THE DAILY EVENING TELEGRAPH.-PHILADELPHIA, WEDNESDAY, MARCH 20, 1867.

THE NEW YORK PRESS. ROITORIAL OPINIONS OF THE LEADING JOURNALS UPON CURRENT TOPICS-COMPILED EVERY

2

DAY FOR THE EVENING TELEGRAPH.

The Supplemental Reconstruction Bill -The Prospect in the South. From the Herald,

As the Supplementary Southern Reconstruction bill, substantially in the form in which it has passed the Senate, will doubtless soon be proclaimed a law of the land, veto or no yeto, we may briefly restate its leading features:---

First, before the 1st day of September next, the commanding general over each of the five military districts into which the ten excluded States are divided, shall cause a registration to be made of the authorized voters, white and black, under a specified oath of loyalty, in each county or parish of his district. Second, upon at least thirty days' notice those military commanders respectively shall cause an election to be held by the registered voters for delegates to a reorganizing State convention, and for or against such a convention, provided that such a convention shall not be held unless a majority of all the registered voters shall have voted on the question, yea or nay, of holding such convention.

Third, when a convention shall have thus been ordered by a majority of the voters, the commanding general, after overlooking the returns, in proclaiming the result shall, within sixty days from the election, call the convention together, "and said convention, when organized, shall first determine by a vote whether it shall or shall not proceed to frame a new State Constitution, according to the terms of Congress, and if the vote be in the affirmative the convention shall then proceed to the work." Next, when a new constitution shall have been framed, it shall be submitted for ratification, on thirty days' notice, to the registered voters representing the people. Next, with the constitution thus ratified, it shall be submitted to Congress, and if accepted by the two houses, as in conformity with the conditions laid down, the State concerned shall be declared entitled to a restoration to Congress, etc. The bill further provides that all these provisional elections are to be by ballot.

Now, what is the prospect of Southern restoration under this Supplementary bill and the original law of March 27 In the first place comes the most difficult part of the work-the separation of the sheep from the goats in the registration of voters; for those Rebels excluded by the pending Constitutional amendment from office, subject to a two-thirds vote of Congress, are excluded from the ballot-box in these reorganizing elections. The military commanders are allowed all the interval to the last day of August to appoint their registering places and subordinate officers, to prepare their plans, rules, and books, and to make their registrations. But we think that all this work may be easily done by the first of June. Then thirty days' notice for the election of a convention will bring that election on the first of July.

Then, assuming that the whole interval of sixty days allowed will pass before the convention elected and ordered shall assemble, it will bring us round to the 1st of September with the full organization of the Convention. Let us say next that it will occupy a month in framing a State Constitution under the terms of Congress; and as another month will then pass before a ratification can be had from the people, this ratification will carry us to the 1st of November. Meantime, under the such will be enforced-because it embodies the act of March 2, a State Legislature must be elected, and it must ratify the pending Constitutional amendment, and this amendment must be declared part of the Federal Constitution before any one of the outside States can be restored. But all these conditions may be fulfilled in season for the regular meeting of Congress in December next, if the President of the United States, his commanding district generals and official subordinates, and the ruling politicians and white people of the ten States concerned, will only act harmoniously together in view of the great desideratum of a restoration to Congress as soon as possible. We expect before next March to announce to the world the complete re-establishment of the Union on the new basis of universal liberty and civil equality, with the restoration of every Rebel State to Congress. The President has manifested in his appointment of his five district military commanders - Schofield, Sickles, Thomas, Ord, and Sheridan-his purpose to execute these laws of Congress faithfully; and from the Southern civil experience and good services of each of these officers, we are satisfied that they will carry out these laws as quietly and kindly as possible to the people of the several States concerned. Whether, therefore, the ten excluded States shall or shall not have a voice in this Congress, and in the election of the next and our next President, will depend upon the course of the ruling white class of each of the States directly concerned; and that class, though to some extent aisfranchised in this work of reconstruction, we are gratified to believe, is rapidly coming round to the wise policy of a prompt and faithful compliance with the terms of Congress. The prospect, therefore, of Southern restoration is good; and the encouraging indications we are daily receiving from Virginia and all the way through to Texas warrant the belief of immense advantages to all those States in the way of Northern capital and enterprise in view of large crops, even this year, of corn, tobacco, cotton, rice, and sugar. Cheerful submission to manifest destiny will surely bring to the South, in advance of Southern restoration, those great essentials of financial confidence in the development of Southern industry-wealth and prosperity.

