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SPIRIT OF THE PRESS.

EDITORIAL OPINIONE OF THE LEADING JOURNALS DPON GONLENT TOPICS-COMPILED EVERY DAT FOR THE EVENING TELEGRAPH.

The Rebel Army of Maryland. From the N. Y. Telbune

The apprehensions of the country begin to take form and to solidify into particulars. The President is declared to be casting an amorous eye upon the Maryland militia, a body of treasonable antecedents and facti us proclivities. This force, we are told, has been recently reorganized, and of the 10,000 men of which it is composed there are said to be 4600 in the city of Baltimore. There are other facts which are not reassuring. We printed yesterday a telegram that Gen. Grant having properly refused to grant the requisition upon the General Government for artillery, Governor Swann has purchased 12-pounders in Baltimore, and placed them in the charge of companies com-manded by Rebel soldiers. This is startling enough, but we must add to it the expenditure, by a State already impoverished, of nearly \$300,000 for uniforms and muskets. Why should Maryland prepare for war? Why should Governor Swann organize a militia which is little better than a Rebel army? It is argued that if the President were disposed to subject Congress to a "Pride's Furge," or to drive it altogether from the constitutional domicil, this Maryland militia would be found a ready and convenient auxiliary. The worst of these rumors is that they should be current at all. The burning shame of the whole matter is that anybody of unclouded reason should think such usurpation possible. The dishonor to the republic of a Chief Magistrate to whom such intentions may be seriously imputed, is greater than the danger of their practical fulfilment. It affords only another illustration of what we have again and again declared-that the public mind is in a condition of chronic alarm, and watches with nervous susceptibility for the slightest indication of Executive violence. Never before has the country been in a predicament so humiliating. It is a disgrace to be credulous, and it may be ruin to disbelieve.

After a dozen vetoes, and after persistent evasion of the laws enacted in spite of Executive prohibition, it certainly becomes all loyal citizens to be upon the alert. That prediction may be important now which ten years ago would have been simply ludicrous. The mouthpieces of the President threaten war, and, if there is to be war, we prefer to commence the campaign without an hour's delay. We propose to encounter the Rebel army of Maryland with bloodless weapons, and, by giving them a taste of the people's quality, to decrease their passion for practical combat, The President may not care for the popular will, when it does not keep time and tune to his own, but we suspect that the warriors who are to be summoned by the White House reveille to take Congress into custody may prove to be of a less uncompromising nature. They may have an apprehension of predestinate ropes and of the Dry Tortugas. If the coming State elections condemn as unmistakably and as emphatically as they should the President and his "policy," the sonorous language of the great result will not be wasted upon the Baltimore banditti. We have tried the stuff of which they are made, and if they so quickly apprehended General Butler's uncompro-mising intentions, they will hardly prove more obtuse in the face of great Republican majorities. His Excellency may call them, but as there is no law which, at the risk of their lives, can compel them to parade in Washington to gratify his love of military specthey may take time for retacles. flection before they obey the summons; and, if they reflect at all, it is probable that they will prefer the comfort and safety of their own firesides to the chances of grapeshot in the capital. They are, no doubt, a phalanx of uncommon closeness and compactness-a legion rivalling the regiments of Rome; but Mr. Johnson is not Philip of Macedon, and would have out but a sorry figure in crossing the Rubicon. He may, for aught we know, be reading up in French history, and preparing himself for the crisis by a careful study of Napoleon's management of the Council of Five Hundred; but he is no more Bonaparte than Washington is the Paris of 1799, or the Mary-land militia the veterans of Lodi and Arcola. Up to this moment we believe that Mr. Johnson has been dreaming of a popular support and cooperation; and it is time that such reveries should be rudely interrupted, for his own good and for that of the country. Let us have a noble Republican victory in New York. showing upon which side the State ranges itself unmistakably, and not one mercenary trooper will march from any quarter at the call of a self-created dictator. Perhaps we are treating this matter too seriously. If it be true that the President is meditating the military experiments of which rumor is speaking so plainly, the reception of General Sheridan in Baltimore must have been anything but encouraging. It is a question now whether the loyal people of that city would permit the militia o metamorphose themselves into the Swiss (Juard of Mr. Andrew Johnson. "It was expected," says the report of General Sheridan's passage through Baltimore, "that the Rebel inhabitants would interfere, but they did not, the crowd was so very enthusiastio, cheering Sheridan and groaning Johnson and Swann." It is to be presumed that those who thus welcomed a proscribed hero will keep a watch over the movements of their militianen; and if General Sheridan is wanted in Baltimore or Washington, we are sure that anthority will somewhere be found for calling him to the rescue of law and of order.

