

THE NEW YORK PRESS.

EDITORIAL OPINIONS OF THE LEADING JOURNALS UPON CURRENT TOPICS—COMPILED EVERY DAY FOR THE EVENING TELEGRAPH.

The Magnetic Telegraph—Its Astonishing Progress and Influence.

From the Herald. The success in laying and operating through the Atlantic telegraph cable has had a surprising effect in stimulating telegraphic enterprises all over the world.

Hitherto the use of the magnetic telegraph has been confined chiefly to America and Europe. With the exception of the line to India by the way of the Persian Gulf and Egypt, those few in the British possessions of Asia and Australia, and the Russian lines piercing the confines of Eastern Asia, it has been confined to the populous centres of Europe and America.

Western civilization is being abandoned by the Chinese, and we have no doubt the Government of that vast empire will soon permit telegraph lines to be established in the interior. The Chinese are a shrewd and active people in matters of business, and as soon as they realize the advantages of the telegraph, which will be laid along the coast, they will want to see the facilities it will afford in communicating his edicts and governing his extensive empire, and the merchants will comprehend its value for business purposes.

It is a curious illustration of the transformations constantly taking place in political parties, that the Democracy should now be the special champions and defenders of the absolute supremacy of the Supreme Court. In Jackson's time they scouted the idea that its decisions on political questions were to overrule either Congress or the President.

From the Tribune. The Indian troubles are on the increase, and General Sherman is likely to have his hands full for some time to come. According to Governor Hunt, of Colorado, the war has attained to formidable proportions, for in a despatch to General Sherman he states that it now exists over a country of two thousand by one thousand miles in extent.

From the Herald. It is said that the French Government has invited the European powers to an international conference on monetary matters, which is probable will be held in Paris or Brussels this month, and that England, Switzerland, Italy, Belgium, Portugal, and Spain are reported to have promised cooperation.

The Authority of the Attorney-General Over Laws of Congress.

From the Times. Mr. Stevens objects to regarding the opinion of the Attorney-General on the Reconstruction act as of binding force or obligation. In this he is quite right. The pretense that the Attorney-General has any authority to give an official construction to laws of Congress, which shall control the action of other departments of the Government, is ridiculous; and it is true that there is a strong disposition in sundry quarters thus to regard Mr. Stantley's opinion on registration, already published, and the one on the powers of military commanders. It seems to be taken for granted that his construction of the law must be final and conclusive. Nothing could be more absurd.

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Whether the Supreme Court can overrule the other departments of the Government on questions of constitutional law or not, has been in doubt, or rather in dispute, from the very origin of our Government. Jefferson and the Republicans of his day maintained that it could not; that its judgments could not have the slightest official authority, either with Congress or the President; that each department of the Government was independent, thoroughly and entirely, of the other; and that, while the decision of the Supreme Court, duly pronounced in any case coming properly before it, for or against the constitutionality of any law, is final and conclusive as between the parties in the case, it could have no weight whatever, as an authoritative judgment, upon either the legislative or executive departments. Hamilton and his school maintained the opposite. Jackson, in his famous controversy with the National Bank, stood upon Jefferson's ground, and Mr. Van Buren, in his recently published and very valuable "History of Political Parties," has shown that this was the position always held by the Democratic party, until it was betrayed by its pro-slavery zeal into an abandonment of it in the Dred Scott decision, pronounced, as he does not fail to remind us, by a Chief Justice, and under a President, both of whom had come into the Democracy from the bosom of the old Federal party, bringing with them its principles, traditions, and prejudices to a greater degree than they were themselves aware.

It is a curious illustration of the transformations constantly taking place in political parties, that the Democracy should now be the special champions and defenders of the absolute supremacy of the Supreme Court. In Jackson's time they scouted the idea that its decisions on political questions were to overrule either Congress or the President. That Court pronounced the bank to be constitutional. General Jackson, conceding that their decision in the case submitted was conclusive as between the parties, maintained that it neither changed his opinion nor had anything whatever to do with his official action. He vetoed the bill, and the Democratic party and the country sustained him. In the Dred Scott case the Court overruled Congress and the President, and annulled the political action and history of thirty years; and the Democracy broke itself in pieces and plunged the nation into a civil war, by attempting to sustain the decision and the authority of the Court to make it. They ought to learn something by experience.

But however it may be with the Supreme Court, the Attorney-General has not the shadow of a claim to any such authority. He has no authority to pronounce judicial decisions in any case whatever. He has no judicial functions. His office is that of an advocate, not of a judge. He represents the Government in the courts; he is to sustain its authority and vindicate its interests by argument before those with whom alone it rests to pronounce judgment. Mr. Stevens is quite right in saying that it would be "usurpation" for the Attorney-General to overrule the law of Congress by construction, in this or in any other matter. But this he does not attempt. If it is done, it must be done by the President, with or without the Attorney-General's opinion. The President, and he alone, has the power to act, and, therefore, the responsibility must rest with him.

