# THE DAILY EVENING TELEGRAPH-PHILADELPHIA, MONDAY, JUNE 17, 1867.

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### MONDAY, JUNE 17, 1867.

The Attorney-General's Opinion. Tax publication of Attorney-General Stanbery's "opinion" in full confirms the outgivings of the press for the last few days concerning its character. It is in effect a nullification of the Reconstruction law passed by Congress, and shows very clearly that the President does not intend to execute the law in good faith. It is, in truth, his justification for not executing it. Under a pretense that the law could not be understood, the Attorney-General has been called upon for a construction of it, and he has given just such an one as his master desired. This sudden difficulty of understanding the law is very singular. The President found no difficulty in understanding it, or pretending to, when the law was before him for his approval or negation. And, strange enough, he understood it then in an exactly opposite sense from what he now adopts. Stanbery was his ready tool in both instances. He is said to have written the veto messages, and now he furnishes the opinion which stamps the veto messages as deceptive and fraudulent in every important particular. If this "opinion," which Attorney-General Stanbery has manufactured to order for Andrew Johnson, as his excuse for not executing the Reconstruction law, be correct, if its allegations be true, if its construction of the law be honest, then the messages vetoing the Reconstruction law, with their high-sounding denunciations, their impassioned arraignment of its provisions, their statements of the extraordinary powers it proposed to confer, indeed, their entire tone and spirit, must be put down as deliberate attempts to deceive the people under the guise of solemn official declarations, and as the mere clap-trap of the most ordinary demagoguery. The veto messages and the opinion cannot both be true. They are diametrically opposed. They treat of the same subject, and contain contradictory statements upon the same points. Each is a complete refutation of the other. If either be true, the other cannot possibly be so.

Such a state of facts as this is must go far to deprive Mr. Johnson of what little confidence anybody still had in him. For instance, how must any man now feel who read and believed Mr. Johnson's arraignment of the Reconstruction law in his veto messages, when he finds by the opinion that said law is an entirely different thing, and that its supposed specially obnoxious features had no existence in fact ? How much cheap indignation, according to this opinion, did Mr. Johnson and his friends waste upon Congress ! How grossly he misrepresented the character of its acts ! His denunciations are now seen to have merely been for effect. It was a deep political game that his Excellency was playing, in which the passions of the people were to be wantonly aroused, the country gratuitously exasperated, and the fires of political agitation unnecessarily fanned to a flame. He was an actor, "strutting his brief hour" upon the national stage; and he must make his piece lively and entertaining, at whatever disregard of truth. And this is the man who never tires of pluming himself upon his consistency ! who always takes the Constitution for his guide ! who never ceases to parade his devotion to the good of the -country ! The people never stop to regard technicalities. They go to the root of matters-to the great questions really involved. Mr. Stanbery's pettifogging opinion will not make the slightest impression upon the public mind, so far as regards the character of the Reconstruction law. The people understand that that law was meant to give effect to a certain policy of reconstruction, as opposed to a certain other policy. It was the triumph of their policy, as opposed to his policy. And in this "opinion" they will see nothing but an attempt of the President to override the popular will, to substitute his own therefor, and to reopen the contest which so shook the country last fall.

execution of the Military bill is an infamous one. By means of legal quibbles the law is to be evaded. A sharp practitioner is secured as Attorney-General, and all his legal invention has been for months directed towards seeing how the bill may be defeated and its true meaning perverted.