what laws shall, and what laws shall not, be enacted. He can override abcolutely the ac-tion of Congress, provided he has the concur-rence of one-third of its members; but against two-thirds he is utterly powerless. thirds can make a law in spite of him; and in regard to all laws made in this way against his will, as well as all made in the usual way by his assent, he has the simple duty of seeing that they are faithfully excouted. He has not the faintest shadow of authority or of right to embarrass their execution-still less resist and defeat it.

President Johnson seems inclined to regard himself as the special protector and defender of the Constitution, as against all other departments of the Government, and even against the people themselves. But this is much too broad a view of his jurisdiction. His sphere of duty is clearly defined in the fundamental law. He is unquestionably right in withholding his aid from the enactment of a law which he deems to be unconstitutional. He may return it with his objections-and, there his right and his duty end. If Congress chooses to pass it over his head, it will become a law nevertheless; and he has not the shadow of right to interfere with its execution. He is not responsible for the laws which Congress may enact against his objections; nor on the other hand is Congress in the least degree responsible to him. Its power to make laws s far more absolute than his power to prevent them from being made; but when made, his duty to execute them is simple and imperative. And this applies to all laws alike. The Democrats are encouraging the President to believe that he has the right to defeat and protect his department of the Government against Congress-to resist any attempt that may be made to curtail its jurisdiction or weaken its authority, even though those attempts should be made in due form of law. This is a great mistake, and if the President should be weak enough to act upon it, the Democrats would be the first to desert him. He can do nothing to maintain the authority of the Executive department which he cannot do to maintain that of Congress or the Judiciary. All departments stand on the same basis and exist by the same authority. And Congress, as the law-making power, has the same right to enlarge, regulate, or restrict the powers of the Executive, within the limitations of the Constitution, as it has to regulate those of the judicial department of the Government. And if in either case it transcends the provisions of the Constitution, the remedy must be sought in the same quarter-by appeal to courts of law and to the people at the ballot-box-not to force in any form.

We deprecate any attempt at impeachment. We do not believe it to be demanded by any acts of the President nor by any interest of the public. It would throw public affairs into fresh confusion, excite the public mind, exasperate political passion, damage the business of the country, and do infinite harm in every direction without the slightest benefit in any. Still more should we deplore any attempt to expel or remove the President from office pending his trial on impeachment. Such a step would in our judgment be one of violence without warrant in law or in precedent, and certain to plunge the country into the most deplorable and disastrous complications.

But if the President should attempt to meet any such movement by force-by dispersing Congress, arresting its members or disputing its authority otherwise than through the operation of the courts of law, he would bring himself within the definition of treason, and become liable to all its pains and penalties. No department of the Government has any right to look to civil war for its own defense, nor can the public force ever be used to defeat or resist the law, but only for the purpose of securing its execution. General Grant, as head of the army, would have no right to obey an order issued for any such object. And the whole country, without distinction of party, would rise to suppress any such rebellion against the law and the law-making power, as it did to suppress that which arose in 1861. We do not suspect President Johnson of any such wickedness and folly. Those who impute to him such designs, or prompt him to entertain them, are his worst and most fatal enemies. He can avoid impeachment and suspension by avoiding acts which serve as provocations to them; but if he invites or neurs them, he cannot resist or avert the due course of proceedings under the law. Whatever he may do by force in that direction will only excuse and justify the proceedings themselves.

