THE NEW YORK PRESS.

EDITORIAL OPINIONS OF THE LEADING JOURNALS UPON CURRENT TOPICS.

COMPILED EVERY DAY FOR EVENING TELEGRAPH.

The Senate Tariff Bill.

From the Tribune. In the House of Representatives at the last session, the Tariff bill, as originally reported, raised the rates of duty about 25 per centum. This was a great gain for our industry, but the sober calculations of the Committee on Ways and Means were swept away in the confusion of debate, and the bill, as passed and sent to the Senate, was materially changed. Still it was an improgement upon the existing tariff, and we should have been satisfied had the Senate adopted it. But the history of protection in the last session is one of dispute and and disap-pointment. The Senate postponed its consideration, and this year the Finance Committee have offered a substitute for the House bill, claborate and thorough, which still further lowers the average duty upon our imports. Of the points of difference, the following are the more important:-

The House bill imposed a duty of 50 cents on woolien cloths, which the Senate bill would reduce to 45, though it properly retains the and 10 cents ad valorem. Cloth importers will demand a still further reduction, and we fear, may get it. On carpets the Senate bill strikes out the ad valorem rate, and re-enacts the specific duty of the present tariff—a decided reduction from the House bill. On cigars, which the House would rate at \$2:50 per pound, the Senate bill places a duty of but \$2. retaining, however, 50 per cent, ad valorem. The duty on flax in the House bill it \$20 per ton; in the Senate bill it is but \$15. A duty of 3 cents per square yard, and 30 per cent, ad valorem is proposed on linens, while the Honse bill fixed the rate at 6 cents. The duties on team and coffee are doubled by the Senate bill, one of the tew instances of an increased rate. The 20 per cent, ad valorem upon books is reduced

The Senate bill, however, is much better than the present fariff, and than that proposed by Commissioner Wells. Cotton manufactures are well protected; the rates of the House bill on steel, iron, dress-goods, and worsteds are re-lained, and, we regret to add, those on coal. We should not complain if the bill, as it stands, were adopted by the Senate; for it is not likely to be improved by amendments. Yet the fact that the present tariff does not prevent our people from expending about \$300,000,000 per aunum for imports ought to convince Congress that an increase of at least 25 per cent. on the existing rates is demanded by our industrial

We must protect our manufactures thoroughly if we would elevate our standard of labor. Unskilled labor, employed in the ruder toils, does not obtain half the wages paid to manufacturing workmen, and the real labor-power of the country cannot be utilized without a tariff that shall necessitate its development. To reap the value of our strength, we must use it, and not depend upon the manufactures of other nations. If here is our granary, our market, here must be our workshop. So long as foreign nations, by the help of free trade, are able to keep down the price of American manufactures. the wages of the laborer are kept down, and it is time that every workman in the land should know that the enemies of protection are the instruments of European monopolies, and that it is they who would give England, France, and Belgium uprestrained permission to undersell us in our own markets.

Slanders in Congress—The President De-nounced as an Assassin. From the Times.

When the Hon. Ben. Loan, a member of Congress from Missouri, introduced his resolution charging President Johnson with sundry high crimes and misdemeanors, the Tribune remarked that he was evidently a "weak-minded person ambitious to figure in the newspapers," Stronger-minded men than Mr. Loan have not been tree from this ambition; but few men of any mind at all would be eager to figure, either in newspapers or in Congress, in precisely the character which Mr. Loan has selected for his

His resolution came up for consideration on Monday, and Mr. Loan read, according to the fashion of the day, a written speech, repeating and amplifying with due emphasis the charges made in his resolution. One of these charges, as presented in his speech, was that of complicity in the assassination of President Lincoln, upon which the iervid Loan dwelt with a zest peculiar to the school of politicians to which he belongs. It happened by some extraordinary accident that one member of the House, Mr. Hale, of this State, was listening to the speech; and what is still more extraordinary, it strucks him that a charge of assassination, made in his place, in ordinary debate, by a member of Congress, against the President of the United States. was not in order. Mr. Hale accordingly called the attention of the Speaker to the subject; but the Speaker ruled that it was in order, masmuch as the resolution and the speech were both in the nature of steps preliminary to impeachment, which was a proceeding expressly war-ranted by the Constitution. The Speaker The Speaker being clearly right, Mr. . ale did not press that point. But he did press another upon Mr. Loan himself. He appealed to him whether he did not deem it due to his own self-respect, as well as to the dignity of the House and the nation, not to make such a charge without submitting at the same time something in the nature of evidence to support it. Mr. Loan did not. The matter, he said, would be investigated by the proper Committee, and, he did not doubt, to the entire satisfaction of the gentleman from New York, Mr. Hale begged permission to ask him, further, whether Mr. Loan did not think he ought at least to say that he had knowledge of facts which would sustain the charge he had made. But the lambent Loan refused, not to answer, but to allow the question to be put; and as he had possession of the floor, it could not be put without his consent.

