## THE DAILY EVENING TELEGRAPH-PHILADELPHIA, FRIDAY, JULY 5, 1867.

# THE NEW YORK PRESS.

BDITORIAL OPINIONS OF THE LEADING JOURNALS UPON CURRENT TOPICS-COMPILED STREET DAY FOR THE EVENING TELEGRAPH.

More Botheration.

From the Tribune.

The readers of history will join with us in declaring that there are myths and botherations enough already in the chronicles of our race. Even before the present year of our Lord, there was the Wandering Jew, Pope Joan, Perkin Warbeck, The Man in the Iron Maak, the Chevalier d'Eon, The Man in the Claret-Colored Coat, the Man who Struck Mr. William Patterson, the Man who read Cooper's "Mannikins," while in 1867 came Mr. Mo-Ginnis and Mr. McCracken to increase the mysterious list. It is known that in accordance with our duty as public journalists, we inquired, advertised, and in all ways sought for specific information regarding the lastnamed umbrageous worthies; but nothing came of it except an intensification of the muddle. While we were resting from our labors, as we weep to say, the President has started in what is called his "speech" in Baltimore on the 18th ult. another personal and biographi-cal puzzle. He said:-"Let me appeal to you in the language of the ship-wrecked mariner, 'Cling to the Constitution as the last plank of liberty, though the darkness of night and the tempest may close round you !' " We do not deny the elegance, and the morality, and the wisdom of this sentiment considered as a sentiment. We have, it is true, found ourselves upon the dark billows, with but one plank between us and destruction; but our honest opinion is that, under such damp circumstances, the best thing a man can do is to cling to a plank, always provided he can find a plank to cling to; but why "a ship-wrecked mariner" bobbing about in quest of a board, with his mouth sure to be filled with salt water if he opens it, should make a speech concerning "the Constitution," is a little more than we comprehend. If he must be loquacious at such an awful moment, he should either say his prayers or sing out for assistance. According to Mr. Johnson, there was once a patriotic tar, who being in a briny extremity, said :- "Cling to the Constitution as the last plank of liberty, though the darkness of night and the tempest may close around you !" Now we want to know why the name of this brave and eloquent Sinbad was not given ? No naval individual, so thoroughly devoted, in the water, to the land of his birth, should continue anonymous. It would be an act of crying injustice to the amphibious classes. We know the name of Harry Bluff, who "cried out avast! And the colors of America he nailed to the mast, And he died like a true Yankee sailor !" Here is a greater than Mr. Bluff, who, just before he went down to the sharks, in the very worst possible weather, the stars obscured, the wind blowing a gale, and the Lively Sally gone to the bottom, sung out, "Cling to the Constitution." Was it the captain, or the mate, or the cook, or the cabinboy? If Mr. Johnson mentioned the particulars privately to anybody in Baltimore, we should be willing to pay handsomely for them with a view to publication.

#### The Impeachment Question and the Pre-sidency. From the Herald.

There are wheels within wheels, a curious complication, upon the impeachment question, as it appears. For instance, it is given out Judiciary Committee of the House of Repre-

into the log of the old skipper's tacking and backing during the last two years. In any event, in this matter of impeachment, let not Congress repeat the folly of the fool in the fable who killed the goose that laid his golden eggs.

The Military Governors and the Recon-struction Law. From the Times,

Whatever else it may do, or leave undone, Congress will certainly pass some bill explaining and perfecting the Reconstruction law of last session. If it is to accomplish its purpose -or any useful purpose-that law must be precise in its provisions, and be carried out with uniformity in the several districts. This fact was recognized by the Military Commanders themselves, in applying to the Presi-dent for instructions as to the meaning of the law; and he took only the usual course in referring that application to the Attorney-General, and in sending his opinion for the 'information'' of the parties concerned.

