# THE DAILY EVENING TELEGRAPH-PHILADELPHIA, THURSDAY, DECEMBER 1, 1870.

# SPIRIT OF THE PRESS.

### Editorial Opinions of the Leading Journals upon Current Topics-Compiled Every Day for the Evening Telegraph.

THE INTERESTS OF THE UNITED STATES IN THE EAST. From the N. Y. Herald.

The Eastern question, that has been slumbering during fourteen years, under the musty parchment of a treaty, has suddenly arisen and put the statesmen of old Europe on the gui vive. Those who were instrumental in framing the treaty in 1856 did not foresee that they were only patching up the old difficulty and that this traditional carbancle of Europe would open anew. And yet they might have foreseen it. For the last fourteen years Russia has been smarting under the humiliating conditions which were then imposed upon her, and she now openly declares that she will tolerate them no longer. She will not abate a jot of her demands. The second note addressed by Prince Gortschakoff to the British Cabinet may be considered more conciliatory in its terms, but is in substance only the reiteration of the first. The statesmen of England may cudgel their brains for a peaceful adjustment of this vexed question, but there are only two ways in which it can be solved -by war or by yielding to the demands of Russia. in adopting the latter course England will acitly acknowledge that the blood and treasure poured out during the Crimean war were spent in vsin.

In England the general aspect was more pacific. There was an improved feeling on 'Change, that delicate barometer of British sentiment and opinion. The London newspapers treated the subject more or less pointedly in their morning issues. A leading city journal, which is supposed to speak under official inspiration at critical moments in the history of Great Britain, asserted conspicuously in the name and behalf of the English people, that, "desiring the maintenance of peace, we stand on the maintenance of peace guarantees and the repudiation altogether of the claim to supersede the obligations of the treaty of 1856." The principle involved here, if it should be adopted by the Cabinet in Downing street, would restore the original cause of difficulty and danger. This state of affairs can scarcely occur, however, if we are to believe another London paper, which alleged that it had an official statement to the effect that "Russia has decided to withdraw her demand and submit her proposition to the decision of the conference. Here we have "the conference" spoken of as a fixed fact. If this important meeting should be held we are to presume that peace will be preserved, as Russia will either gain her object or be forced to submit-for the present, at least-to the solemn arbitration of her national peers, delivered in friendly council.

From the guarded statements of the Russian Minister in this country during the interview with a Herald reporter we understand that Russia seeks no territorial aggrandizement, but will remain firm in her rejection of that clause of the treaty which keeps her war vessels from entering the Black Sea; and she has five hundred thousand good reasons ready to back her demands. In the face of these events it is well for us to examine | slender amount of respect for the chroniclers whether the interests of our country are involved in the East. There are American statesmen who hold that the United States are not concerned in any of the political questions that have set the Old World in commotion. They say that the Monroe doctrine should be our line of conduct. The doctrine of complete noninterference was well suited to the time at which it was proclaimed. The United States were then a second-rate power. Out of the late struggle we have arisen a great, regenerated nation, and now occupy a commanding position in the world. For all practical purposes of communication we have been brought within a few hours of Constantinople, and are daily creating new interests for ourselves in the East. Our immense resources, our industry and the late inventions of science have raised this country to a position of grandeur. There is an old maxim that says, "Noblesse oblige," and it may be affirmed with equal justice, Grandeur obliges. Those statesmen who think that we have no political interests in the Old World are behind their age; for during the last few years the foreign element has been steadily flowing to our shores, and its influence has made itself felt in the framing of our foreign policy. Another thought presses itself upon the attention of our Government. In case of a war between this country and England-and such an emergency may arise if we take into account the late utterances of General Butler-Russia can render us effective assistance. She can deal a deadly blow to the most cherished interests of England by barring her passage to the East. There is another consideration-a moral one-which our administration will do well not to forget. Of all the European powers Russia was the only one that evinced a sincere sympathy for our cause during the late war. If the Cabinet of St. Petersburg had followed the seductive advice of the Emperor Napoleon, in order to bring about a formidable coalition against this country, the South might have been able to constitute herself into an independent State. It is a notorious fact that the Emperor Alexander repelled these insidious proposals. He did even more; for at the most critical moment of our struggle he sent a fleet into our waters in order to attest, by the presence of the imperial flag, the sympathies of his government for the people of this country. But, say Machiavelli and his followers, gratitude should not be the line of conduct in political actions. We believe that this doctrine is as false as it is hackneyed. Gratitude in public and private life is not only a virtue, but a matter of sound policy, and States, as well as individuals, acquire credit if they stick to their friends. A firm in Wall street would bring disgrace upon itself if, in a critical moment, it should desert its business friends. Does not the moral of this also apply to the firm of Grant & Company in their political relations to the firm of Alexander & Co. at the present crisis of affairs? We do not think England will declare war against Russia without the assistance of a Continental power. The author of an artiele in the last number of the Edinburgh Review-and who is presumed to be no less a person than Mr. Gladstone himself-admits that large armies are necessary for carrying on offensive warfare. We shall quote his statement :- "While everything combines to make as safe, everything also combines to make us harmless. To judge from recent experience, the relative share of maritime force in aggressive warfare is dwindling, and