Mr. Loan is evidently unconscious of baving done anything discreditable to himself, in which he may be right-or calculated to reflect discredit upon the country, which is not so discredit upon the country, which is not so clear. His personal opinion on the point is a matter of little consequence, but it is more significant that the House of Representatives should seem equally indifferent to the effect of such infamous calumnies, attered by its own members, who at the same time refuse to be responsible for them, upon the President of the United States. Whether they believe them to be true or not, the members of the House symbe true or not, the members of the House sympathize with and share the spirit which prompts such assaults. The party ends to be accomplished and the personal resentments to be gratified, blind the majority of Congress to their effect upon the reputation of the country at home and abroad. If the charge is believed to have the slightest foundation in fact, the United States stand before the world with an accomplice in the assassination as their Executive head—as their only organ of communication and intercourse with other nations. If cation and intercourse with other nations. If it is not believed, Congress must be deemed less careful of its own dignity than any company of

t-house brawlers in the world. Mr. Loan's resolution is still before the House awaiting its action. But the Judiciary Committee has been directed to inquire into the general charges against the President, and this among them. We trust it will make that inquiry as prompt as possible. It cannot evade it nor delay it without lending its influence to calumnies which it permits to circulate without investigation. It is impossible that such charges as those made by Mr. Loan, in his place in Con-gress, should be wholly without effect upon the public mind both at home and abroad.

presume that every intelligent man conversant with the facts of history will have no difficulty in branding them as utterly laise and slander-ous. But thousands will see the charges who have no information upon the subject to which they relate, and upon all such those charges will have an effect. They may not fully believe them, but they will not know them to be untrue; and they will have at least the suspicion that the head of this republic, charged sith the execution of its laws representing. execution of its laws, representing its dignity, its character, and its power to all others nations of the earth, is an accomplice in assassination

and murder. The Judiciary Committee owe it to themselves and the country to make a prompt report upon this matter. They should lose no time in making full investigation into it and in requiring Mr. Losn to make good the charge he has made, or at least to bring to their knowledge the evidence on which he makes it. We wish very little in saving that he has not the risk very little in saying that he has not the slightest particle of such evidence. He has made the charge in the mere wantonness of party feeling, to gratify his personal and political resentments, and to promote, by what he deems the most eligible method, his own political advancement. But the Committee should lose no time in ascertaining the truth, and in giving it to the country. By every day of needless delay they will make themselves accomplices in this outrageous and disgraceful

The Late Decisions of the Supreme Court -Their Political Application.

From the Herald. The two decisions pronounced in the Supreme Court of the United States on Monday lastthe one upsetting the test outh of loyalty of the State Constitution of Missouri in reference to clergymen, teachers, and lawyers, and the other declaring unconstitutional the test oath of Congress, as applied to attorneys seeking admission to practice before the Supreme Courtare of the highest importance in their political application. This court, as in the Milligan decision, five to four, has thus decreed that the Missouri State Constitution, in its test oath of loyalty, is an ex post facto law, and in effect a bill of attainder, and therefore null and void. On the same general grounds, the test oath of Congress is declared invalid, with these additional objections, that lawyers holding no specific appointment are not officers of the nited States, and therefore not subject to this Congressional oath: and that while the President's pardoning power is unlimited, his parton restores the person concerned to his full rights of citizenship. For example, an Executive pardon to Jeff. Davis would render him at once eligible for the next Presidency, reinstanting him in the political position in which he stood as loyal citizen before he went over into the treason of the so-called Confederate States.

These decisions result from the concurrence in opinion of Justices Field, of California; Cliftord, of Maune; Nelson, of New York; Grier, of Pennsylvania: and Wayne, of Georgin-dive. The dissenting comion delivered by Justice Miller, of Iowa, was supported by Chier Justice Chase and Justices Swayne, of Ohio and Davis, of Illinois. They hold that the Congressional test oath is not an ex post facto law nor a bull of attainder, but "a qualification which Congress had a right to prescribe as necessary to an atterney," and that "the pardon of the President has no effect in relieving him from the requirement to take u." In regard to the Missouri oath these dissenting judges hold that in the Federal Constitution, apon this subject, "no restraint is placed on the action of the States," but that, "on the contrary, in the language of Story (Commentaries on the Constitution), the whole power over the subject of religion is left exclusively to the State Governments, to be acted upon according to their own sense of justice and the State constitution." Who decides when such doctors disagree? The majority—and here the majority is only one—in both cases goes with the Milligan decision; and all these decisions, while they remain unreversed, are the supreme law of the land.