Congress is not satisfied with the scope and contents of that opinion. In its judgment, the law is misconstrued, and its intent defeated. Let it, then, pass a bill putting the provisions of the law beyond dispute. As it stands, the execution of this, as of all other laws, devolves upon the President. Nor is it easy to see how any bill can be passed which will release him from that duty. It will not do to insist, as some do insist, that the Military Governors either are, or ought to be, practically irresponsible to the President in the execution of the Reconstruction law. Instead of that, no public trusts were ever created in this Government which so absolutely required the most rigid supervision of its Executive head. The very fact that the Reconstruction law is the most extraordinary law ever passed by Congress, adds, in the same extraordinary degree, to the Presidential obligation to see it faithfully and rightfully executed. The same extreme public necessity which constrained Congress, holds the constitutional executor of its will all the more closely to his regular duty. It is bad enough that Congress has been compelled to adopt desperate means against a deadly evil. But far worse will it be if those means are so mismanaged as to fail of their purpose, and impose the necessity of repeated renewal or of a succession of mere makeshifts, consuming invaluable time, and, after all, ending probably in confusion worse confounded.

To reëstablish constitutional government over the South we have been forced to set aside, for a time, the fundamental maxims of republican government, and some of the most sacred bulwarks of Anglo-Saxon liberty, founded in the most ancient times, older than Congress, older than Parliament itself-portions of the citadel of freedom for which our progenitors struggled for centuries after the heptarchy, and to secure which kings have been deposed, dynasties have been changed, and the blood of innumerable martyrs has been shed. It will hereafter be judged to be a great crime of the Rebellion, that it compelled us to disturb these venerable foundations. All loyal men will share in that crime if they do not see to it that this disturbance shall be as brief as possible. This brevity will be determined, first of all, by the rapidity and completeness with which the Reconstruction law is made to do its work. It is the efficiency of the law alone that can compensate for the reproach and burden of its existence. To give this great measure the speedy and

thorough efficiency required, it is supremely important that its execution should be consistent and steady. There can be no such consistency and steadiness if, as is claimed. the Military Governors are to follow each his that a majority of the Republicans on the own fancy or judgment, without being subject to a common regulator. We have already seen the most different uses made of their power by different Governors-in one district kicks, in another caresses-here fair, manly dealing, there the waywardness of the weak old nurse, who beats the child till it ories, and then beats it because it cries. Our Southern correspondence has made it perfectly manifest that there is a great inequality in the Southern States in respect to the rapidity and degrees with which the spirit of loyalty and Union has returned to their people. They not only differ, but differ very differently from what their character and antecedents would have led us to expect. Tennessee, instead of being very forward, is very backward, while South Carolina and Mississippi, instead of obstinately holding back, are in the very first ranks of progress. is high time that all such anomalies should be corrected by the enforcement of uniform regulations and a systematic policy, under the prescription of Congress and the guidance of a single hand. Enough has been developed to make it certain that the Reconstruction law needs only this to accomplish its end completely. It has been made clear that the South desires no more war, that her only future object is quiet and security, and that, accordingly, she has given up, at one and the same time, slavery and rebellion forever. In their effort to get back into the Union, the Southern people have, in the main, displayed a constant purpose, a good faith, a self-reliance, and a power of adaptation that have proved that dear-bought experience has not been lost upon them. The general testimony of all intelligent and impartial observers proves that the South is disposed to accept and abide by the Reconstruction law, in the meaning and spirit which Congress intended to give it. They accept the conditions it was designed to embody, and will perform the duties it was intended to impose. Nor have they evinced any disposition to be technical in their construction of its terms, or even to accept and insist upon the technicalities interposed by the Attorney-General on their behalf. Let Congress remove all ground for cavil-put into clear and unmistakable language what it intended to enact, and what it still intends to insist upon—and neither the President nor anybody else will have the power, even if he has the wish, to arrest or retard the beneficent work it was designed to accomplish.

party advantage. There must be some con-ditions on which the States will be finally readmitted, or else the restoration of the readmitted, or the che restoration of the Union is impossible. But the conditions on which the Republican party mean to insist are such as Congress dare not avow; for it would be an affront to public decency for Congress to declare by law that the title of the State to readmission depends upon their voting with the Republican party. The first difficulty Congress is, therefore, to find ostensible conditions which will coincide with and serve as a cover for the real one. If Congress dared to say frankly that the States shall not be restored until a majority of their citizens vote the Republican ticket, the task of the session would be considerably simplified. But the necessity of reaching their object through crooked paths renders it impossible for them to give a definite and irrevocable pledge; for the conditions to which the pledge would be attached being necessarily different from the conditions meant to be enforced, they fear that a compliance with the open demand would not secure the unavowed object. Intrinsic justice and a growing public impatience require that the Southern people shall be told what they must do to be restored, that Congress shall at last offer terms by which it will stand. But Congress as a body of partisans can neither safely do this nor forbear to do it. Their embarrassment consists in the difficulty of fixing upon ostensible terms which shall covertly include the real ones.