Judge Sharswood, has long been on the bench, and, being a jurist of undenbied ability as well as experience, will win some Republican votes from Mr. Williams, his Republican opponent, who is comparatively a new man. True, Judge Woodward was beaten under like circumstances in "1863; but Governar Cartin's name then headed the Republican ticket; while Woodward's recent decision (in which we believe Judge Sharawood concurred), nullifying the Conscription act was reason enough for his defeat. If ever a disloyal opinion was read from a bench, that was one; for, if the people of Pennsylvania had not reversed it, ousting Judge Woodward, the war for the Union stood paralyzed, and the Rebellion must have become a successful revolution. To elect Sharswood now is to uphold Woodward, who is running for Congress, and virtually decide that the Rebellion ought to have succeeded. There are other local issues that help the wrong side; so that we have apprehended its success; but our later advices are more cheering, and justify hope of a Republican triumph if a full vote can be drawn out. To this end, we entreat every Pennsylvanian who stands for justice and equal rights to do his very utmost in the struggle of next Tuesday.

The Issue Before the Country. F. om the N. Y. Herald.

Two years have passed since we closed the war of the Rebellion. The people have waited with patience for the country to be restored to something of its former glory. They have anxiously watched every political movement until hope has grown faint under the hauds of the wreckers, Johnson and Congress. Have they given us peace, restored confidence in public enterprise, thrown vigor into our commercial development, made us respected abroad ? Not one of all these: but, as if to make the picture still darker, they have given us the reverse of what the nation has had a right to expect.

When the first gun against Fort Sumter threatened the disintegration of our territory, we as a people sprang to arms, and, high above all petty and partisan feeling, proclaimed the preservation of our nationality to be the gage battle. Four terrible years, and victory welded the States together. The cause was won. We emerged from the contest still vigorous. The mountain of debt we had umed-the price in treasure paid for territorial unity—we thought lightly of. We had not been fighting for the negro. The negro was a side issue, and came in like many other secondary elements whose fortunes hung on the results of the war. The men in power have, however, in their political madness, completely lost sight of the primary object in pursuit of an inferior one. Their minds have been unable to grasp the great problem; and it is in the negro alone that they find national consolidation, national greatness, national development, and something which, of a kindred nature, suits their calibre.

Is the nation to centre all its future hopes upon the ability of the black man to govern it? Are we expected, in the light of the intelligence of this century, to believe that any body of men, be they the Congress of the United States or a body of mythological gods, can, by a simple legislative fiat, lift the negro from barbarism to the summit of civilization? And yet this is what the radical party is trying to make us believe. Not only this, but in the face of every acknowledged truth, they would persuade us that we have had the madness to ght for such an idea. A revolution must be judged by its results. An equation is solved when we all agree that the result is correct. Now, if we, as the people of the United States, permit the fanatical sections of North or South to bury the great golden principle of our battle under the secondary idea of negro elevation, then we sadly reduce ourselves in our own estimation, and admit that this was

ments, then the contest was not a civil buta foreign war, and the success of our arms gave us all those rights of conquest which appertain to a victorious nation by the body of usages nown as international law. If the secession dectrine was sound, and the independence acjuired in pursuance of it was real, it logically enough follows that Congress can prescribe rules for the government of the foreign territory which became ours by the right of conquest, and that the time and manner of the endmission of the seconded States to the Union are subject to Congressional discretion. The lon, lverson L. Harris, one of the Judges of the Supreme Court of Georgia, has written a etter favoring submission to the prescribed onditions, and making the validity of the orinances of secession the corner-stone of his rgument. We copy enough to exhibit the

This act put Georgia out of the Federal Union.

I take it to be also an undeniable fact, that corgia, as a State, has not been restored to her rmer position in the Federal Union.

This being so, she is still out of the Federal Union. What interest or property as a State, if my premises are right, she has in a Constitu-t on which she solemnly renounced, and which ton which she solembly renotine d, and which has not been re extended over her as a State in the Federal Union, and as it existed before her secusion, I am at a loss to discover. Having one as a State how can she, in reference to political rights and privileges, rightfully claim its in a fights and providents.

its benefits and protection ? Upon this view you will perceive that I utterly deny that there was a civil war in its legitimate sense—that we were robels, traitors A necessary consequence from this position is that, upon the termination of hostilities, there can be no confiscation or amenability to the municipal laws of the conqueror. The claim that the Constitution is ours, and that we have never parted with it, contains within it the fatal admission of our guilt as

raitors. "The status of Georgia, then, at this time," s that of a conquered State out of the Federal

Union. If this is so, it is in the light only of the laws of nations that our situation can be pro-

perly considered.