written Constitution" by which England is governed. Our Government is tending to precisely that result. Our Constitution in its theory was intended to be the supreme lawlimiting and restraining the action of the Government in every department, and putting checks and restrictions upon the wants, wishes, and will of the people whenever they should transcend its provisions. This is the theory of our form of government. This is the only object and use of a written Constitution. When it ceases to serve that endwhen it ceases to interpose a barrier to popular passion or to regulate and control the action of Congress, or the Executive, or the Judiciary, it ceases to perform the practical duty for which it was ordained. Our correspondent says these are not

changes in the Constitution, but only in the construction put upon its provisions. Either this is a distinction without a difference, or else the Constitution is too vague and unmeaning in its terms to have any practical meaning whatever. The Constitution says, for example, that "the writ of habeas corpus shall not be suspended except when, in case of invasion or rebellion, the public safety may require it." Congress has just authorized the suspension of the writ in ten States. There is no invasion, there is no rebellion, and the public satety does not require it; yet that writ is suspended all the same. Is this a mere difference of construction? There is no room for any such difference. The language is just and clear and explicit as it is possible for language to be. There is not a shadow of doubt as to its meaning. There is only one "construction" of it possible; the suspension of that writ is absolutely prohibited except in one specified case; that case has not occurred, and yet the writ is suspended. What this means is just this :- The Constitution ad hoc has been repealed, abolished, annulled, by act of Congress.

Precisely the same thing is true of other portions of the fundamental law. It declares that "no State shall be deprived of its equal representation in the Senate, without its own consent." But ten States are thus deprived of all representation, in either House of Congress, not only without their consent, but against their earnest and indignant protest. Is this a difference of "construction ?" Nobody pretends anything of the kind. Congress claims that the Constitution never contemplated such a state of things as now exists, and that therefore this prohibition has no effect. But this is sheer nonsense. The Constitution provides for every case that can arise, and for every state of things that can exist. Its language is general, and its binding force is absolute and universal. The plea cited means simply that Congress may dispense with the Constitution whenever it pleases, provided the people will sustain it in so doing. In other words, the Constitution is the supreme law of the land, except when the will of the people sustains Congress in overriding and overruling it. Then it becomes simply so much waste paper.

"Everything done by Congress to suppress the Rebellion," says our correspondent, "is found in the Constitution, and more would have been found if necessary." Unquestionably ! But this is only a roundabout way of saying that the will of Congress became the supreme law of the land, and the provisions and prohibitions of the Constitution vanished in its presence. Congress did whatever it deemed necessary to be done-and it continues to do so down to the present hour. The Reconstruction bill of the last session was, in nearly every one of its provisions, in clear and flagrant violation of the Constitution as intended by its framers, as interpreted by the Supreme Court, as maintained by every department of the Government hitherto, and as expressed in its clear and explicit language. Yet that bill is the law of the land, and as will of the nation, which has become a "higher law" than the Constitution, and as such will control not only its construction, but its application to the practical government of the country. We may just as well look this matter in the face. It is quite useless to ignore the plain and palpable fact that the Rebellion and the war have revolutionized our Government. We are not living now under the Constitution of 1789,-but under an unwritten Constitution which represents the national will as embodied in the act of Congress. The limitations of the old Constitution have ceased to have binding force. Congress exercises power never conferred upon it, and denies to States rights expressly reserved to them by the Constitution. And it does so with perfect impunity, because there is no authority to overrule or reverse its action. The President is powerless, because two-thirds of Congress is against The Supreme Court is powerless, behim. cause the case cannot come up for its action, and even if it should the Court has no means of enforcing its decrees. The people are without remedy, because ten States are not allowed any volve in the matter, and the remainder sustain the usurped authority. We are living under a de facto Government-a Government resting on force, and on the will of the people who wield it; but an actual Government nevertheless President Johnson attempted at the outset of his administration to carry on the Government under the Constitution of the United States as it existed before the war, respecting all its limitations and restrictions of power, conceding to States all the rights it guaranteed, and carrying on the Government within the channels and upon the grooves which it provides. The attempt proved a failure. The popular resentment against the Rebellion, the sense of exultation at the victory achieved over it, the demand for guarantees, for new liberties, larger powers, and more permanent sectional and party control, were too strong to be resisted. The war had wrought a revolution in public sentiment, which in its turn wrought a corresponding revolution in the practical administration of the Government. Congress represents that revolution to-day, and acts under its inspiration and in the exercise of power which it confers. This is the actual state of public affairs. is perhaps wiser to adjust our public action to it than to waste strength and time in contending against it. There certainly is but one tribunal remaining to which an appeal can be taken. The people may possibly reverse their own action, and decide to stand by the Constitution, rather than the revolution by which it has been for the time supplanted. We shall know whether they will or not after the Presidential election of 1868. Until then, at all events, we must live under the de facto Government which now holds possession of supreme power.