Mr. Stevens thinks it important that Congress should meet at once to remedy the evil. We do not see the necessity. The mere fact that the Attorney-General has given an erroneous opinion (if it be erroneous) certainly creates no such necessity. If that opinion should be made the basis of Executive action, with manifest injury to the public interests—if, on the strength of it, the President should nullify the disarming clauses of the law, or reverse the action of the military commanders, replacing Walls, Monroe, Abell, Withers, and others, and removing Sheridan, Pope, and Sickles, an emergency might then arise which would require the action of Congress. But no such emergency has yet arisen, nor do we see reason to fear it.

General Sherman and the Indians.

From the Tribune. The Indian troubles are on the increase, and General Sherman is likely to have his hands full for some time to come. According to Governor Hunt, of Colorado, the war has attained to formidable proportions, for in a despatch to General Sherman he states that it now exists over a country of two thousand by one thousand miles in extent. In a telegram recently sent by the Government officers of Colorado Territory to President Johnson, asking for the adoption of prompt and vigorous measures against the Indians, a sad picture is drawn of the state of the Territory, owing to the active hostility of the red men, who are making depredations and killing the white settlers on every side. Ranches are burned; coaches and emigrant teams are attacked; stock run off; and numerous murders committed. Our special correspondent says despatches swarm in daily from Montana, Dakota, and Colorado, announcing new depredations and murderous outrages. It is easy to conceive the effect of all this upon the people of the more remote and unprotected settlements. We are not at all surprised to learn that "the arts of peace are suspended, and the people suffering from a feeling of insecurity, which paralyzes every branch of industry."

In such a state of things vigorous measures are imperatively called for, and these will certainly be adopted by General Sherman, provided, of course, the means of doing so are placed at his disposal by the Government. The general says he has not a sufficient number of troops to protect all the exposed points, and that the people must, for the present, fight the Indians themselves. Under the circumstances they certainly have no choice left them but to shoulder the rifle and meet the enemy. Still, it is a hard and cruel case that this dire necessity should be forced upon them; and no time ought to be lost in sending on reinforcements sharp, sharp, and decisive work of the campaign which has been commenced. With a man like Sherman in command, it is not being too sanguine to expect that such will be the character of the operations against the Indians. We have had enough of Territorial wars conducted by irresponsible men. This time it is a satisfaction to know that one of our ablest and most experienced generals will direct the movements of the forces, which will be composed in great part by United States troops. But while a vigorous prosecution of the war is necessary, in order that hostilities might be brought to as speedy a termination as possible, and the Territories thereby delivered from a blighting calamity, that spirit is to be denounced which urges that the Indians should be treated as devils, whom we are mercilessly to sweep from off the face of the earth, in retaliation for their merciless deeds. Now that the war is upon us, it must be fought out as such a war ought to be prosecuted; and in view of the atrocities which the Indians have been committing in the Territories, we can

make some allowance for the language employed by Governor Hunt and his associate officers, in their despatch to President Johnson, when they call for terrible measures of retaliation. But ought the provocations, the Indians have received to be lost sight of? His mismanagement, has had faith on the part of agents, has persistence in a policy calculated to alienate the Indian rather than attach him to us, nothing to do with these frequently recurring wars, so costly to the country, and so miserably barren in their results? Why, only in the year 1855 it cost the Government—a large portion of which money went into the pockets of Government thieves—\$25,000,000 to carry on an Indian war; and now in 1867 we have another similar war on our hands, which will involve a further large expenditure of money. It is easy to talk of exterminating the Indian, but the task of getting rid of him in that way would not be found so practicable as some suppose; and it is by no means an economical mode of disposing of him, as we have seen. The present hostilities show that the race have some vigor in them still. Let another plan be tried, more consonant with the principles of humanity, and more becoming a great nation. Let a policy of wise conciliation be adopted, and well-organized and properly sustained efforts be made to bring the Indian within the reach of civilizing influences. Until we have done our best to convert him into a useful citizen, we ought not to reproach him with being an incorrigible savage.

Lord Stanley and the Luxembourg Treaty.

From the Times. Whatever prestige Lord Stanley may have gained for his party in his administration of foreign affairs, has not been won, and is not likely to be held, for nothing.

The telegraph announced that a young representative Whig, in the person of Mr. Labouchere, had been put forward to question the Foreign Secretary formally, in accordance with parliamentary rule, as to the nature and extent of the engagement by which England had become bound to uphold the settlement of the London Conference. Mr. Labouchere's instructions from the leaders of his party seem to have inspired him with unusual denunciations of power for one so young. Lord Stanley's course in the Conference had exhibited "no evidence of statesmanship." His rashness had made active intervention in certain eventualities a necessity. And in the next European war Lord Stanley's participation in the Conference would be found to involve England in the dispute.

