

SPiRiT OF THE PRESS.

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

Morgan on Manhood.

From the N. Y. Tribune.  
General George Washington Morgan addressed the Democracy of Columbus, Ohio, on the 31st ultimo, for the express purpose of proving that persons of African descent are not human beings; and he did prove it to the satisfaction of the human Democracy, and of himself, as a proud and pure-blooded Caucasian. General George Washington Morgan, we suppose, is of Welsh origin, and every Welshman, it is well known, is lineally descended from Adam, whereas other bipeds, bearing the form of man, come from the Lord knows who. General George Washington Morgan generously concedes, as a Welshman, certain privileges to other white folks with shorter pedigrees; but he has a great objection to admitting into the free-dom of equality of mankind in general. His arguments against negro suffrage are all curious, but some of them are noble and pretty enough to quote. "Why," he asks, "is the right whale never found out of the Arctic seas? and why is the sperm whale never found in the Arctic waters? Why does the golden-hued dolphin of the Mediterranean never pass the Straits of Gibraltar, although he swims with five times the velocity a ship can sail? Why, etc. etc." And so the General goes on to argue that blacks should not vote in Ohio because condors never leave South America, because the ostrich sticks to Africa, because there are no elephants in Europe, because camels have two humps and domesticated only one, and the poor camels-leopards none at all. White men should rule the world because eagles rule the air, lions the jungle, and whales the sea; because sharks are not shad, vultures are not doves, and oak trees are not hickories; because Ethiopians cannot change their skins nor leopards their spots (Jeremiah xiii, 23). These are the principal arguments of this most zoological General. But there is one other which, in common fairness, we must not withhold. The orang-outang of Africa is black; the orang-outang of Asia is brown. This is what may be called a settler. But the General has other arguments? Who invented the printing press? A white man! Who invented the steam engine? A white man! Who conquered the lightning? A white man! To which last we expected the corollary, Who is oftenest struck by lightning? The black man! But we didn't find it anywhere in the speech, although we found almost everything else—horses, dolphins, orang-outangs, Columbus, Bushmen, Lord Brougham, the Jews in Malabar, fair-browed Anglo-Saxons, the King of Congo, the great Democratic party, and the Bohian Upan.

This speech of the General's making is an excellent specimen of the kind to which it belongs. We have read many gross of these ethnological arguments, and they are mostly a confused jumble of half-understood scientific facts, with a mixture of fallacies and of fancies. They are all based upon the fallacy that the civilization of a race is impossible because it never has been civilized, as if the Egyptian civilization did not precede the Grecian, the Grecian the Roman, the latter that of the middle ages. There is no race of which it would not be possible to say hard things; there is no race, however degraded, of which any honest man of science can say anything worse than that its time has not come. Dahomey itself is not more degraded, not more savage, not more coarsely superstitious, than were the Anglo-Saxons in their early beginnings. What would a cultivated Roman have said to the writer who predicted the future greatness of the Britons? What would Solomon have said to anybody prophesying the subsequent condition of his nation? What would a polished Athenian have said if the oracles of his land had foretold the imperial greatness of a horde of muscular settlers upon the banks of the Tiber? The fate of nations is in the womb of Time; the destiny of races is to be determined by causes of the nature of which we can make only stammering and unintelligent guesses. No body has a right to argue of the conditions of African progress in America from the state of progress in Africa itself. To do so is at once ungenerous, cruel, and sophistical; to do so is shamefully to ignore the essential modifications which the race has undergone upon this continent.

But although we are sometimes betrayed into this line of discussion by the folly of the George Washington Morgans and the Pollards, and the rest of the gentry who dabble in history, and go about making a muddle of all science, and indeed of all human learning, we always return with relief to the impregnable position that the American idea is that "all men are born free and equal." Jefferson says they are; General Washington says they are; General George Washington Morgan says they are not. Admitting the latter *savant* to be right, we claim then that such a thing as democracy is impossible in the United States, and that there must be an end of all our dreams of the possibility of a popular government. Because the moment you begin to modify the dogma, that moment you become involved in inextricable confusion and self-contradiction, and open the way for the introduction of the monarchial, or, at least, the aristocratical scheme of government, for which, we confess, we are not quite ready.