leading whites and blacks vying with each other in expressions of mutual confidence and good will. The whites concede to the blacks every right which they claim for themselves: while the blacks take the lead in asking Congress to repeal all disabling and disfranchising acts, so as to allow the State to command the services of the ablest and most trusted citizens. In short, South Carolina has already taken her stand on the true, broad, generous national platform of universal amnesty with impartial suffrage, and will soon be in Congress. shaming the obstinate owls of the Middle and Western States out of their lingering prejudices and affectations of prejudice against a recognition of the inalienable rights of man. Such is the natural, beneficent operation of

the Reconstruction act of Congress, so flercely denounced by the President and by the Copperhead Congressmen and journals, as an act 'to organize hell'' in the South, to destroy liberty, and to whelm the whole land in anarchy and military depotism. So far as we can now see, every ex-Rebel State but Texas will promptly and cordially reorganize on the basis proposed by Congress, and have its delegation ready to take seats in Congress before the close of this year. What patriot heart does not swell with gratitude and joy at the prospect?

Close of the Negrophilist Cycle in Our Politics. From the World.

It is certain that the next Presidential election cannot be carried on the negro question. By the passage of the Supplementary Reconstruction bill that issue will be taken out of national politics. There may, indeed, be a pretense of maintaining what has been done, and preventing its overthrow; but as there is no probability of its overthrow being attempted, that would be an idle issue. These two things can easily be make to appear:--1. That nothing further can be attempted in behalf of the negro. 2. That the franchises acquired by him will not be revoked.

First, then, in regard to the possibility of doing more for the negro. If a stick of timber lies prone upon the ground, you may raise one end of it, and bring it nearer and nearer to a perpendicular, until it stands vertical; but any further application of force in the same direction only tends to prostration on the other side. In the same way, they who elevate the negro under pretense of fighting the battle of human equality, can do no more for him by political action than to make him the political equal of the white. If they attempt to raise him higher, they reintroduce the inequality between different races against which they have always been protesting. By the recent legislation, the negro is raised as high as he can be put by any other action than his own. By the abolition of slavery he was elevated to the rank of a freeman; by the Civil Rights bill he gained equal advantages of person and property, and equal protection in the courts; and now, finally, he is raised to full political equality. If imagination were tortured to find anything more that could be done for him in the removal of disabilities, imagination would be incapable of the task. Nothing more is possible. Certain it is, therefore, that the negrophilists can present no new affirmative issues. Unless, then, there is to be an agitation for repeal, the rights of the negro can never again be an issue in our national politics.