It needs no very great power of insight into party politics motives to see that Lord Stanley is a far greater strength-block to the traditional Whig than Mr. Disraeli, with his facility in the rôle of a Reformer—or the rest of the Tory Party put together. The Foreign Minister was independent enough to assent to the reopening of the question of the Alabama and other claims after Lord Russell and Lord Clarendon had shut off discussion. He found a way to steer clear of the German mound, after the very utmost had been done by his Whig predecessors to drag England into the quarrel. His neutral course in dealing with the Cuban appeal, and the Eastern question generally, has at least redounded so far to his credit that the Queen's Government is today as free to go into a frank and friendly conference with Russia, France and Austria, as if the insurrection in the Archipelago and the troubles in Roumania had not even had an existence.

With equal discretion, a quarrel has been avoided, where there was a fair chance of a quarrel, with Austria. The mischief—looking at it from a Whig Party standpoint—is that the country begins to believe that the very reverse of all this conciliatory temper and action would not only have been possible, but almost certain, under a Russell or Clarendon administration.

Admitting, however, that Lord Stanley's negative successes should naturally awaken more or less jealousy, one may fairly wonder that the position assumed by England in the London Conference should form the basis of a party assault, with such bitterness or the chiefs of the Whig ranks. But in party warfare, ordinary laws and rules are easily dispensed with. For thirty years England has held no such influence in continental politics as that which Lord Stanley won for her at the London Conference. Such influence Whig ministers have sought eagerly and persistently to gain—not in pacific and friendly conference, but by such loud and angry protestations as Lord Russell indulged in promiscuously before the spoliation of Denmark. It is doubtless true, as Lord Stanley's assailants aver, that the whistle may have to be paid for some day. But it is too late to raise the question of cost. If the disposition to be made of Luxembourg was nothing to England, it was competent for Parliament to declare itself against the Peace Conference before it was held, or at least to forbid the Foreign Minister from taking part in its deliberations. No such opposition was heard of, until the Minister announced to the Commons that a basis of peace had been agreed upon. Thereof, the whole thing resolved itself, in the Whig mind, into a great party achievement—to disparage which has now become a party duty, and a feat, performed thus far, as we should judge from Mr. Labouchere's effort.

A Uniform Monetary System for all Commercial Nations.

From the Herald. It is said that the French Government has invited the European powers to an international conference on monetary matters, which is probable will be held in Paris or Brussels this month, and that England, Switzerland, Italy, Belgium, Portugal, and Spain are reported to have promised cooperation. We do not know what the specific purpose or plan of the French Government is, whether it is to make a uniform monetary system for the commercial nations of the world, or for any less comprehensive object; but it is a good movement, and in the end may lead to that uniformity which is so desirable. There are difficulties in the way, undoubtedly, and particularly with England, where there is a strong prejudice in favor of the old pound sterling system, and where they make a good deal out of foreign nations in the way of exchange based upon that system. Still there is reason to hope that England may yield to the enlightened progress and necessity of the age, as she is reported to be a party to the proposed international conference. The United States Government is not mentioned as one of the parties, but we can hardly suppose it was not invited, or would neglect being represented. In fact, our position as one of the first commercial nations, and as destined to be within a short time the very first, entitles and calls upon us to take a prominent part in such a conference.

The present is a most favorable time for the purpose, and Paris just now is the place to

hold the conference. The whole world is represented there more fully than ever before. The Great Exhibition, with the congregation of sovereigns and statesmen there, and the liberalizing tendency of all that, make the present time most propitious to establish a uniform monetary system for all nations. If the Emperor Napoleon should be the instrument of accomplishing this, he will add greatly to his renown. History would give him greater honor for this than for anything he could do in the way of military achievements. France has already accomplished a great deal in simplifying, both upon scientific and common sense principles, the system of weights and measures. The metrical system which she has established is undoubtedly the best, and should be universally adopted.

Let her Government now take the initiative in Europe for the adoption of our simple and beautiful decimal system of money. Now is the time to sweep away the old incongruous and diversified denominations of money, in place of the pound sterling, with its subdivisions of shillings and pence, of the franc, of the guilder, of the doubloon, and of all the numerous denominations and values of money, let the simple decimal system be universally adopted by international agreement. It would be of immense advantage to the general commerce of the world. In the course of a few years the people of every nation would realize the benefit so sensibly that they would wonder how it was such a necessary improvement was not made before. We are, therefore, the proposed international conference will be held, and that a uniform monetary system may be adopted for the whole civilized world.

Concerning Rebels and Their Punishment.