The Southern Future.

From the N. Y. Times.  
There is much unnecessary gloom and wailing in the South. It chiefly proceeds from the politicians, who, having always lived by office or by blockade-running, hastened to Washington to obtain a dispensation, and thus labored to repair the broken ligaments of party. These predatory adventurers, deprived of office and of the possibility of office, utter loud howls of despairing rapacity, and declare the South ruined because they are no longer on the pay-roll.

The South has great power and reserved resources, no less important to themselves than to us. There are, however, some errors so constantly taught by the place-hunters, that the whole people begin to believe they are true. One of these errors is that the South is to pass under the domination of the freedmen. All sensible men in the South have acquiesced in legal and political emancipation. The indications are undoubted that the discriminations of these rights will be embodied in the law or in the dealings between white and black. The ensuing election will terminate much of the excitement, for the indifference of the politicians to the voter after the election is notorious. The relations between employer and operative will then adjust themselves.

But the apprehension of colored supremacy has entered into the popular mind here as well

as at the South; and as it will impede emigration to the South, it is as well to disabuse the public mind of the error. The gross number of white males in the Southern States is 2,138,369; that of the freedmen is 1,299,941. It will be seen, therefore, that the white race is in excess of the colored in the Southern States more than a quarter of a million of numbers. The total distribution of the numbers shows that there is a majority of 2370 freedmen in Mississippi, and of 6439 in South Carolina. As the advocate of harmony between the races on the basis of equal legal rights, we desire the freedmen to remember that the limitation of the franchise does not affect the comparative numerical ability of the two races; but that this majority of a quarter of a million of whites remain to work—that nature will emanate them in a few years. That while there can be no more black immigration into the South, there will be a large white immigration, with a relatively large white increase. The supremacy of the colored race will be but temporary and local. They should therefore take their rights and be satisfied. They should not lay the foundation of any discontent which may be revenged by retaliation at a future period. Such is our advice. The white race are in little danger of losing any right which they are not willing to concede. The colored race should observe moderation at the present to prevent retaliation in the future.

The South should, moreover, learn the truth that it is no longer an equal section. It is, indeed, no longer a section at all, and should hasten to deseculate itself. It should be content to pass into the masses of the nation, only claiming such power as its representative numbers and substance entitle it to. The great subject of Southern production are as much the subjects of national concern as the gold of California. It has been shown by the authority of Hunt's *Merchants Magazine*, that the proportion of values exported by the South during the war is greater, in respect to the gross national values imported, than it was before the war. This involves a necessity on the part of the natives to repair the levees and deepen the channel of the Mississippi, as also to afford the cotton planter and operative all the aid which the Government can bestow. The competition between the English cotton-grower and the American cotton-grower—the competition between the American cotton-spinner, and the English cotton-spinner—is becoming of eminent importance. The British Government has lent its aid to its own planters and spinners. Shall the United States keep up a war of disturbance against an interest so important and so much discouraged? It cannot be. Nor will the abolition sentiment of the world tolerate the continuance of slavery in Cuba merely because they thereby obtain cheaper sugar. Cuba will be acquired by the United States, and the disgrace of paying a bounty to slave-grown foreign sugars, at the expense of free-grown domestic sugar, will be removed.

It is in the commercial expansion of the South, not only by the Gulf front, but by the radial lines penetrating interior Mexico, that the great West and the South can derive an immense accession to their prosperity. The advisers of the South have been always opposed to commerce. They had the narrow idea that a nation might be free and prosperous upon its riding horses and firearms alone. In this they only adopted the idea of the Houvedes and Canaahoes, the first of which was conquered by Austrian and Russian ammunition and food, and the other will be soon won out by the attraction of whiskey and the revolver. So the Southern statesmen neither wanted ships nor manufactures, preferring to create a dependence beyond the ocean, which should take those mechanical departments of defense off their hands. England droptly used and abandoned them. The commerce of the South Seas would be far better and more profitable to the South than emigration to Brazil or Tuspan. Men may stay at home in the charming climate of Virginia or Louisiana or Kentucky, and make a maintenance upon the products of the torrid zone. This is shown by the example of populous England and thrifty Holland. The immense and ever-expanding horizon of Western civilization will require more and more the products of the equatorial regions. These cannot be grown by artificial means elsewhere. They must be drawn from the hot-house of nature, where the sugar-cane and the coconut mature without regulation by the thermometer. Railroads and steam lines will connect these Western consumers with these productions. Why should not the Gulf ports of the nation conduct this species of direct trade between the West and Europe will be always the property of New York and her sister Atlantic cities, because they lie on the trade line which connects these interests, but the South Sea trade, never fully really realized from the days of Raleigh and Hawkins to the present, is a substantial commerce, and will separate itself from that of Europe as has been indicated.