In his two decisions the spirit of the law is laid aside as a useless thing, and its letter is so perverted that it really means nothing at all. Yet by means of this evasion the aims of the law have been defeated. It is a new idea in our political system, that a Cabinet officer can nullify an act of Congress. The value of the opinion of Judge Stanbery is just as valuable as that of any other acute lawyer, but the military commanders are to be judges of its application to their cases; yet he has assumed to turn the law from its true intent, and the Executive has declared he has the power; and unless the strong arm of legislation intervene, we are in danger of having all the work of a year crumble away before the sophistry of a sub-lieutenant of the Executive. It is therefore emphatically necessary that a quorum be present on July 1. There is great work to be done. The Hon. Thaddeus Stevens, one of the wisest statesmen of the age, with all his faults, presents his views in a forcible letter, in which he says:-

"I think it is proper to suggest the propriety of having a quorum in Congress on the first proximo. The opinions of the Attorney-Gene-ral seem to require some explanatory or sup-plemental acts. A mistake more objectionable than either is the fact of usurpation by the Attorney-General in acting at all in the ques-tion and treating his directions as bigging tion, and treating his directions as binding officially. The Attorney-General has no more right to interfere than the President had to reconstruct, which pretension Congress has set-tled, since it has been adjudged that the con-quered States are to be treated as subdued territory, and to be rebuilt without reference to their former condition by the legislative power alone. It is to be supposed that Congress alone is to be appealed to in case of difficulty."

Here is the question fairly stated. The wings by which this occupant of a Cabinet seat seeks to soar above Congress must be clipped. Supplemental acts are necessary, which will at once and forever set at rest the pretenses of the Attorney-General and the hopes of the Rebels based thereon.

In order that anything can be done, it is necessary that a quorum be present, and that quorum must consist of Republicans. We cannot count on the absence of any Democrat, in order that the required action may be secured. They will probably all be in their seats, but will refuse to answer to their names if by so doing the session can be prevented. We therefore urge upon every member the absolute necessity of his being present. The people will hold all delinquents to a strict responsibility. The public exigency demands their presence; it is criminal to shirk the duty because of the temperature of the weather. We feel comfident that when our delegation think over the requirements of the country, at least sixteen of the twenty-four members from the Keystone State will be in their seats, sacrificing their personal ease for the national good.

### The Park Commissioners.

At the last session of the Legislature an act was passed which provided for the extension of Fairmount Park, by the addition to it of

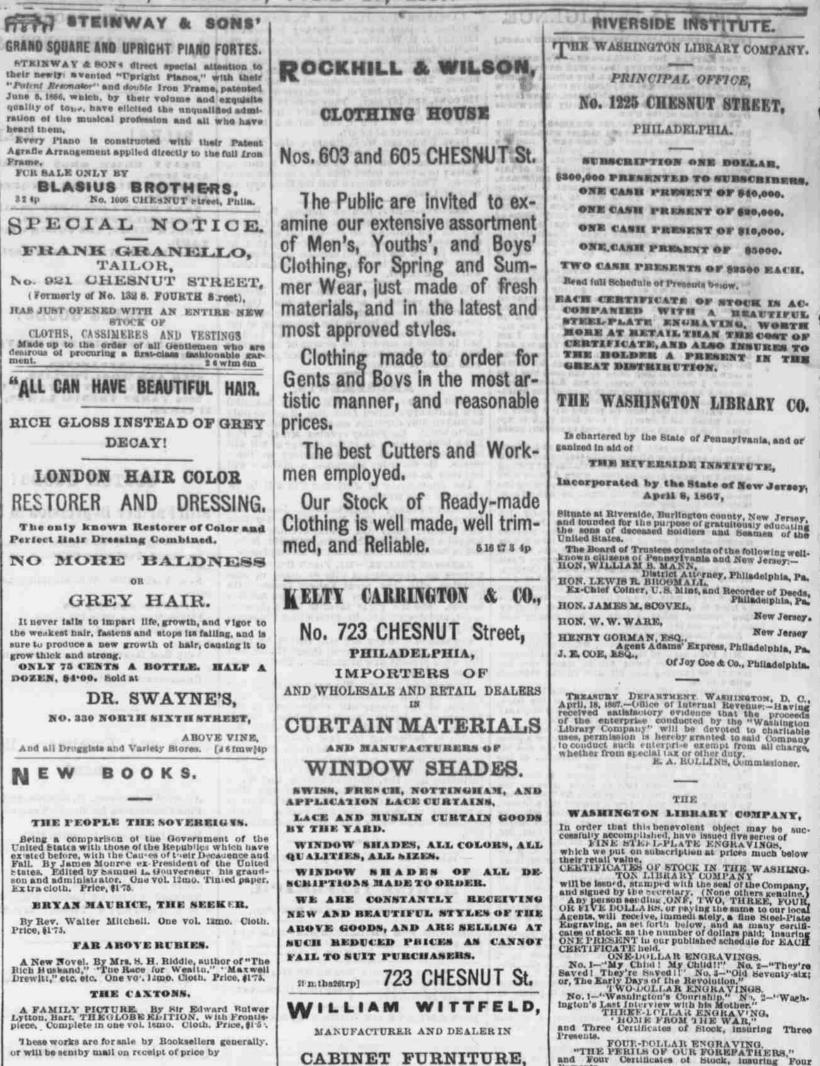
general regulation, thousands of dollars of the public moneys must necessarily pass through the hands of the Commissioners. For these reasons, every taxpayer in the city is as much interested in the proceedings of the Commission as are its own members. No possible good can result from investing these proceed-