This brings us to our second position, that the franchises now conferred on the negro can never be revoked. The desirability of revoking them is not the question which we discuss, but the possibility. If our Government were so constituted that revolutions in public opinion could immediately take effect in reversing past legislation, the question might be different. But the six years' tenure of the United States Senators is an impassable barrier to the sudden repeal of the new law. With every Northern State at present in possession of the Republicans, some time is required for changing the political character of the State Legislatures, which elect the Senators. Until this is accomplished, the Senate will remain, as now, overwhelmingly Republican. But when the Senatorial changes begin, they can proceed but slowly, owing to the long terms of the Senators. There is, therefore, no possibility of a repeal of the Reconstruction act until it has accomplished all the mischief of which it is capable agitation for its repeal would be political folly, because the Southern States cannot, and will not, stand unorganized and unrepresented until a repeal could be effected. Nothing is more certain than that the Southern States will be reconstructed on the basis of that act: and the negroes once admitted to the suffrage. can never afterwards be excluded, inasmuch as their own votes would have to be counted on the question of exclusion. Neither the Democratic party, nor any other party of practical men in their senses, will go into the next Presidential election with the repeal of the Reconstruction act as their leading issue. But if the next Presidential election does not turn upon that issue, it is certain that no subsequent one can. We may accordingly regard the negro question as settled. There being, then, nothing further to agitate for in behalf of the negro, and no prospect of any agitation to deprive him of what he has gained, our national polities can no longer revolve around him as their centre, which ought to be considered as a happy riddance, if we could but lay out of view the enormous and appalling cost at which it has been purchased. But it is childish to cry over spilt milk; and as to the negro vote, we have no doubt that it will be controlled by the Southern whites. It is certainly some relief to think that the negro can no longer be the pivot of our politics. To accomplish the emancipation of the negro, we have burdened the nation with a colossal debt, impoverished and beggared one half of the country; we have deranged our currency, subverted our Constitution, corrupted the public morals, clothed hundreds of thousands of families in mourning and maimed hundreds of thousands of surviving citizens we have created famine prices for food, have turned our trading classes and banking institutions into cliques of speculators; we have destroyed our shipping interest, and, worse than all, have filled the hearts of our people with rancorous and malignant passions, and poisoned the whole social and political atmosphere. If the negro has been elevated, the white laborer has been depressed half-way to meet him. For what is the essence of slavery ? . What but this, that one man works and another takes from him the fruit of his labor ? Before the war, all that the white laborer earned was his own ; now, half of it is wrested from him by the Government. It is with difficulty that he can feed and clothe his family; but food and clothing are what the Southern slaves never wanted. The white laborer's children go ragged and shoeless to meet the cost of emancipating the negroes. The price must be paid to the uttermost farthing, and our politics must turn, for many years to come, on questions connected with the just distribution of the burden. Up to this time, the burden has been appor-

tioned in glaring disregard of justice. The manufacturers, speculators, and monay-dealers grow rich, and the industrious poor PENNSYLVANIA NEW SIX PER CENT. are still (arther impoverished. As the nation as a whole is immensely poorer than it was before, and certain classes immensely richer, it is evident that those whom the times are enriching really bear no share of the public burdens. The manufacturers, to be sure, burdens. have paid their three per cent. tax; but they have added a hundred and fifty per cent, to the price of their goods, so that their taxes are returned to them, fifty times over, by the consumers. The heavy real estate owners have paid their ten per cent. income tax; but they have added two hundred per cent. to their rents, so that their taxes are returned to them, forty times over, by their tenants. The holders of Government securities are not taxed at all, and the interest on those securities, with the expense and waste of collection, is paid by the labor of the country. From commiserating the hardships of the negro, the laboring people will presently come to lament their own; and the emancipation of the white man will soon become the rallying ery in our oolitics.

Now that the negro question is dead, let us waste no time over the carcass, but promptly clear the decks for the new issue.

MEDICAL.



LEGAL NOTICES. IN THE ORPHANS' COURT FOR THE CITY

pealed.