Southern manufactures must improve. The same statesmen have taught that the two field-workers out of every five on a given population should maintain three non-producers. The experience of modern civilization teaches that the other three can aid in their own maintenance without in any manner impairing the efficiency of the field-worker. The South is not all capable of staple product. Much of its territory is mountainous and subject to early frosts, as Kentucky, Tennessee, Upper Virginia, Georgia, and North Carolina. It has always occurred to us that because one man in the Delta lived by the culture of sugar, there is no special reason why another living near a mountain cataract in Georgia, or that Switzerland of America—Tennessee—should not forge iron or spin cotton. Mr. Calhoun thought otherwise, and so turned over the cotton-spinning to England or New England.

The Southern people have the raw material and provisions for cotton manufacture. They have thousands of women and children who were subsisted last year on Federal rations. They must have their own paper system or a labor system—workhouses or factories. To these impoverished people, in great part of our own color, may be added the colored women and children who are and are to be educated. They are not disposed, we are told, to go into the cotton-field; what is to prevent their becoming operatives in a cotton mill? Nothing except that hereditary hostility to manufacture which made John Randolph say he would "go half a mile out of his way to kick a sheep," could restrain cotton manufacture. Emancipation has given the South a trade under the slave system. Then the planter sold his slaves in stages. The average cost of outfit was perhaps twenty-five dollars per annum in dry goods, groceries, medicines, and utensils. The freed-man now provides for himself. He wears more clothes, and of better quality. He buys more groceries. He even adds a watch and he spends an average of perhaps \$100 each on his family. This is five times as much expended in merchandise as before. Four times as much of the cotton money goes to the merchant and manufacturer as before. It is a home demand and a home market, and very few peoples in the world would scorn or delay

to employ it. Indeed, the necessity of combining the products of the plough and spindle with as little intermediary agency as possible, will ultimately transfer some of the mills of the Merrimac to the waterfalls—possibly to the coal-yards of the Southern States and cities. If those who now inhabit the country will not employ these extraordinary advantages, others will come.

The future of the South is then within its own control. But it is proper to say that if this rich region should be permitted to relapse into non-production by its present population, they will be succeeded, as the Indians have been, by those who will realize its vast capacities. Like the inactive steward who hid the talents confided to him, the treasures of the South must inevitably fall into hands that will appreciate and make them available.

A New Religion Wanted for the Nations.

From the N. Y. Herald.  
Man, it has been said, is a religious animal. The history of the race warrants the definition. Since the days of Adam up to the present time we have not been without our gods many and our lords many; nor have any portions of the human family ever been found in circumstances so degraded and brutal that it could be said of them they were without belief in a higher and unseen Power. Strict obedience to the gods, or to the religious systems which have been set up in their name, has not always been a truthful predicate of the race, but religiosity in some shape or form has been an unflinching characteristic.

The gods, we have said, have been numerous. We might add they have been as diversified as they have been. The gods of the early Hindoo mythology are as unlike the deities of Egypt as these are unlike the deities of the Greeks and the Romans; and the deities of the Greeks and the Romans have but little in common with the gods whose names have been preserved in the mythologies of Northern Europe. Nor has this diversity been limited by national boundaries only; for the gods of one nation have not differed more from the gods of another nation than the gods of each separate nation have differed from one another.

There is one impression which most men who have looked into the ancient mythologies find it difficult to resist, and that is that the gods are singularly like their worshippers and the worshippers are singularly like their gods. It may be admitted that the gods exercised a powerful influence over the destiny of their mortal subjects, it is not to be denied, that the subjects were largely influential in moulding the characters of their celestial chiefs. The influence, in fact, was mutual. There was debt on both sides. It might not be difficult, did time and inclination permit, to discover in the peculiar character of man himself the true cause of this multiplicity and diversity of the objects of his worship. For the present we content ourselves with noting the facts that the gods were multiplied, that there was diversity, and that the worshipped and the worshippers, singularly like each other.