ings with secrecy; and whether or not corruption does obtain a foothold in the Park Commission, the public at large will always entertain some suspicion of its existence, by reason of their sad experience with similar bodies in the past. Hitherto, the Secretary has been accustomed to furnish the reporters of the daily journals with a very brief and meagre outline of the proceedings of the Commission, which has only tended to arouse, without satisfying the curiosity of those who are anxious to see Fairmount Park a credit to the city. Such persons would be gratified with a perusal of the debates, as well as of all the proceedings of the Commission in detail. To enable the press to furnish this, its representatives should be admitted to every business meeting of the Commission. This is rendered all the more necessary by the fact that on Saturday a meeting of the Commission was held, commencing at noon and adjourning shortly after 1 o'clock, after which the Secretary refused to furnish the reporters in attendance with any account of the proceedings. We hope the Commission will reconsider their action in excluding the public, and thereby afford all who are interested the privilege of being present at their meetings.

TEXAS.-General Griffin, and General Reynolds of Texas report to General Sheridan that Judge Reeves, of the Ninth Judicial District of that State, in a charge to the Grand Jury of his Court, stated he should not receive the testimony of negroes, as the laws of Congress on the subject were unconstitutional, and he, therefore, defied them. They also report the same facts against Judge Dougherty, who stated, in the headquarters of General Reynolds, that, as regards the testimony of negroes, he would not recognize the law or authority of Congress, and will be bound only to the sovereign State of Texas. Reports of a like character are coming in almost dully hom the different partshes of Texas.

Some members of the Opposition in the English House of Commons having made an attack upon Lord Stanley's course in the recent Peace Conference of London, Lord Stanley in reply stated that, had England hesitated to give her adhesion to the collective guarantee of the neutrality of Luxenbourg, the armies of France and Prussia would be now in the field, and all Europe would be involved in war. Lord Stapley also stated that the Luxenbourg treaty, as signed in London, did not bind any power to interfere singly in the eventualities which may arise relative to the future of Luxembourg.

Among the latest royal arrivals in Paris is that of the new King of Egypt, who arrive 1 yesterday. The Cable states that he met with an enthusiastic reception, but similar statements were made on the arrival of other monarchs, and have been contradicted by the more accurate steamer intelligence. The author of the despatches probably mistook curiosity for thusiasm.



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#### Shall We Have a Special Session of Congress ?

WHEN Congress adjourned in April, both Houses made provision for reassembling before the first Monday in December. By concurrent resolution it was ordered that Congress reassemble on the fourth day of July, and that, in case of no quorum being present, the presiding officer had power to adjourn until the regular time of meeting in December. This action was caused by a deep-seated distrust of the intentions of the Administration. The representatives of the loyal North felt that no confidence could be placed in the Executive Department of the General Government; and, believing that the laws would not be faithfully executed unless under compulsion, they therefore resolved to reassemble and compel the fulfilment of the provisions of the various bills legally adopted. The time specified for the special session is now drawing near, and the question is a pertinent one as to whether a quorum of the two Houses will assemble, or whether an adjournment will be effected until next winter ?

