." But what is the object of a "Confederate primer," except to teach treason? And what is the effect of a "Confederate primer," except to prepare the next generation for a new rebellion? Does Count Gasparin think that "Confederare primers" are arguments for an act of amuesty?

arguments for an act of amnesty?

General Sheridan says of the Southwest that

"a white man murders a negro in cold blood,
and his trial is a 'sree." Does Count Gasparin
consider such a farce as a serious argument for DOMPILED EVERY DAY FOR EVENING TELEGRAPH. an act of amnesty? Nay, good Count!

Does the New Otleans riot plead for an amnesty to the rioters? The plain truth is, the rebellious States are still too defiant, still too disordered, still too full threatenings and slaughters, to be admitted

t yet on any terms whatsoever. I believe that the amnesty which the North as already granted to the South—the amnesty which traitors have been given back their ves, their houses, and homes, their facilities r business and an open gate to the pursuit of appiness—this amnesty is already as much as he nation can grant to the South.

If impartial suffrage were to become the law the whole land to-morrow, it would not in a least affect the question of a general amsty. Impartial suffrage stands on its own undation, which is the citizen's right to his tranchise. General amnesty stands on its own foundation, which is the good behavior o the ilprits who want to be amnestied. The negro s already earned his ballot; the Rebel has yet earned his an nesty.

"It is important," says the Count, "that peace should be peace, and that pardon should be pardon." This is an eminently French senti-But it is more important that there hould be peace to the nation than pardon to the traitor. Thus far, there has been a good deal of pardon and very little peace. Here-after, let the condition of pardon be the prac-

To exclude Rebels from public life," says the ount, "would be to exclude the whole South." ould the Count, then, have us admit Jefferson v s as Senator from Mississippi, and Alexan H. Stephens as Senator from Georgia? This a may seem reseate in France, but seems

dismal to a pilgrim on these prairies.
"Instead of the policy of exclusion," says the Frenchman, "adopt boldly the policy of admission." But the Count's suggestion is of a policy calamity. As Lord Bacon says, "He who jures one man threatens a hundred," so the sath, by injuring the negro, threatens the nation. To edmn the South, therefore, in her present state of half-revived civil war, would an equal injustice to the neare and the rebellious States until the negro shall have his rights, and until the white man shall keep th peace, is the only policy of national safety.

Political Questions in the Supreme Court From the Nation.

The Supreme Court of the United States is just now the subject of lively popular interest and discussion. It has recently been, and will scon be again, called upon to decide questions which have been made political Issues between hostile parties, and concerning which few men are able to think impartially. All the issues of the war, and of the era of reconstruction succeeding the war, will be submitted to the judgment of this Court; and a strenuous effort will be made to secure from it decisions which will nuitity the will of the people and vindicate the rejected policy of Mr. Johnson. There is great danger that, whatever may be the decision of the Court, its action may fail to command public confidence; that if the decision is against he views of the majority, it will be ascribed to partisanship, and that if it is with them, it will be thought to have been influenced by fear.

It is exceedingly desirable that no such im-pression should be left upon the min is of the copie after a decision has been made, but that be lairness and wisdom of the Court should be partiest to every one. For our own part, we most carnestly deprecate any weakening of popular confidence in this eminent Court, as equivalent to an undermining of the people's taith in law itself- a faith which needs strengtuening and upbuilding in a special manner at this time. We shall, therefore, a ter explaining the Court, offer some suggestions as to the mode in which the apprehended dangers may probably

The Supreme Court consists at present of nine dges, five of them appointed by a Republican President, and tour by his Democratic predecessors. Unfortunately, it cannot be doubted that at least four of the judges have so theroughly made up their minus upon all the ssues of reconstruction as to make argument before them a mere form. Chief Justice Chase could not be persuaded by Moses and the procould not be persuaded by Moses and the proposets that the present State Governments at the South are legitimate; while Judges Nelson, Gifer, and Chiford could not be persuaded of the contrary even by one who should rise from the dead. We are strongly inclined to believe that Judge Field, who was appointed as a Republican, but whose sympathies, never very heartily with the party, except in support of the war, are now quite alienated from it, is also too well convinced in his own and to be really open to argument. Assuming mind to be really open to argument. Assuming current pictons to be correct (and they are unicirally enter ained among lawyers and politicases at Washington), Judge Wayne of Georgia, would held the casting vote. The natural presumption is that he would side with his Democratic associates, and such is our expectation; et so patriotic has been the course of Judge Vayne during the last six years, and so sincere has appeared to be his desire to do his duty rather than to gratity his prejudices, that we ball have at least as much confidence in his impartiality as in that of the best of his asso intes. The other judges, Swayne, Davis, and iller, have never been known as politiciaus,