From the World. Mr. John Stuart Mill, in his speech at the Reform meeting in London, pronounces views on the subject of punishing the Fenians, and rebellion in general, very analogous to those of Mr. Buchanan on the subject of secession. In his message to Congress, at its assembling just after the election of Lincoln, Mr. Buchanan denied the right of secession, but was equally clear against the existence of any constitutional power to coerce States. Mr. Mill is not very clear as to the right in the question of the Fenian uprising, though, when he says that the people of England, so soon as they have obtained political power, will do justice to those of Ireland, he may be fairly construed as meaning that the insurrection was not altogether unjustifiable. Rebellion, however, right or wrong, must be punished, he says, for there must be a check upon the disposition of men to appeal to arms, and involve society in civil war. The punishment should be mild, not extending to life, and limited to imprisonment for such a time as may be necessary to insure the tranquillity of the State.

It is rather a dangerous admission for an associate of Beales to make, that rebellion should, under all circumstances, be punished. Hardly, too, is it consistent with the creed of a reformer and extreme advocate of universal suffrage, to hold the sword of justice over the heads of those who, under any pretext whatsoever, resort to what is often the only possible mode of recovering or establishing popular rights. Neither does it seem altogether compatible with the rigorous logic, the expounding and inculcating of which forms so great a part of the work of Mr. Mill's life, to say that unsuccessful rebellion, even if rightful, must be punished as a matter of expediency. Thrown into the syllogistic form and analyzed with that critical acumen which remorselessly cuts the intricate web of fallacious argument, he would with difficulty allow the universal conclusion from the partial premises. Of course, if success be the only criterion of right and wrong, a great portion of the difficulty is at once disposed of, and practically this is, no doubt, destined to be the case until we attain the "high prior road" in the shape of a universal science, which Mr. Mill does not despair of in his future work.

Paley, in the last century, considered it sound philosophy and good Whig doctrine that an occasional revolution was beneficial to liberty by breaking the bonds of custom and forcing Governments, Anteus-like, again to gather strength from contact with the people. A mild revolution, like that of 1688, might, in this view of the case, be looked upon as simply a gentle alternative, expelling vicious humors, and restoring the purity of the blood. Whether, however, Mr. Mill be logically correct or not, it is gratifying to see humane views set forth by the man of mark and influence with the masses. It is to be hoped that his radical admirers here will apply his precepts in the future, though they have certainly shown no such moderation in the past. That bigoted old Tory, as he is considered, Alison, it is true, went still farther, maintaining that political prisoners should not be punished at all, or only by exile where absolutely essential to internal quiet. He, however, who has reflected on the history of the past six years, will not be disappointed if he finds the loudest liberals in speech lagging behind absolutists in practice.

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SPECIAL NOTICES.

REPUBLICAN STATE CONVENTION. HARRISBURG, April 16, 1867. The "Republican State Convention" will meet at the "Herdic House," in Williamsport, on WEDNESDAY, the 21st day of June next, at 10 o'clock A. M., to nominate a candidate for Judge of the Supreme Court, and to initiate proper measures for the speedy state convalescence. As heretofore, the Convention will be composed of Representative and Senatorial Delegates, chosen in the usual way, and equal in number to the whole of the Senators and Representatives in the General Assembly. By order of the State Central Committee. GEORGE W. HAMBERLEY, F. JORDAN, Chairman. J. MORLEY DUNLISON, Secretaries. 620 311

STOCKHOLDERS' MEETING.—THE FARMERS' AND MECHANICS' NATIONAL BANK. PHILADELPHIA, May 23, 1867. A General Meeting of the Stockholders of the Farmers' and Mechanics' National Bank of Philadelphia will be held at the BANKING HOUSE, on SATURDAY, the 25th day of June next, at twelve o'clock, noon, for the purpose of taking into consideration and deciding upon amendments of the Third and Fifth of the Articles of Association of the said Bank. By order of the Board of Directors. 628 1129 W. RUSHTON, Jr., Cashier.

OFFICE OF THE PHILADELPHIA GAS WORKS. Proposals will be received at this office, 1867, for the sale to the Trustees of the Philadelphia Gas Works of the Stock in the Germantown, Richmond, Manayunk, and Southwark and Moyamensing Gas Companies, for the purpose of taking into consideration and deciding upon amendments of the Third and Fifth of the Articles of Association of the said Companies. BENJAMIN S. RILEY, Cashier. 64 1m

GEORGE W. FORD, DOCK STREET. Gas Works. Proposals will be received at this office, 1867, for the sale to the Trustees of the Philadelphia Gas Works of the Stock in the Germantown, Richmond, Manayunk, and Southwark and Moyamensing Gas Companies, for the purpose of taking into consideration and deciding upon amendments of the Third and Fifth of the Articles of Association of the said Companies. BENJAMIN S. RILEY, Cashier. 64 1m

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