It being the intention of Congress to continue the exclusion of the States until they give Republican majorities, Congress will find it impossible, secondly, to devise a tolerable scheme of government for the preservation of order during the long period of dismemberment. The experiment initiated by the Reconstruction acts contemplates three different sources of authority, namely, the Congress of the United States, the existing State Governments, and the Military Commanders. It is utterly impossible to administer the affairs of those States without the aid of their State Governments, and it is incumbent on Congress to define with precision the extent of their authority, and draw the line which separates it from that of the Military Commanders. Are the Commanding Generals to be controlled by law, or only by their own irresponsible wills? The latter would be monstrous. It would not only introduce as many jarring systems as there are different commands, and substitute personal caprice for law, but it would be a virtual abdication by Congress of the authority it claims to exercise over this subject. The Reconstruction law declares that the existing State governments are provisional, and subject to revision or displacement by the United States. But capricious alterations by the Generals can hardl, be what Congress intended, since it cannot be supposed that Congress intended to introduce as many different systems as it established different commands. If the commanders can do what they please with the State governments, they may abolish them altogether, although Congress contemplated their continued existence as the chief part of the machinery of local administration. If the Generals can remove any State officer they please at their mere discretion, then they remove all State officers and thereby may annihilate, in their respective commands, all authority but their own. It is incumbent on Congress to draw a line of demarcation between the military authority and the provisional State authority. The States must not be under a government of caprice, but of law. Congress, in passing the Reconstruction act, seemed to suppose that it had relieved itself from the duty of precise and specific legislation in respect to these conflicting jurisdictions, by turning the subject over to the military commanders. But it is found on trial that this evasion of the difficulty is impracticable, and Congress assembles to attempt the specific legislation it neglected and shirked. When it enters upon the task, it will find that it has undertaken to solve an insoluble problem. By the very fact of assembling Congress repudiates Mr. Stanbery's opinion that the provisional State Governments are to stand in all their force, and clothed with all their functions, until superseded by the new ones contemplated by the Reconstruction law. Positive authority for interference with them is to be conferred on the commanding generals. But any grant of authority which is limited and specific, which so restrained by rule as to make exertion uniform in all the five isits departments, will leave the States in the possession of a vast body of powers reserved from military intermeddling. Or the other hand, an unlimited and unrestricted grant of authority conveyed in general terms, leaving its extent to the mere dia cretion of the several commanders, will be a virtual enaction of five different and inconsistent systems calling anew for the harmonizing interference of the Executive, which in turn will create a necessity similar to the present for another revision of the law by Congress. The status of the existing State Governments during their provisional period is a subject on which Congress cannot attempt precise legislation without involving itself in a labyrinth of insurmountable difficulties. But if it fails to legislate on this subject, it might as well not assemble. Another difficulty, and a grave one, results from the possibility of the States being reorganized and their politics controlled by the negro element. The only chance of giving these States to the Republicans is through the negro vote, increasing it by whites enough to make it a majority. But this will lead inevi-tably to negro office-holding, a result which the Republicans dread and deprecate. The negroes will be a majority of the Republican party in every Southern State, and it will be in their power to dictate all the nomi-nations to office. That they will practise any such self-abnegation as to give all the offices, with their emoluments and honors to white leaders, is contrary to all probability. But not even the radicals would care to vouch for the preservation of order in the South under the rule of black governors and legislators, black judges and juries. The prudeness and insolence of such a régime would be insufferable by the white inhabitants, and the constant abuses of negro authority would cause a reaction undoing all the radicals begun. Black members of Congress would be the scorn and scandal of the country; but the radicals dare not make color a disqualification for office, and in the absence of all legal disjualifications the negroes will be as free to elect members of Congress of their own color as they will be to vote for Congressmen at all. The necessity of preventing this result thickens the difficulties which encompass Congress, and will prevent their passing any Reconstruction law through which a skilful Attorney-General may not "sail a seventy-four gun ship," as Mr. Stanbery has done through the law it is now sought to patch up.