What, then, is the bearing of these decisions upon the all-important question of Southern reconstruction? According to the Milligan decision there can be no exigency in the Govern-ment justifying the overstepping of the strict landmarks of the Constitution. This pronounces the conduct of Fresident Lincoln in assuming the powers of Congress, in the absence of Congress, "to raise and support armies" to save the life of the nation, unjustifiable. As the old, bath and not the Sabbath for man, so this Milligan decision affirms that the country was made for the Constitution and not the Constitution for the country. According to these two later decisions neither Congress nor any State can establish any qualifications of loyalty bearing upon the participants in the late Rebellion short of a regular trial and conviction. This may be a strict interpretation of the Constitution; but as a party accused of treason must be tried in the district where the overt act was committed. and as under this requirement no jury can be found to convict, how is Congress to make any discrimination between loyal citizens and Rebels

in the work of Southern reconstruction? There is a remedy suggested in Mr. Justice Miller's dissenting opinion upon these two late cases, and in the case which he recites, of an appeal to this Supreme Court from a fine-imsed upon a Catholic priest of New Orleans for violating a local ordinance relating to funeral rites, restricting them under the penalty imposed to the Obituary chapel. Upon this appeal the Supreme Court of the United States re-plied that "the Consultation makes no provision for protecting the citizens of the respective States in their religious liberties. This is left to the State Constitution, and laws. Nor is there any inhibition imposed by the Constitu-tion in this respect on the States." This late decision touching the test oath applied to a Catholic priest in Missouri reverses this former decision; and here lies our remedy. The decisions of the Supreme Court are not binding upon the Court. If, therefore, the latest decisions of that body are all tending to the conclusion that the late war for the Union was not only a failure, but a blunder, which has left us constitutionally just where we stood the year before the war, we have only to reconstruct the Court in order to reverse these accisions, and to secure such interpretations of the Constitution as will proclaim the great fixed fact that the war for the Union was neithe a blunder nor a failure, but a great revolution, the issues of which have become the Constitution to the

Supreme Court. This is one remedy, and there is some reason to suspect that it is the remedy contemplated in Congress in the proceedings instituted for the President's impeachment and removal in order to reach this court. But there is still another remedy. It lies in the pending Constitutional amendment. Upon this platform, in the name of General Grant, as the candidate of the Union war party, we are content to leave the existing deadlock between Congress on the one hand, and the President and Supreme Court on the other, to the verdict of the people in 1868. But is there not the danger in the interval that the Supreme Court may proclaim some other ecisions interdicting all other proceedings in the way of Southern reconstruction? We can-not tell. We apprehend, however, that this court, with every decision running in the chan-nel of its last three, is strenthening the impeach-ment party in both Houses of Congress.

Mexico and Juarez. From the World.

It is claimed by Ortega that Juarez is not the rightful President of the Mexican republic; that his term of office, as fixed by the Mexican Constitution, has expired; that he is consequently a private citizen, possessing no more legal authority than any other Mexican citizen; that the same article of the Mexican Constitution which terminates the official life of Juarez makes Ortega his rightful successor, until a new President shall be chosen by the people. There seems sufficient evidence that this statement is in most parts correct; but does it thence follow. as Ortega claims, that the United States are

as the head of the Mexican Government? This question is of the very agavest practical moment; for if our Government aids Mexico in the recovery of her independence, it must recognize

some authority in that country with which it can treat, and it ought not to make a mistake.

We are clear that President Johnson is right
in continuing to recognize and support Juarez, notwithstanding the expiration of his term, I is necessary that our Government should proceed on some sure ground of settled principle; and there is nothing better established, as a principle of our diplomacy, than the policy of abstaining from the domestic disputes of foreign States, and recognizing the de facto Government. We have recognized, for example, all the numerous Governments which have succeeded one another in France since the begin-ning of our own, without ever concerning our-elves about the rightfulness of their origin. To take the instances which have occurred in our own time, we recognized the French republic of 1848 without inquiring whether it was legitimated by the constitution of 1830, which it overthrew; and, with equal eadiness, we recognized Napoleon the Taird. despite the fact that his term as President of the Republic had expired, and that he confinued to rule France by destroying the consti-tution of 1848, which the people of that country ad established, and he had sworn to support We are no more pound to look behind the fact that Juniez is at the head of the Mexican Government and seeks his authority in the Mexican constitution, than we were, in 1852, to look behind he jact that Louis Napoleon was the actual ruler of France, and explore the constitution he subverted in a vain search for his right. It is no business of ours to settle questions of developing and actual ruler of the subverted in a vain search for his right. It is no business of ours to settle questions of developing and the local rule of the subverted and the subverted action of th