What it is more important and more suited to our present purpose to notice is, that those divinities and the systems of religion with which they were identified had in turn their day of power, lived their thousand years or more of less, exercised while they lived an influence not unmixed with good and evil, and then fell back, as all old things must do, into the dim and shadowy past—mankind the while marching on to new and nobler conditions. The products of the torrid zone, and the strength and of greater weakness, and ceasing not, though he despised the divinities that were, to lean on the strong arm of the Unseen and the Eternal, who, he believed, moulded and controlled his destiny. In the beautiful mythology of Greece, in the scarcely less beautiful but more vigorous mythology of Rome, and in the sturdy mythology of the Scandinavian North, we discover the influences which were giving tone and character to the races of Europe when Christianity caught them and launched them forth on their new and glorious career.

Are we to come to the conclusion that, as all the old systems disappeared before Christianity, Christianity itself must disappear before something higher and nobler? Has Christianity done its best? Must it give place to a new and grander development of the religious principle in man? Is the time to come when our posterity, living under a more perfect system, shall look into the Christian mythology and marvel at our faith and folly as we now marvel at the faith and folly of our ancestors? Strauss, Renan, Colenso, and their disciples in the Old World, and the followers of such men as Theodore Parker and Ralph Waldo Emerson in the New—for what else is it they are laboring? There is much in the present aspect of things fitted to create alarm. Never, at least since the Reformation, was the Christian system more vigorously and persistently attacked. Never were missionary records so dull; never was there more of form—never less of spirit. Religion is fashionable—in our large cities especially is one of the main sources of the Churches' strength. True religion, there is none. The Churches which are most progressive have eliminated their standards almost all that is distinctive and valuable in the Christian system. To be Christian and to enjoy Christian privileges, it is no longer necessary to believe in the divine mission of Christ. Inspiration is so explained away that it has ceased to have any meaning. Among the different sections of the Christian Church bond of union we find not, but jealousy and petty rivalry are everywhere. The Church of England, the largest and most powerful of all the Protestant denominations, is being torn in pieces by internal dissensions; and the Pope has but recently been attempting to gavanize the Catholic Church into a little temporary vitality by grand spectacular demonstrations and wholesale canonizations. Verily, we are drifting somewhere—whether it is difficult to say. Thus much we shall venture to say:—If man is to remain a religious animal, one of two things must follow; either Christianity must awake to newness of life, or take her place with the mythology of a dead and buried past. We must have more Christian life, or a new religion.

The Russian Ultimatum.

From the N. Y. Tribune.  
The crisis in the Eastern question has come at last. The Ambassador of Russia at Constantinople, Ignatieff, as we learn by a special Cable despatch to the *Tribune*, has, in the name of his Government, made a formal demand for the cession of Crete to Greece, and for the bestowal of equal rights upon all the Christian subjects of the Porte. These demands are declared to be the ultimatum of the Russian Government, and an answer is asked for within ten days.

Supposing the cable despatch to be entirely correct—as we have no doubt it is—the great turning point in the history of Eastern Europe has been reached. Whatever answer the Porte may give to the Russian ultimatum, the power of the last Mohammedan dynasty in Europe will be forever broken. Should the demand be granted, Crete be united with

Greece, and the equality of political rights for Christians and Mohammedans be established, European Turkey, in which there are over 11,000,000 Christians against only 4,000,000 of Mohammedans, will at once assert itself as a predominantly Christian people, which will soon use this newly gained influence for the establishment of its entire independence. A submission to the Russian demands involves, moreover, so great a humiliation that it will hardly prove any respite for the downfall of the Turkish rule; but Greece increased by Crete, and now governed by a King who is nearly related to the Czar, will at once make undisguised efforts for the annexation of the southern provinces of European Turkey, Thessaly, and Epirus, in which the Greek race prevails, and for instigating the semi-independent princes of Roumania and Servia to combine with her in expelling the European dominions of the Sultan. The Government of Constantinople is fully aware that no reforms whatever can prevent these movements from taking place, for they are now more than a struggle for religious equality; they are, like the similar movements in Italy and Germany, the yearning of a nation for self-government and national consolidation.