The decision is of vital importance, and, in view of the recent developmenst in Washington, we do not hesitate to declare that it is the imperative duty of every loyal representative to be in his seat on the first of next month-The public good requires that a special session of Congress be held. The course adopted by the Executive in regard to the meaning and

the neighboring lands lying within certain limits. But a still more important feature of this law was that which created a Board of Commissioners, to whom the general regulation and improvement of the Park should be entrusted. The portions of the act relating to the Commission read as follows:-

"Section 2. The Mayor, the Presidents of the Select and Common Councils, Commissioner of City Property, the Chief Engineer and Surveyor, and the Chief Engineer of the Water Works of and the Chief Engineer of the Water Works of said city, together with ten citizens of said city, who shall be appointed for five years, five of whom by the District Court, and five of whom by the Court of Common Pleas of said city, be and the same are bereby constituted Commis-sioners of said Park; they shall organize an-nually, on the first Monday of June, by the election of a President and Secretary, but they shall receive no compensation for their services as Commissioners: Provided, that whenever a we can when locar in that reart of the said Comvacancy shall occur in that part of the said Com-missioners appointed by the Courts, the Court from which the appointment was made shall

fill the vacancy, "Section 4. The Commissioners of said park, after they shall have secured possession of the ground, shall adopt a plan for the im-provement and maintenance thereof, and shall have powers to proceed with the same, and all have powers to proceed with the same, and all moneys expended shall be under their super-vision, but no contracts shall be made for said improvement unless an appropriation therefor shall have been first made by the Councils of

"Section 5. As soon as the said Commis-sioners shall have fully organized, they shall have the care and management of Fairmount Park on both sides of the river Schuylkill, and all plans and expenditures for the improvement and maintenance of the same shall be under their control, subject to such appropriations as Councils may from time to time make as aforesaid."

Under the operation of the second section, as given above, the following gentlemen were

appointed upon the Commission:-

Eli K. Price, John Welsh, William Sellers, Joseph Harrison, John C. Cresson, Major-General George G. Meade, N. B. Browne, Henry M. Phillips, Theodore Cuyler, Gustavus Ramak Remak

One or two preliminary meetings of the Commission were held during May, and on the 3d of June a permanent organization was duly effected by the election of his Honor Mayor McMichael as President, General George G. Meade as Vice-President, Joseph F. Marcer as Secretary, and N. B. Browne as Treasurer.

Having thus organized, the Commission at once took possession of Fairmount Park and assumed its management. On this event we must certainly congratulate such of the people of Philadelphia as desire to see Fairmount Park what it ought to be, in order that it may not be a disgrace to the city. A responsible body of men, restricted in its numbers, can manage such an institution much better than a single official, or such unwieldy concerns as the two branches of the City Councils. But we greatly fear the Commission made a mistake at the very beginning of their operations, by excluding from their meetings all the outside world, including the representatives of the press. The proper management of Fairmount Park is essential to the health and attractiveness of the city, and in the improvements which will from time to time be made, as well as in it.

Accomping to Turkish despatches, Om Pasha, on the 3d of June, obtained an importa victory over the Cretan insurgents, and secur possession of a rock-bound valley which is co sidered one of the strongest places on the islan The despatch claims less than many previo despatches, which announced the entire an pression of the insurrection, and were subquently found to be mere inventions; and it hardly entitled to any greater credit.

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6 15 21.4 No. 16 South Wharves,	<ul> <li>Mrs. Fuoliap. No. 1200 Hewsion St., 18th Ward, p Dionysius Taylor, No. 405 Taylor st., 19th Wd., John Veniler, Rope Ferry road.</li> <li>Mr. Alder, No. 14 N. Nueteenth street.</li> </ul>
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