PROPOSALS FOR A LOAN LEHIGH COAL AND NAVIGATION CO. \$23,000,000. AN ACT TO CREATE & LOAN FOR THE REDEMPTION OF THE OVERDUE BONDS OF THE COMMONWEALTH

Whereas, The bonds of the Commonwealth and certain certificates of indebtedness, amounting to TWENTY-THREE MILLIONS OF DOLLARS, have been overdue and unpaid for some time past;

FINANCIAL.

STATE LOAN.

And whereas, It is desirable that the same should be paid, and withdrawn from the market; therefore.

Section 1. Be it enacted by the Senate and House Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Penn-sylvania in General Assembly well, and it is hereby enacted by the authority of the same. That the Governor, Auditor-General, and State Trea-surer be, and are hereby, authorized and em-powered to borrow, on the faith of the Com-monwealth, in such amounts and with such notice (not less than forty days) as they may down most expedient for the interest of the deem most expedient for the interest of the State, twenty-three millions of dollars, and issue certificates of loan or bonds of the Com-monwealth for the same, bearing interest at a mon wealth for the same, bearing interest at a rate not exceeding six per centum per annum payable semi-annually, on the 1st of February and 1st of August, in the city of Philadelphia; which certificates of loan or bonds shall not be subject to any taxation whatever, for State, municipal, or local purposes, and shall be paya-ble or follows pamaly. Five millions of dollars minicipal, or local purposes, and shall be payse ble as follows, namely:-Five millions of dollars payable at any time after five years, and within ten years; eight millions of dollars paya-ble at any time after ten years, and within fi-teen years; and ten millions of dollars at any time after fifteen years, and within twenty-five years; and shall be signed by the Governor and State Treasurer, and countersigned by the Auditor-General, and registered in the books of Auditor-General, and registered in the books of the Auditor-General, and to be transferable on the books of the Commonwealth, at the Farmers' and Mechanics' National Bank of Philadelphia; the proceeds of the whole of which; Joan, including premiums, etcetera, received on the same, shall be applied to the payment of the bonds and certificates of in-debtedness of the Commonwealth. Section 2. The bids for the said loan shall be owened in the presence of the Governor, Audiopened in the presence of the Governor, Audiopened in the presence of the Governor, Audi-tor-General, and State Treasurer, and awarded to the highest bidder: *Provided*, That no certifi-cate hereby authorized to be issued shall be negotiated for less than its par value. Section 3. The bonds of the State and certifi-cates of indebtedness, now overdue, shall be receivable in payment of the said loan, under such regulations as the Governor, Auditor-General, and State Treasurer may prescribe; and every bidder for the loan now authorized to be issued, shall state in his bid whether the to be issued, shall state in his bid whether the same is payable in cash or in the bonds, or certificates of indebtedness of the Common-

wealth. Section 4. That all trustees, executors, administrators, guardians, agents, treasurers, com-mittees, or other persons, holding, in a fidu-ciary capacity, bonds or certificates of indebt-edness of the State or moneys, are hereby authorized to bid for the loan hereby authorized to be issued, and to surrender the bonds or certificates of loan held by them at the time of making such bid, and to receive the bonds making such bid, and to receive the bonds authorized to be issued by this act. Section 5. Any person or persons standing in the fiduciary capacity stated in the fourth sec-tion of this act, who may desire to invest money in their hands for the benefit of the trust, may, without any order of court, invest the same in the bonds authorized to be issued by this act, at a rate of premium not exceed-ing twenty per centum. Section 6. That from and after the passage of this act all the bonds of this Commonwealth

Section 6. That from and after the plasage of this act, all the bonds of this Commonwealth shall be paid off in the order of their maturity. Section 7. That all loans of this Common-wealth, not yet due, shall be exempt from State, municipal, or local taxation, after the interest due February 1st, one thousand eight hundred and sixty-seven, shall have been readd

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The Constitution, and the Changes Wrought by the Revolution. From the Times.

Our correspondent, "A Veteran Observer," in a letter published in Monday's Times, drew attention to the changes in the construction of the Constitution which the Rebellion has brought about. He concedes that the Constitution of the United States is not now what it was believed and held to be ten or even five years ago. "The Constitution," he says, "must be construed to meet the wants of the people; hence it is practically changed according to the ideas and wants of the day."