Will the Turkish Government, to which this character of the national movements among its Christian subjects is by no means unknown, gather up courage for precipitating the decisive contest? A single-handed war against Russia would, of course, be ended almost as soon as it was commenced. The only possible help for the Turks would again be foreign aid. The Governments of England, France, and Austria undoubtedly sympathize with Turkey against Russia; but will they dare to help Turkey? In England, since the Crimean war, the popular aversion to interference in foreign quarrels has been steadily on the increase, and it is not probable that the Tories are willing to defy this popular sentiment, now especially when the passage of the Reform bill has so largely strengthened the radical party, which is almost a unit in its opposition to a new Eastern war. The Emperors of Austria and France have but recently exchanged views on the present aspects of the Russian question. The step now taken by Russia was undoubtedly anticipated, and formed one of the subjects of the boastful language of the semi-official organs of the two Empires, France and Austria are determined to make a stand against a really aggressive policy of Russia in the East. Whether their best will be carried out must soon become apparent. Any move of this kind on the part of Austria and France would at once bring Prussia to the side of Russia. Thus a war of the grandest dimensions may break out, with Turkey, Austria, and France on the one hand, and Russia and Prussia on the other.

The further development of this Russian-Turkish complication will be awaited with intense anxiety. If Turkey declines to comply with the Russian demand, and if Russia, in return, threatens with war, efforts will undoubtedly be made, as was the case before the German-Italian war, and in the Luxemburg question, to attempt a peaceable solution by a new European Congress. New delays may thus be caused; but the tide of events will not be turned. Isolated movements in European politics may be novel and surprising in their origin and uncertain as to their end; side issues may for some time draw off attention from the great questions of the Old World, and lead to strange, ephemeral combinations; but the final goal toward which European society is drifting with irresistible force, appears in ever greater clearness by the eyes of the interested nations. We have no longer an isolated Italian, or German, or Austrian, or Turkish question, but one central question of the reconstruction of Europe. What wise seers predicted as long as fifty years ago is now becoming a fact. The people which was so haughtily looked down upon and despised by the council of monarchs and statesmen at the Vienna Congress in 1815, has learned to understand its power. It summons the heirs of its oppressors before the bar of universal, eternal principles, and demands to know on what authority princes can dismember nations and dispose of them as of chattels, according to their will and pleasure. The decisions of 1815 are declared null and void; the right of every nation to restore its national unity is more and more acknowledged, and thus the way prepared for a reconstruction of all Europe on the basis of the nationality principle.

The Counter Revolution Coming at Last.

From the N. Y. Herald.  
It is an old axiom that "revolutions never go backward;" but it is none the less true that when a revolutionary movement is pushed beyond its legitimate ends, the party concerned in it is demoralized by a popular reaction. It was so when the great French Revolution of 1789 fell into the hands of the Jacobins, and when they attempted to shape it according to their monstrous notions of "liberty, equality, and fraternity." An equally decided reaction followed the Puritanical excesses of the Cromwellian Commonwealth of England in the restoration of the monarchy and the Stuarts. How the great American Revolution, marked by the most gigantic and the bloodiest civil war in the history of mankind, and resulting in the extinction of the late Southern slaveholding oligarchy, with the abolition of slavery, is to be finally shaped, is a question for time to determine. We think, however, from recent events and all the signs of the times, that it may be safely assumed that this great revolution has reached its culminating point, and that a counter revolution of public opinion against the destructive schemes of the ruling radical faction has fairly set in.

The remarkable results of a ripening development of the same underlying cause, which began to find expression at the Connecticut election last spring. The concurrent voice from the recent territorial election in Montana indicates the widening influence of the same general causes, and Monday's election in Maine substantially tells the same story. The overwhelming success of the Republicans of Maine last year, on the largest popular vote ever polled in the State, on the platform of the pending constitutional amendment, as the policy of Congress against the reconstruction of President Johnson, we accepted as an infallible indication of the voice of all the Northern States in favor of Congress, and so it turned out to be, from New York to the far West, by results analogous to the results in Maine.