of our own shores it would impartially do against us when we proceed to attack the shores of others.

In the Baltic Cronstadt is more inaccessible to hostile fleets than ever. Russia has fifty iron-clads, and the forts which defend the entrance of the river Neva are impregnable. A British fleet venturing into these waters would expose itself to destruction. In the Black Sea the English might bombard Odessa, Kertch, and a few other ports of minor importance; but, on the whole, they would incur a heavier loss than they could inflict.

The only power which could be the ally of England is Austria. Is it probable that Francis Joseph will risk a second Sadowa and the dismemberment of the Austrian ompire? At the first demonstration of hostility a Russian army of five hundred thousand men is in readiness to bear down upon Vienna. On the other hand, Russia has repeatedly declared that she has no designs upon any part of the Turkish territory. She states that the liberty of the Black Sea is vital to her interests as a first rate power. She wants nothing more and will be satisfied with nothing less. Public opinion will re-cognize the justice of her demands. No one can deny that the treaty of 1856 has been repeatedly violated, and the clause concerning the Black Sea is in contravention of the grand principle of the liberty of the seas. In view of the foregoing arguments and facts the present administration should lend its meral support to the cause of Russia, and thus discharge the debt of gratitude we owe that power.

A PATRIOT UNDER A CLOUD. From the N. Y. Times.

The world has rarely had the good fortune to possess a great General who was equally apt with the pen and with the sword. Still more rarely has it seen one who used his literary talent in giving to posterity a plain, unvarnished tale of his own campaigns. Alexander the Great, Hannibal, and Napoleon left the records of their triumphs to be sifted and arranged by succeeding his-torians. Washington and General Grant will live chiefly in the pages of more or less competent biographers. To this general rule there is, however, in ancient times the very notable exception of Julius Cassar, and in our own day the equally re-markable one of General John O'Neill. With the Commentaries of the great Roman will hereafter rank the "official report on the attempt to invade Canada" by the "President of the Fenian Brotherhood." The schoolboy of the future may not, improbably, be as familiar with the opening phrase, "Since I last had the henor to address you," as with the well-known piece of Latinity, "The whole of Gaul is divided into three parts.'

We leave it to more ingenious chroniclers to establish a parallel between the ancient and the modern military autobiographer. There are, to be sure, such points of coincidence as the following: - Casar was the general of an actual Roman republic; O'Neill was the general of a possible Irish one; Casar had a good many enemies in the Roman Senate: so had O'Neill in the Fenian one; Czesar "came, saw, and conquered;" O'Neill went,