This may be perfectly true. But it is equivalent to saying that the Constitution is a sham; that our system of constitutional government is a failure, and that "the wants of the people," the "ideas and wants of the day," constitute the only fundamental law of the land. England has just such a Constitu-tion as that. The opinion of Parliament, the votes of the House of Commons, the will and wants of the people, constitute the "un-

New South Carolina.

From the Tribune. The tidings we printed yesterday from the

capital of South Carolina are calculated to astonish the Rip Van Winkles of the North. A great meeting of the people has been held preliminary to a reconstruction of the State under the recent act of Congress, and such eminent chiefs of the late oligarchy as General Wade Hampton have fraternized heartly with he most capable and trusted negroes; the

1. AND COUNTY OF PHILADELPHIA Bainte of McCLINTOCK, MINORS The Auditor appointed by the Court to andit, settle and adjust the account of C. P. Corinnan, Esq., Guar-lian of Anna, James, John, Helena H., Caroline M., George G., Elizabeth S. and Wm. D. McClintock, Minors, and to report distribution of the Balance in the hands of the accountant, will meet the partles in-tersted for the purpose of his appointment on TUES-DAY, March 26, 1867, at lour (4) o'clock, P. M., at his office, No. 402 Walnut street, in the city of Phila-delphia.

alphia. 3:15 fmw5t# W. D. BAKER, Auditor. TN THE ORPHANS' COURT FOR THE CITY

IN THE ORPHANS' COURT FOR THE CITY AND COUNTY OF PHILADELPHIA. Estate of WILLIAM KITCHEN, Deceased. The Auditor appointed by the Court to audit, settle, and adjust the account of JOHN CONRY and JOSLPH N, PRICE, Executors, and to report dis-tribution of the balance in the hands of the account-ant, will meet the parties interested for the purpose of his appointment, on MONDAY, March 25, 1867, at 11 o'clock A. M., at his office, No. 402 WALLNUT Street, in the city of Philadelphia. 2 15 fmw8t^a W, D. BAKER, Auditor.

TN THE ORPHANS' COURT FOR THE CITY AND COUNTY OF PHILADELPHIA. Estate of AMOS C. MARGERUM, Deceased



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paid. Section 8. That all existing laws, or portions thereof, inconsistent herewith, are hereby re-

JOHN P. GLASS, 12 26em

Speaker of the House of Representatives, L. W. HALL, Speaker of the Senate. **CIRST-CLASS SEVEN PERCENT. BONDS.**

Approved the second day of February, one thousand eight hundred and sixty-seven, JOHN W, GEARY. In accordance with the provisions of the above act of Assembly, sealed proposals will be received at the Office of the State Treasurer be received at the once of the State Treasurer in the city of Harrisburg, Pennsylvania, until 12 o'clock M., of the 1st day of April, A. D. 1867, to be endorsed as follows:-"Proposals for Penn-sylvania State Loan," Treasury Department, Harrisburg, Pennsylvania, United States of

America. Bids will be received for \$5,000,000, reimbursable in five years and payable in ten years; \$8,000,000, reimbursable in ten years, and payable in fineen years; and \$10,000,000, reimbursable in fifteen years and payable in twenty-five years. The rate of interest to be either five or six per cent. per annum, which must be explicitly stated in the bid, and the bids most advanta-geous to the State will be accepted. No bid for less than par will be considered. The bonds will be issued in sums of \$50, and such higher sums as desired by the loaners, to be free from State, local, and municipal taxes. The overdue bonds of the Commonwealth of Pennsylvania will be received at par in pay-ment of this loan, but bidders must state whether they intend to pay in cash or in the everdue loans aforesaid. No distinction will be made between bidders paying in each or overoue loans. fifteen years and payable in twenty-five years. The rate of interest to be either five or six per

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JOHN W. GEARY, Governor of Pennsylvania. JOHN F. HARTRANFT, Auditor-General

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