and will no doubt consider the important questions before them in a truly judicial spirit. We feel bound to express our regret that the distinguished Chief Ju-fice of the Court has not, since taking his place upon the bonch, more strictly abstained from taking part in political discussions. It is not easy for one of such decided convictions and energetic spirit to sit quietly by while great battles are being tought in which his sympatties are strongly calisted; yet such was the duty of his position, and he has areally weakened his influence over the Court and his hold as a jurist upon the public confidence by pursuing a course which, in any recutive or legislative officer or private cut-, would have been eminently honorable, but

nch was unsuited to the office of a judge. And his repeated declarations in tayor of universal suffrage have irritated some of his associates it to counter-declarations of nostility to it, which must greatly emparrass their action when political questions come before them for judicial

The particular case which it is reported will be made the means of oringing the subject of in the United States District Court of Alabama, in which, it is said. a motion will be made to dismiss the appeal on the ground that the State has ceased to exist, and that the Court has lapsed with it. The decision of this motion need not and ought not to have the least bearing upon the question of the validity of Mr. Johnson's Southern Governments. A State may, perhaps, exist without any government for a time, and a Federal Court created for a Sia e may not, and we think does not, expire with the State Government, or even with the State liself. An appeal rom the State tribunal in one of the reconstructed States would present the real is we more clearly, though even that would not necessarily turn upon the issue of

The chief duty of the Court, as we conceive, in craing with the tremendous questions which will be brought before it, is to confine itself strictly to the matter in hand, to decide the precise points before it, and to abstain rigidly from the slightest discussion of political questions not necessarily involved. Expressions of opinion or points not clearly presented by the facts of each particular case will not only few she has certain curiosities of literature amount to nothing as precedents of law, but the propositions pointing to that end are depre-

other grounds; remembering that counsel may be seeking some ulterior purpose at the expense of the public good. The same reasons which induce the Courts to throw out collusive actions should induce them to disregard collusive arguments. The questions involved in reconstruc-tion may be looked at from twenty different standpoints, and it is intolerable that they should be decided upon a hearing of three or four counsel, representing only two private individuals, whose real interests may be united, and who may have trumped up a case for the express purpose of accomplishing a common

The opinion of the Court in the Indiana conspinacy cases, although perfectly sound upon the real questions at issue, and perhaps equally correct upon all points, is nevertheless deserv-ing of creticism in the respect just mentioned. There was not a particle of pretense that Con-gress had author zed the sitting of the Indiana military commission, yet a majority of the Judges undertook to declare that Congress could not create such a tribunal. It is quite possible that their opinion upon this point is right, but it is no more law or authority than one of the Chief Justice's speeches to the colored people in Charleston. Such an opinion is calculated to arouse a suspicion that the Court is anxious to express its views upon these great questions before they are legitimately pre-

The Supreme Court was always, prior to 1857. wisely anx ous to leave political questions to be determined by the Legislature, and repeatedly ceclined to interfere in cases which afforded quite as much ground for interference as any hat are now likely to arise. The judges foresaw that any attempt to control such controversies by judicial decisions would only peril the existence of the Court, while settling nothing for the country, and they rightly decided to avoid such uncompensated risks. In the case of Dred Scott the Court departed from this line of duty, and sought to tasten a certain political policy the nation. The effort failed, and only cought the Court into disrepute. We cannot selieve that the attempt will be repeated. If it should be, the people will have to meet it not merely with contempt, but with punishment. But we will not dwell upon this point, as we ope for a wiser course on the part of the Court. Until we are compelled to admit ourselves mistaken, we shall advocate its claims to respect and confidence, believing that it will maintain its early reputation as a just and wise tribunal.

The Sheeted Dead.