tions of disputed authority in foreign countries Whether Justez or Ortega shall be recognized by our Government is not properly a question of right, but a question of fact. Which is the actual ruler? Juarez is in the exercise of all the actual authority which he possessed before Oriega contested his claim; Oriega is in the actual authority which has been possessed before oriega contested his claim; Oriega is in the actual exercised by authority which are found to authority which are found to be actual exercised by the contest. actual exercise of no authority whatever. Juarez commands, as he has for the last four years, the forces of the Liberals in arms against the inva-Ortega has not a company of soldiers to back his pretensions. Our Government would make itself ridiculous to recognize, as the Government of Mexico an unsupported adventurer who can produce no other werrant than his contested interpretation of a scrap of the Mexi-can Constitution. The United States cannot assume to expound the Mexican Constitution. They are told by the Government de facto that Origa misinterprets it, and sets up an un-tounded claim; and so long as it is made by the de jacro Government, they are bound to accept the statement. The Constitution of Mexico provides that on the expiration of the term of the President, the Chief Justice for the time being, m default of an elected successor, becomes President od interim, but Juarez asseris that, when his term expired, there was no Chier Justice—Ortega baying fled the country, abundoned his duties, and thereby abdicated his office. So long as this reasoning suffices as between Juarez and the Mexican people, it must be deemed conclusive between him and the United States; the only test we can apply to his lonic being his actual posses-sion of the Government.

may be plausibly objected to this argument that the principle it assumes would have bound us to recornize the empire, the Government of Maximiran having been for a long period the de facto Government of the country. We have two replies. First, it is too late to reopen the controversy respecting the Monroe doctrine, as our Government and people have so decided it as to preclude a reversal of their judgment. The Monroe dectrine is an inexpangable fact of the situation, and we must accept its logical consequences: one of which is, that the empire was, in the purview of our Government, non-existent. It is all in vain to say that we cannot annihilate a fact by shutting our eyes. The irre-versible acceptance of the alongo doctrine by this country was as much a fact as the existence of the empire; and the permanent fact was destined to destroy the temporary phantom. This brings us to our second reply. tollows more easily from the ordinary principles of diplomatic reasoning. When there are two conflicting Coveraments in a country, one of which we have before recognized, we do not transfer the recognition to the new claimant, unless we are satisfied it has elements of permanence. This principle has always been acted on in our foreign intercourse, and there was no reason why it should have been departed from we were certain the outset, that the Mexican empire could not stand, the measure of our certainty being the inflexibility of our determination to maintain the Monroe doctrine. We could not, therefore, do otherwise than continue our recognition of the republic, and to recognize Juarez as its head so long as the republic had no other visible representative.

In the transition from the moribund and defunct empire back to a reorganized republic, we may properly render such triendly assistance as the actual Government sees fit to accept. The chief peril of Mexico, during this critical juncture, is the ravenous ambition of her rival political chiefs; and as none of the competiters of Justez has any claims tounded on the popular choice, none has any which the United States can respect. On what ground could our Government justify itself in paying any more deterence to Santa Anna, or Miramon or Ortega, than to any other private citizen of Mexico? Juarez has claims, in the present possession of actual authority, to which none of the others can make any pretensions; and we may rea-onably assist him, not indeed in governing the country permanently, but in maintaining order while the people are exerting their prerogative through the elections. It s fair election displaces Juarez, and puts in one of his rivals, we are bound to give the same friendly support to his successor that we now accord to him. But until the popular will has been legally pronounced, it would be absurd,

and destructive of all order, for us to counte-nance any of his competitors.

The abiding curse of Mexico has been the fre-quent overthrow of her Government by ambi-tious military chieftains. Unless she can be secured against this evil, she has no future. In affording succor to her weakness, we must apply our plaster to the diseased spot, and make it broad as the sore. We must uphold Juarez against the violence of revolutionary leaders until there has been a fair election. We must, then, uphold the Government so elected, until. at the expiration of its legal term, the people by a new election, honestly conducted, either grant it a new lease of power, or replace it by ew officers, who in turn must, in like manner be guaranteed until their successors are chosen according to law. Our guarantee will be simply a guarantee of the right of the people to choose their own rulers, against the violence of military chieftains. And unless we grant this succor in this form, Mexico will be re-manded to irretrievable turbulence and anar-chy, and our interference against the empire a freak of mischievous and disgraceful quixotism.

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