saw, and-was arrested. Believing, however, that a hypercritical public might fail to see the strict appositeness of such analogies, we commend them to the attention of the future historian, who will address a more impartial audience. General O'Neill shows, it must be confessed, a very of the passing time. Even the select band of reporters who comforted the ill-starred commander with the assurance that his name would not sustain "one iota of blemish, are only approved to the extent of having furnished narratives "in the main correct." Outside of these, the General finds nothing save lies and misrepresentation. The representative of one New York journal is credibly stated to have "made good time to the rear," while another, who was probably demoralized by being assigned to investigate the Sunday mysteries of the 'palatial stables," "was so gloriously drunk that he and his note-book had to be picked up from the roadside that afternoon, by the Sheriff of Chittenden county." If he had been spending the day with Mr. Tweed, he could not have behaved worse. Seeing that out of materials so furnished history is made, we can hardly wonder that General John O'Neill should, in self-defense, have taken to the writing of his own commentaries. In the calm seclusion of the jail at Burlington, Vt., the gallant leader of the heroic band who fought at Eccles Hill proceeds to narrate the true story of what pro-fane reporters called "the great Fenian fizzle" of May, 1870. Like Malvolio, the General found greatness thrust upon him. He now believes that the Machiavellian leaders of the Brotherhood put him forward as a scape-goat to bear the odium of certain failure. When he undertook the job, however, he felt certain of success. As to its justice or expediency he had no misgivings. His patriotic creed is comprehensively summed up in the formula that steel is the certain cure for Irish grievances. He joined the Fenian organization because it promised a fight, and he went to Canada because it was the only opening that offered for fighting. The direct invasion of Ireland, while England remained at peace, he believed to be wholly impracticable, but Canada, "once gained, would serve as an excellent base of operations against the enemy." With this lucid and eminently satisfactory programme, General O'Neill took the field. A plan of campaign was sketched which combines in a striking degree the original and the practicable. The combinations of Von Moltke were not more elaborately framed, and their force would doubtless have been as irresistible if the men had only come up. But what could the most original military genius do under such circumstances as the following, recorded more in sorrow than in anger by the unfortunate commander? The 6 o'clock train from the South arrived bringing, instead of from ten to twelve hun-dred men promised by Massachusetts, about twenty-five or thirty, "including Colonel H. Sullivan. He and most of the men he had with him would have better served the cause by remaining at home. In lieu of six hundred men promised by Vermont and northeast New York, about eighty or ninety in charge of Major J. J. Monaghan arrived on the train." With such materials as this General O'Neill resolved to make his great attempt, fully believing that once a footing was obtained on Canadian soil, thousands would flock to his standard. It is,

that he could not have been rescued | Great Britain to this day there is no statutory from the custody of General Foster. Whether he has proved it to the satisfaction of his late comrades or not, is scarcely a question of public importance. The chief point of interest to his late antagonists, of whom the General talks very handsomely, is the "No, emphatically no," with which he answers the question, "Shall another attempt be made to invade Canada?" On this point, at least, we can fairly applaud General O'Neill's good sense, and trust, further, that it may be shared to the full by his impetuouts friends and compatriots. But should another attempt be made, we hope Mayor Hall will lead it, arrayed in his well-known green suit.

THE LAW OF RAILWAYS-WHAT ARE THE RIGHTS OF TICKET-HOLDERS? From the N. Y. Sun.

A case has just been tried in the English Court of Exchequer, before Baron Martin and a jury, which is of much interest to the very large number of persons who hold season tickets on our railways. The law of railways in England has grown up at the same time with that in the United States, and similar questions have arisen in both countries. The decisions of the courts of the State of New York in this branch of the law are regarded by the British courts with great respect, and frequently are referred to and followed by them. The fact that in these cases the tribunals of one country not seldom look to the courts of the other for precedents and for guidance, makes the case to which we refer more interesting and important to us.

It is entitled "Buckmaster against the Great Eastern Railway Company," and was tried on November 10. The plaintiff was a miller at Framlingham, in Suffolk, and the holder of a season ticket issued by the company, by which they contracted to convey him by any of their trains running between Framlingham and London. In the course of his business it was necessary for the plaintiff frequently to attend the London corn market. The company advertised an early train to start from Framlingham at 6.45 A. M., and one merning last autumn the plaintiff went down to the station to go to the market by this train.

But it so happened that on this particular morning the fireman was lazy. At a quarter to seven the fire in the engine was so low that there was no steam, and of course the train could not start. Although of apparently little present consequence to the officers of the road at Framlingham, this delay was no slight matter to Mr. Buckmaster, and so he informed them. Nothing was done to forward the train, however, and the stationmaster brusquely told Mr. Buckmaster in answer to his complaints that if he wanted to go on he must pay for a special train. This he agreed to do, and a special train was ordered and took him to London at an expense of nearly two hundred dollars. But he reached the city too late for the market, and thereby incurred a loss of fifty dollars. The suit was brought to recover these two amounts-that paid for the special train, and the loss consequent upon the delay.