From the Tribune Many veteran observers of the shifting currents of American politics are puzzled by the unconquerable vitality evinced by the Republican party. "How is it," they ponder, "that this party, which came into power through the divisions of its opponents, who showed a majority of fully one million of votes, should now be able to dely the most perfect combina-tion of all its enemies? How could it poll, at the namentary State elections of 1886, a full quarter more votes than in the arduous Pesi-demial struggle of 1860? Why should the result of each successive effort to overcome it show it tronger and more invincible than ever before? Does it bear a charmed life? Has it made no blouders, given power and patronage to no embezzlers, developed no disintegrating anti-pathies and autogonoms in its own ranks? What accounts for the armness, the tenacity, of its hold on popular confidence?"

We answer: The Republican party is morial, like all parties which preceded it, and will die when to time comes. It has made great mistakes. It has been misled in o putting thieves and swindlers into power, and has thus robbed the nation, to its sore discredit and injury. And the one paramount reason for the prolongation of its power is the fixed determination of the Copperheads to succeed it, and the equally stern resolve of the people that they shan't.

McCleilan would probably have been beaten

for President, anyhow: but he would not have been outterly routed but for the Copperheads, who insisted on showing under him a platform whereon no man could stand. The Philadel-phia arm-in-arm Convention could hardly have upset the Republican ascendancy, anyhow; yet the effect need not have resulted in such sig-cal, disastrous fulure, if the most conspicuous and obnoxious Copperhends had not insisted on bossing the job. And the recent Eighth-ofnuary revivals have shown the same tenacious resolve of the most notorious and odious Conperheads not to let the Republicans give place o any rival asptrants to power but themselves. So it looks as though the Republican ascend-

must be prefty safe for the next six years. The Convectiont gardering was quite large, considering that no ficket was to be nominate and was reasonably earnest and spirited. The Hon. James Brooks made a long and fluent speech-not to good as he used to make on our tioe, nor so foreible as his solemn protestation the Whig State Address of 1847) that he would never consent to the surrender of any more free soil to slavery. Two or three others spake less absurdly than might have been expected. But here were Issue Toucey, and Thomas H. Seymour, and William W. Eaton-

'Insulinte archer ! could not one suffice?" all prominent, all speaking, or resolving, all intent on not letting the people forget that, whenever the Republicans go out of power, they must be succeeded by politicians who tried in every possible way to paralyze the national arm when raised to prevent the forcible disruption of our Union by the sword of the slave power. Mr. Toucey's complicity as Secretary the Navy in Buchanan's betrayal of th national defenses into the hands of the Rebels, 1. H. Seymour's and Eaton's public, unqualized sympathy with the Rebels, and hostility to "coercion" from the outset, probably insure the Republicans of Connecticut an easy time in

their State convess at hand.

The Democratic dimer at Washington, though henored by the President's presence, and that of the Blair tum'ly, was in the main a collection of forsils from the drift deposited by the late wer. Constituous among them was Buchanna's man Jerry, who, as Attorney-General, gave a solemu official opinion that there were no constitutional means whereby secession could be breitly resisted, and who never heard without sorrow of a Union victory throughout the ensuing war. Mr. Black found no theme so congenial to his sympathics as the late release their State canvass at hand. congenial to his sympathies as the late release by the secicion of the Suprem Court of Lambdin P. Milligan and his confederates, sentenced to death in 1864 by a Milliary Court for constiting to subvert the Union ascendancy in Inciana, and hand her over to the milliant Rebels. Of these unbung traitors, Mr. Black saw ht to say that

"Three private citizens of Indiana, perfectly inno-"Three private citizens of Indiana, perfectly innocent of any offense—I say perfectly unoconf, because
up to this time no human being has ever ferally
sworn even to a beiter of their guill—these citizens
were arrested, kienapped, and carried before a body
of men who by without power to meddle with them
—not authorized even to swear a witness for them
or a sinst them—and there, after a proceeding
which it would be a mockery to call a triat they
were ordered to be killed on a certain fixed day. In
this concriten of things the judicial authorities intervered, and with the aid of President Johnson, the
vict ma were rescued."

—There are many very foolish had skilness.

-There are many very foolish, bad things which the people can be caloled and deceived into doing; but there is one that they never can—and that is, putting their Government intentionally into the hands of Toucey, Black, Seymour, and other petaistent, envenomes opponents of the war for the Union. "If the 'ourt understands herself, and she thinks soe does," this will never be done. Wherefore, we pray those gentlemen and their compeers to make themselves as conspicuous and voci-ferons as possible in all future gatherings of the enemies of republicanism.