It must, I think, be conceded by every jurist, whose reading has extended beyond Blackstone ng the Constitution of the United States, that it is a settled and unquestionable doctrine of the laws of nations that the conqueror, accord-ing to the customs of Curistian civilized nations,

ing to the customs of Christian Civilized mations, may rule the State conquered at his will, as by moulding its political institutions to that will, with no other restrictions on his power than the customary usages of such nations. The Congress of the United States from this sour e, and this alone, delived their power to pass the R- construction acts; they do not spring that the expected of cummerated and delevation

pass the k-construction acts; they do not spring from the exercise of enumerated and delegated powers to Congress, but from the power outside of the Constitution inherent in the victor. Viewing those acts, then, in the light of terms imposed by the conqueror on the con-quered—and I am driven by a stern logic to look at them in that light, and in no other—so regard-ing them, I am called on to determine what line of conduct it is most expedient to pursue. I am compelled, also, to remember at the same time that there is no earthly tribunal to which ime that there is no earthly tribunal to which the conquered can appeal for remady or redress. Are we not, then, by an inexorable necessity, compelled to choose between acquiescing in those act, or resistance? Would not the last be downright madness? The other alternative is the only thing left us,

If we could but concede the premises, we should be obliged to admit that this is soundly and ably reasoned. But it would be the most stupendous example of self-stultification in the history of the world for the Northern people to admit the premises. True it is, that the Reconstruction acts can be justified on no other principle; but the North has expended too much blood and treasure in contesting the doctrine of secession to concede its validity now. If the South had a right to secede, and by secession became a foreign nation, we waged against it a most cruel and unjustifiable war, and conducted the war on false pretenses from beginning to AND GENTLEMEN'S FURNISHING STORM end. In entering upon the war, and dur-ing the whole course of its prosecution, we GOODS in full variety. maintained that the ordinances of secession were nullities, of no more force than if they had never been passed. Our Government was never weary of declaring, both to our own people and to foreign nations, that we were dealing merely with revolted citizens; and we carried this doctrine to such a length as to make it a ground of vehement accusation against Great Britain that she conceded to the South enough of a belligerent character to assume the position of a neutral. The whole tenor of the despatches sent from our State Department, and the whole tone of our public press, was in angry inculpation of the foreign powers for regarding the Confederates in any other light than that of citizens in insurrection against their lawful Government. We refused, for a long while, to allow that the South had even the rights which appertain to the insurgent party in a civil war: refused for In Every Style of Frames, a long while even to exchange prisoners; and now, in brazen contradiction to our while record, we insist on a method of restoration which involves a full indorsement of the right of secession, and is utterly indefensible on any other principle. Wanted, an Owner. From the N. Y. Tribune.

choked at their table with a fish-bone. Mr.

Johnson, to be sure, was choked with some-

thing stronger than any fish-bone, but he is

quite as dead as ever the Hunchback was,

and in a condition that makes it quite as desirable to get rid of him. Accord-

ingly, ever since his 22d of February speech,

in which he swallowed a very large fish-

bone indeed, and was carried off insensible, the leaders of the Democratic party, who felt

instinctively that he was their peculiar charge,

have been lugging this unfortunate body from

house to house, depositing it with chuckling laughter on innocent door steps, giving it a vigorous punch or two to make it stand up

straight, and fall in handsomely as soon as

the bell was answered, and then running

around the nearest corner as if the devil were

after them. The World, in whose house he

was being entertained at the time he died, set

the body up against the Herald office, but the

editor, coming in from early morning prayers,

immediately took the scent, and sent the thing

by its night porter to the Journal of Commerce

who was as much shocked to find it there as

it had been a telegram with news of a Republi-can victory. Without more ado he dragged it,

as quickly as his age and infirmities would permit, to the door of the Express, the editors