But what is this constitutional amendment, upon which the popular judgment of the great North was so emphatically given last year in favor of Congress and the Republican party? It is an amendment which provides, among other things, for the disfranchisement of certain leading Rebels, subject to a two-thirds vote of Congress, and which provides that each of the States itself may elect whether it will have, and how far it will have, negro suffrage, and that, in granting its people a representative in Congress, it will sacrifice its blacks in excluding them from the right of suffrage. Upon

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this platform, leaving the question of negro suffrage to the several States, the Republicans last year gained their greatest victories—greater than the victories of Lincoln. But with the rejection of the amendment by the Rebel States Congress took the bold ground of prescribing for them new conditions of reconstruction, embracing, under a superintending military dictatorship, universal negro suffrage and white Rebel disfranchisement which inevitably point to negro supremacy in the reorganization of the Rebel States.

This unexpected and dangerous revolutionary experiment has given the definite voice to the California election, whatever may be the superficial explanations of the defeated party. Public opinion is crystallized against that ultra-revolutionary joint Committee of Safety which has undertaken, not only to reconstruct the South, but the general Government itself, on a system which proposes to abolish the Executive Department and the essentially reserved legislative powers of the several States. There is also beginning to be a strong active public sentiment against that Federal political machine organized and put in operation by Mr. Chase in his national bank system, and fully maintained by McCulloch, under which these banks receive bounties or perquisites amounting to twenty-five or thirty millions a year, extracted from the pockets of the people, and under which we are threatened with a moneyed oligarchy more powerful and corrupt, and more grasping and insolent, than ever was the slaveholding oligarchy of the South in the height of its demoralizing reign. However patriotic Mr. McCulloch and his chief engineers of the Treasury may be, however pure may be these beautiful symphs of the illustrious band of feminine operatives of the Department, the system under which the Treasury and our financial affairs is managed needs retrenchment and reform, and the people begin to feel it. From the cases we have recited a counter revolution has set in against the radical excesses, and experiments, and destructive schemes of the Republican party; and the movement will now go on. We should not be surprised if it were soon to assume the rushing force of the Niagara rapids, and swiftly bear the party in power into the abyss of the Hornechoke Far, the revolutions never go backward. This counter revolution against our ultra-revolutionary radicals must run its course to the organization of a new national party, maintaining together the great issues settled by the late war and the form of government established in the Federal Constitution.

The National Debt.

From the N. Y. Tribune.  
On the 1st of August, 1865—when our volunteers had not yet been paid off and our army reduced to a peace footing—our ascertained national debt exceeded the fund in the Treasury by the gigantic amount of \$2,757,689,571. It has since been reduced to 2,492,783,365

Actually paid off \$264,906,206  
or very nearly one-tenth of the total.  
Whoever, therefore, asserts that we can never pay fairly and fully, does so in the teeth of the fact that in the last two years, with a large military force, nearly half our country ravaged by four years of desolating civil war, our industry disorganized, ten States out of gear, the passions of the late conflict still active, and with poor harvests, we have paid a tithe of the sum, and that without thereby sending one child hungry to bed.

Of course, we can do far better henceforth. "It is the bravest step that costs," and we have taken it bravely and successfully. When any villainous national creditor, let us say, "Get thee behind me, Satan!" and press steadily on!

The Pardoning Power of the President.

From the N. Y. World.  
Whether President Johnson has exceeded his powers in issuing the new amnesty proclamation is evidently a different question from whether the proclamation is a wise and well-timed exercise of authority. It is the first of these questions only which we propose to discuss in this article; reserving the second. The *Times* has a long article denying the right of the President, in which it says of the proclamation:—

"It is a deliberate defiance of Congress and its authority, a repudiation of its enacted laws, and an assertion of the President's determination to take the work of reconstruction upon his own hands. It is an attempt to abrogate the conditions of reconstruction prescribed by Congress, and to treat the Rebel elements with the means of breaking down the restraints which have been prudently imposed on the preliminary workings of reconstruction. It is an insolent use of a power which Congress, in December last, explicitly took away. Mr. Lincoln sought and obtained legislation to authorize his proclamations of limited pardon and amnesty; Mr. Johnson dares to proclaim almost universal pardon and amnesty, although the measure under which Mr. Lincoln acted has been specifically repealed. Congress has solemnly said that no such proclamation shall be issued. Mr. Johnson flings the opinions of Binckley and Black in the face of Congress and the country, and claims for his will the authority of the supreme law. What more flagrant form could executive usurpation take short of a dictatorship?"