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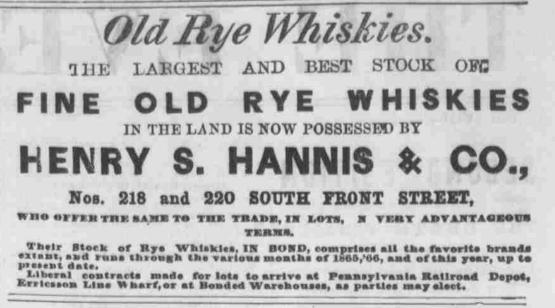


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sentatives are preparing a report with the opinion that the evidence taken is sufficient to call for the impeachment and removal of President Johnson, and that to this end they will ask for an October session of Congress. Next it appears that a minority of the Republicans on this committee, three out of the seven, will content themselves with a resolution censuring the President. It further appears, from one of our special correspondents, that "Old Thad Stevens," if no one else will, intends to bring the House to the direct test on a square and unqualified impeachment resolution.

We may, therefore, expect at this July session an intensely interesting and momentous conflict among the Republican cliques and factions upon this question of impeachment or no impeachment. "Old Ben Wade," President of the Senate, has his supporters behind him who desire to put him in the White House chair now occupied by "Andy Johnson," either to keep it warm for Chief Justice Chase, or to ase its advantages directly in behalf of the nomination of "Old Ben" himself by the Republican Convention of 1868. The conservative Republicans who are in favor of General Grant, on the other hand, desire, if possible, to hold President Johnson where he is, and President Wade where he is, at least till after the Republican Presidential Convention of next spring. Mr. Johnson, as the dispenser of the spoils of the Administration, if he is not working for them, is not working against the Grant men; but "Old Ben Wade" in the White House, it is feared, would measure every office-holder's and every office-seeker's corn in his own halfbushel, or in the bushel of Chief Justice Chase. Here, then, is the split in the Republican camp upon the impeachment question, and the result will most probably be the defeat of the impeachment faction and the success of the Grant Republicans in the retention of Andrew Johnson in his office to the end of his term, provided always that he tries no more experiments against the manifest purposes of Congress in any quibbling construction of the

laws. If the radicals are wise they will not attempt the removal of President Johnson, which would be killing the goose that lays their golden eggs, but they will let well enough alone. If they must impeach somebody, let them take up Attorney-General Stanbery for the "high orimes" or "misdemeanors" avowing before the Supreme Court, as the Government advocate against the Mississippi petition of Sharkey and Walker, that politically on the questions at issue his sympathies were with the enemies of the Union, and for volunteering his legal opinion as excuses for President Johnson in unfaithfully executing the laws of Congress; or let them haul up the Secretary of State for his warning on that famous Chicago pilgrimage, that we must take Andrew Johnson "as President or King," and for parading it on his late trip to Boston, as a great virtue on the part of his Excellency, that he had magnanimously refrained from pushing his conflict with Congress to Oliver Cromwell's settlement; or they might arraign Postmaster-General Randall for the demoralizing declaration that "they who eat the President's bread and butter must support his measures," which is making "Andy Johnson" "every inch a king." They might even oatch old grandfather Welles under the jibboom, if they would only look

#### Difficulties of Congress at the Extra Session. From the World.

We assume, until the contrary appears, that Congress will undertake no other business than an amendment of the Reconstruction law, which has confessedly broken down under the attempt of the Attorney-General to give it a consistent interpretation. This business alone will suffice to task to the utmost the acamen and ingenuity of the Republican members. First, they are bound to present, what they have never yet presented, a per-spicuous statement of the conditions on which the Southern States will be restored to their Federal privileges, with a pledge that when these conditions are complied with the States shall be no longer excluded. The Presidential election is so near that barely time is left for reorganization in season for the excluded States to participate, and if definite and final conditions are not now offered, the Republican party must rest under the imputation of postponing and staving off the restora-tion of the Union for reasons of mare mere