of which, after a good many snivelling tears,

and a few feeble maundering efforts at em-

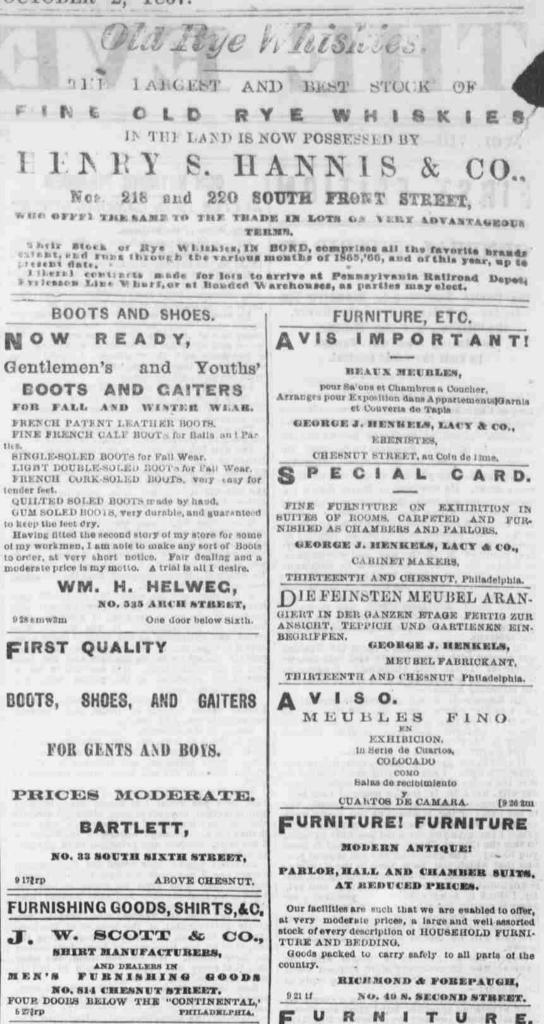
balming it, quietly thrust it up the chimney, where, if there were any wit in the party, it

would be suffered to remain forever. But there are those who foolishly think it will get so thoroughly cured in the chimney that it may

be pulled down in time to serve for another election. We think no better of their brains

than to believe they may try it, but we think

rame and here here the pill will and put at heather



Impeachment and the Rumors of Executive Resistance. From the N. Y. Times.

We have attached no importance to the ramors imputing to President Johnson the intention of foreibly resisting Congress in case it should resolve upon his impeachment and suspension from office. They seem to us utterly preposterons and absurd. Yet they obtain oredence in many quarters, and are widely used to excite and arouse the public mind in regard to the pending canvass. And we see that Senators in Congress, who ought to have some regard for the dignity and duties of their position, are lending their authority to these attempts.

It might be a great outrage for Congress to impeach the President, and a still greater one to suspend him from office during trial. Possibly, it would be an utterly unconstitutional proceeding. We think it would. But that fact does not authorize the President to plunge the nation into civil war for the purpose of defeating it. He is by no means the Protector of the realm-but simply the head of the Executive Department of its Covernment. The Constitution defines the extent to which he may participate in making laws. It gives him a certain weight and influence in deciling

The October Elections. From the N. Y. Tribune,

The States of Pennsylvania, Ohio, and Iowa hold their annual elections on Tuesday, October 8; while California holds a Judicial election about the same time. Ohio and Iowa elect Governors; a single Representative in Congress is to be chosen from Pennsylvania, in place of Mr. Dennison, deceased, and one from Ohio, vice General Rutherford B. Hayes, who, having accepted the nomination for Governor, has resigned his seat. The Democrats tried to nominate a candidate, but quarrelied-part of them insisting on an out andout Copperhead, while the rest wanted to run a soldier; so they gave it up, and are support-ing General Samuel F. Cary (Republican), who is the independent candidate, against Richard Smith, the regular Republican candidate. The simple fact betrays their weak-ness. In Pennsylvania, ex-Judge Woodward is running as the Democratic, against ex-cenator W. W. Ketchum, Republican. The district (Luzerne and Susquehanna counties) is close, though carried heavily against us last year by fraudulent votes in the coal-mining precincts of Luzerne. With a fair vote, Mr. Ketchum stands a good chance of election.