When the plaintiff's case had been proved, the counsel for the defendant submitted that no cause of action against the company had been shown. He argued that the contract between the parties was expressed on the season ticket, the terms of which were that it was issued subject to the rules and regulations of the company for the time being, and that the time-tables expressly stated that while every exertion would be made to secure punctuality, the arrival and departure of trains at the time therein stated would not be guaranteed, nor would the company hold themselves responsible for any delay or its consequnces arising out of accident or other causes. He argued also that the company were not in any event liable for the damages caused by loss of market. On these points the Judge decided against the railway. In charging the jury, he said that no action would lie against the company for the mere discontinuance of any particular train. That, however, was not this case. Here the defendant's servant had been guilty of the grossest negligence, in consequence of which there was an entire failure to forward an advertised train. No accident whatever bad occurred; and it could not even be said that the company had used their best efforts to send on the train. On the contrary, they had done nothing of the kind. As to the damages, he thought the plaintiff ought to recover the pecuniary loss which he suffered through losing the market, in addition to the cost of the special train.

provision in respect to using the regular army in aid of the civil power. The primary re-sponsibility is with the judicial power, and repeatedly have the British law officers ad-vised that the judge cannot order the military or anybody else to assist in the preservation of the public peace unless personally present. And for the military force the request of the megistrate must be passed upon not merely by a military officer like the commander-inchief, but by a minister responsible to Par-liament. General Sherman ought to be familiar with the Queen's regulations of 1868 for the army when aiding the civil power, in which (article 914) it is directed that no officer is to go with troops to aid "in the suppression of riot, or maintenance of the public peace, or the execution of the law, except upon the requisition of a magistrate in writing," etc. The infinite detail of these regulations shows political liberty in England hems in and restrains the standing army. The underlying idea is that there must be imminent danger of a riot or insurrection to justify the presence of the army, and even then the judicial power is alone to pass upon the exigency of the situation and direct the troops. It is preservation of the general peace, not the victory of political party, which in England will justify use of bayonets and bullets in time of peace. Therefore it is on the advice of a judicial officer-supposed to be above the clamor of the hour-that the British Secretary of State for War would order out the troops. General Sherman has done well as far as he has gone, but he needs to drink deeper at the fountain sources of civil and personal liberty.

It is evident, too, that General Sherman is uninformed or misinformed as to the nature of the office of marshal. Unlike a sheriff, he has no common law functions or duties. As Federal courts have no jurisdiction of common law officers, so Federal marshals have no common law powers. A marshal is, by statute of 1789, to execute lawful precepts directed to him by the court, and in the execution of that duty can command all necessary assistance. He is not, however, as is a sheriff, a preserver of the public peace in whose hands should be placed the Federal army to maintain good order within jurisdiction of a State. That is the duty of the authorities of that State. And if General Sherman will carefully study the legislation of Congress in 1795 he will find that it is the militia of the States and not the regular army upon which the President is to rely mainly in case of riot or insurrection. It is a significant fact that it is in enforcement of the neutrality laws under the act of 1818, and latterly in controlling elections under the act of 1870, that the President is empowered to use the standing army.

### A NEGRO CANDIDATE. From the Harrisburg Patriot.

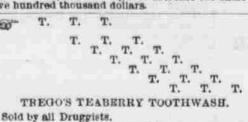
The radical list of candidates for State Senator in the First district has been increased by a negro who longs to distinguish himself in the legislative halls of Pennsylvania. To the names of Morris, Moran, Lyndall, Tittermary, and a dozen of others must be added that of Octavius V. Cato. If there be anything in a name, and there is certainly nothing in his color, that prevents him from being a radical candidate, he is just the man for State Senator. The radicals in that body have great need of a statesman of the stern Roman virtues of a Cato. In the resolutions presenting Mister Cato, the colored suffragans of the First district inti-

Street Leaguers should be fully met. There should be no cheating round the board. Let William B. Mann keep his trained repeaters away from the delegate elections. He should not be allowed to defraud the poor negro. One of the radical candidates for the nomination is the grandson of the great and patriotic financier of the American Revolution. But if the Leaguers are true to their principles they will set him aside for a candidate of more ancient lineage, and Robert Morris will have to stand back for Octavius Vespasianus Cato, who was probably the descendant of an Abyssinian captive who was dragged at the chariot wheels of a Roman consul.

#### SPECIAL NOTICES.

NOTICE IS HEREBY GIVEN THAT AN application will be made at the next meeting of the General Assembly of the Commonwealth of Pennsylvania for the incorporation of a Bank, is ac-cordance with the laws of the Commonwealth, to be entitled THE BULL'S HEAD BANK, to be located at Philadelphia, with a capital of one hundred thousand dollars, with the right to increase the same to five hundred thousand dollars.