This is rather a specimen of raving than of reasoning. It is quite true that Congress, last winter, repealed that section of the Constitution act which undertook to confer on the President authority to issue amnesty proclamations; but as the President possesses this authority by the Constitution independently of Congress, the repeal is of no consequence except as signifying the will of Congress that he shall not exercise one of his constitutional prerogatives. But what right has Congress to say that the President shall not do what the Constitution says he may do? The *Times*, with surprising hardihood, or more surprising ignorance, affirms that President Lincoln sought authority from Congress to issue his limited amnesty proclamation. So far from seeking such authority, he prepared a veto of the bill which pretended to confer it. He did not, indeed, intend to veto it on that ground, but in the course of the message he alluded to the section pretending to confer this grant of power in terms of

almost sneering disparagement. When he afterwards issued his amnesty proclamation, he rested his right to do so directly and solely on the Constitution, in the message he at the same time sent to Congress. In the proclamation itself he alluded to the pretended grant of authority, but in such a way as to show that he tolerated it only because it was in accordance with what was already granted by the Constitution. His language was, that "according to the well-established judicial exposition of the pardoning power," which was merely a different mode of saying that it pretended to confer the same power which the Courts had declared belongs to the President by the Constitution without any legislation.

From all which it appears that Mr. Lincoln's authority and example were against the doctrine contended for by the *Times*. But we have far higher authority than that of Mr. Lincoln. Before confuting the *Times*, we will allow that journal to present its exposition in its own language:—

"The most elastic interpretation of the power to pardon conferred by the Constitution does not fairly justify the proclamation we publish this morning. The common sense version of the constitutional exercise of pardon, which in actual cases, and demerit the remission of a penalty which has been legally pronounced. Trial, conviction, sentence—all must precede the President's exercise of pardon, which in the nature of things contemplates exceptional circumstances in mitigation of penalties, and an individual scrutiny in relation to them. What has this to do with amnesty? What warrant does a constitutional authority to remit penalties decreed in course of law, save for a general act of oblivion, proclaimed in advance of trial, and in direct contravention of law?"

It is here contended that the pardoning power conferred by the Constitution does not authorize the President to issue an amnesty at all, nor any pardon previous to trial, conviction, and sentence. That the Constitution was understood in a totally different sense by its framers is evident from the exposition and defense of this part of it in the *Federalist*. If the *Times* will be content to doubt the *Federalist* concedes that the Constitution confers a broad amnesty power upon the President without the concurrence of Congress, and justifies the grant to him to the total exclusion of the national legislature, we will establish it in such a manner as to render doubt absurd and denial ridiculous. But we see no use in enumerating our space with long quotations to prove what no candid person capable of understanding English will controvert. The opponents of the Constitution, while it is pending before the people, objected to the pardoning power conferred on the President, and that it included treason, in pardoning which they thought that one or both branches of Congress should be associated with the President. Among the other arguments by which the *Federalist* proved that the Constitution was better as it stood in conferring the pardoning power exclusively upon the President, is one founded on its better adaptation to cases requiring a general amnesty. People may be curious to know by what wonderful process the writer in the *Times* has grown to understand the Constitution so much better than those who made it.

It is a matter of undeniable history that Washington pardoned the Pennsylvania whisky rebels by a general amnesty, without any Congressional authorization, and previous to any trial or sentence. Was Washington a usurper of power which did not belong to him? Any person who will be at the trouble to examine the Opinions of the Attorney-Generals will find every part of the *Times*'s doctrine on the pardoning power flatly contradicted. How could it have happened that a succession of able and accomplished lawyers, under no temptation or bias should have been so mistaken? We make no quotations; but we will overwhelm with quotations anybody who is rash enough to dispute the correctness of our statement. The most eminent lawyers who have filled the office of Attorney-General have been of opinion that the President could, without any Congressional permission, pardon singly or in large groups, before conviction or after, according to his sole judgment and discretion.

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