The Democrats have no hope of carrying Iowa, though they expect to gain on a light vote by attracting to their standard liquor-selling and liquor-loving Republicans, on some pretext of local dissatisfaction. In Ohio, they virtually concede the election of General Hayes as Governor, but cling to the hope of securing a majority in the Legislature by fomenting jealousies between the friends of rival candidates for United States Senator. Their main effort, however, will be to defeat the Constitutional amendment, which extends the right of suffrage to blacks, and that they confidently hope to achieve. We entreat every Republi-can to consider that the defeat of impartial manhood suffrage will be everywhere hailed as a Democratic triumph, and will thrill with ecstacy the soul of every unreconstructed Rebel in the land. Nothing that has occurred since the taking of Fort Pillow-unless it be the Memphis and New Orleans massacreshas rejoiced the heart of rebeldom as it will be enraptured by the tidings that Ohio has deolded that blacks have no rights that whites are bound to respect. It will be a fresh Dred Scott decision, and exulted over accordingly. We pray every Ohio Republican to constitute himself a vigilance committee, for the purpose of securing every possible vote for manhood suffrage. It is the pivot of the canvass; and our adversaries will plausibly insist, if manhood suffrage be voted down, that they briamph on their cardinal principle, though defeated on their cardinal principle.

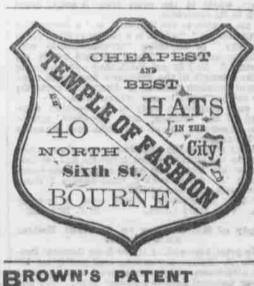
the maximum bonum of all our hopes-that this virtually is the solution of the revolutionary equation. But how many of the people of the inited States are willing to admit that this is the solution-that this all they fought for ? The people are beginning to think of these things; and we tell Andrew Johnson and our Congress that they must not be blind to the fact that for the people to think in the United States is for them to act. To act now as they think is to make a clean sweep of officials, from the President down to the lowest leech that sucks at the national life. The country is disgusted-is fairly reeling under the blows given to it by these political wreckers who have raised the black flag against our progress. The people now cry, "Down with them !" And down they must go-down to the level of the intelligence of that element which they would use to prop up their failing fortunes. Let the President and Congress leave the work which their brains cannot comprehend. From first to last their policy, on both sides, has been ruin. Not alone the loyal North, but every true lover of his country, has looked on from day to lay, for the past two years, only to see the seeds of new revolution planted and fostered. We have seen the President reduced so low that even in a graveyard, with five thousand dead heroes lying around him, he has de scended to party spleen in speech and act. We have seen conduct on the part of the radical leaders no less disgusting. The nation now, drugged to surfeit with such things, demands a change. Change must come, for in it lies national preservation. We fought four years against one party that we might preserve our national unity. We won the bastle. The party in power now make it essential that by the ballot we shall again do battle for national safety. Every act of Congress indicates the necessity of this; for within our Congressional halls are enacted laws that would disgrace the egislation of the Common Council of New York. The people and their generals put down the Rebellion and then turned the political elements into the hands of the politicians. These have gone on from bad to worse with their work until there is no longer any hope for the country, unless the people assume the power that belongs to them and again come to the rescue. This must be done. In all future elections let the strong, clear heads of the country be placed in responsibility. Let the demagogues sink to the level from which they arose to curse us with what they call legislation. Their last hope now is a lease of power through n-gro supremacy. Are the people willing to grant this, and force to the surface a new revolution? Let every man understand that herein lies just as much of the future welfare of the United States as ever hung upon the bayonets of our armies during the Rebellion. The new war is to save intelligence from the flood of the attack. These are the true issues before the people, and the ones which must soon be decided.

the

A Secessionist View of Reconstruction. From the N. Y. World.

So far as the Reconstruction laws are not a mere wanton exercise of arbitrary power, so mere wanton exercise of arbitrary power, so far as they do not depend on the ancient and execrable principle that might makes right, execrable principle that might makes right,

NEW ART GALLERY. The way in which the Democratic newspapers, and the Satanic press generally, are F. BOLAND & CO., trying to shufile off the load of Mr. Johnson's indecency and stupidity, reminds us of the story in the Arabian Nights which tells us how 10 2 imwfm2p] No. 614 ARCH Street. the poor tailor and his wife tried to get rid of Lody of the little Hunchback who was



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their justification lies in the dostrine of seces- didate. brand shoring the intercome demographics the