Public Opinion on the Impeachment Question,

From the Times. From the columns of our Republican contemporaries we have gathered proofs not only that impeachment is not demanded, but that the propositions pointing to that end are depre-

the Court. Even if counsel on both sides agree in submitting the case on political issues, the Court ought, if possible, to determine it upon his policy. The party are a unit in reference bls policy. The party are a unit in reference to the duty of Congress to push forward its measures of reconstruction, regardless of the plans of the President; and in reference also to the hopelessness of all attempts to bring Mr. Johnson and Congress into harmony. The feeling prevails, however, that the Union strength in the Capitol is sufficient for the accomplishment of the cherished purposes of the party, and that there is, therefore, no necessity for waging war upon the Executive. Practically, in all that pertains to the status of the South and its restoration to the Union, he is power-less; and to make him the victim of Congressional authority would be to call forth a large amount of feeling in his behalf, and to invest him with a capacity for muschlet which he can in no other way obtain. As matters stand, he can do very little in any respect. His vetoes effect nothing. His identification with the Democratic party severs the last bond of sympathy with the Unionists who elected him. And for these and kindred reasons, the Re-publican press-or so much of it as has yet been heard from on the subject-discounte-nances the movement for impeachment as equally unnecessary and unwise.

A just esumate of the gravity of the proceedmg and the unscemly spirit in which it was in-augurated is further observable. The proprinty imprachment, in certain circumstances, is onceded, and the ability of the country to endure he stain is affirmed with a positiveness that applies no lack of confidence. But it is at the best a serious affair, only to be begun under the pressure of imperious necessity. The strain upon our institutions, our finances, and our credit might not be unbearable; but it would be sufficiently serious to suggest caution in the inception and management of the proceeding. The judgment of the country should be previ-ously convinced. The pride of the American people in the integrity of their institutions and the honor of their rulers should be shown to require the trial. And the temper and motives of the accusers, and the impartiality of the udges, should not be open to cavil. The opinion appears to exist that these conditions have been mperfectly complied with. The discussion caucus, and the sayings of Mr. Ashley in the House, indicate more of partisanship than f calmness, dignity, and judicial firmness. The ca generated is that for partisan reasons the President must be removed-not that the honor or the nation and the loyalty and purity of the Government render necessary his trial and pun-ishment. The organs of Republican opinion are evidently apprehensive of the danger which ill-udged zeal may inflict upon the party; and hence their disapproval of the manner in which he question was mooted by Mr. Ashley and his

Having been introduced in a form that ren-Having been introduced in a con-dered some action unavoidable, the reference of the subject to the Judiciary Committee is every-the subject to the Judiciary Committee is everywhere recognized as the proper course. It removes the subject from the arena of partisan strife. It counder the task of preliminary inves-tigation to a body whose leading members— whatever be their personal preditection—are not likely to misinter, ret facts, or to miscalculate their weight at a formal trial. Moreover, it eems to dispose of the whole subject, at any seems to dispose of the whole subject, at any rate for the session. The Committee will conduct their inquiry, of course, and they will in due season report. But there is little probability of more being done, in the House or Senate, while the present Congress lasts. And meanwhile public opinion, and the opinion of the party, will have an opportunity of making itself understood. It, as we believe, and as our Republican contemporaries assert, the impeachment project conflicts with the views and desires of the people, the period consumed by the tres of the people, the period consumed by the preliminary inquiry will suffice to rectify the disapprehension under which their representahave labored.

The inexpediency of the movement is declared on yet other grounds, Without entering minutely into the minor shades of difference in the statements of our contemporaries touching impenchment, it will be found that they concur in reminding Congress of the urgent need that exists for practical legislation before the 4th of darch. In the absence of legitimate work, percombe and partisanship might be indulged March. in with comparative impunity. But the condition of the country is critical. Its industry, its trade, its finance, are so disorganized that to negicet them is to invite disaster, distress, and anxiety are experienced with regard to the causes of the depression; and the conviction is universal that Congress ought not to delay measures of relief. The people care less for parisanship just now than for relief from taxation. They are not willing that the material industry hould be crushed under a load of duties and taxes, or the national credit imperilled by an unsound and neglected currency. And the Union party, through its press, evinces its sense of the responsibility which, at such a time, rests upon those whom it has sent to

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