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A. M. WILSON, Proprietor, NINTH AND FILBERT Sts., Philada, 8 2 10m

BOY- NOTICE IS HEREBY GIVEN THAT AN application will be made at the next meeting of the General Assembly of the Commonwealth of Pennsylvania for the incorporation of a Bank, in ac-cordance with the laws of the Commonwealth, to be entitled THE GERMANIA BANK, to be located at Philadelphia, with a capital of one hundred thou-sand dollars, with the right to increase the same to one million dollars.

THE IMPERISHABLE PERFUME !-- AS A rule, the perfumes now in use have no permanency. An hour of two after their use there is no trace of performe left. How different is the result succeeding the use of MURRAY & LANMAN'S FLORIDA WATER ! Days after its application the handkerchief exhales a most delightful, delicate, and screeable fragrance. 31 tathas 3 1 tuths and agreeable fragrance.

NOTICE IS HEREBY GIVEN THAT AN application will be made at the next meeting of the General Assembly of the Commonwealth of Pennsylvania for the incorporation of a Bank, in accordance with the laws of the Commonwealth, to be entitled THE BRIDESBUR + BANK, to be located at Philadelphia, with a capital of one hundred thousand dollars, with the right to increase the same to five hundred thousand dollars.

THE UNION FIRE EXTINGUISHER

COMPANY OF PHILADELPHIA

Manufacture and sell the Improved, Portable Fire Extinguisher. Always Reliable. D. T. GAGE,

### 5 30 tf No. 118 MARKET St., General Agent, NOTICE IS HEREBY GIVEN THAT AN

application will be made at the next meetin, of the General Assembly of the Commonwealth of of the General Assembly of the Commonwealth of Pennsylvania for the incorporation of a Bank, in accordance with the laws of the Commonwealth, to be entitled THE SOUTHWARK BANKING COMPANY, to be located at Philadelphia, with a capital of one hundred thousand dollars, with the right to increase the same to one million dollars. DR. F. R. THOMAS, No. 911 WALNUT ST.

formerly operator at the Colton Dental Rooms, devotes his entire practice to extracting teeth with out pain, with fresh nitrous oxide gas. 11 179

NOTICE IS HEREBY GIVEN THAT AN application will be made at the next meeting of the General Assembly of the Commonwealth of Pennsylvania for the incorporation of a Bank, in ac-cordance with the laws of the Commonwealth, to be entitled THE JEFFERSON BANK, to be located at Philadelphia, with a capital of one hundred thousand dollars, with the right to increase the same to five hundred thousand dollars.

### WATCHES, JEWELRY, ETC.

PROPOSALS.

# DROPOBALS FOR LIVE OAK.

NAVY DEPARTMENT, BUPEAU OF CONSTRUCTION AND REPAIR, WASHINGTON, D. C., NOVEMBER 5, 1870. SEALED PROPUSALS for the delivery of 203,000 cubic feet of Live-oak Timber, of the best quality, in each of the Navy-Yards at Charlestown, Mass., and Brooklyn, N. Y., will be seceived at this Bureau until the sixth (6th) day of December next. These proposals must be endorsed "Proposals for Live Osk," that they may be distinguished from other business letters.

other business letters. The offers may be for one or both yards, but must be for the whole quantity in each yard, and, as re-quired by law, must be accompanied by a guar-antee.

antee. Surcties in the full estimated amount will be re-quired to sign the contract, and, as additional and collateral security, twenty-five (25) per centum will be withheld on the amount of each delivery until the contract is satisfactorily completed. In all the deliveries of the timber there must be a due proportion of the most difficult and crooked pieces; otherwise there will be withheld such further amount in addition to the 25 ner centum at

a due proportion of the new will be withheld such pieces; otherwise there will be withheld such further amount in addition to the 25 per centum as may be judged expedient to secure the public in-terest until such difficult portions be delivered. The remaining 15 per centum, or other proportion of each bill, when approved in tripleate by the Commandant of the yard, will be paid by such purchasing paymaster as the contractor may desig-nate within thirty (30) days after its presentation to him.

to him. It will be stipulated in the contract that if i stat at while estimated in the contract that if i fart of made by the parties of the first part indelivering all or any of the timber named, of the quality and at the time and place provided, then, and in ; a case, the contractor, and his surfices, will forfelt an pay to the United States a sum of money not exceed ing twice the total amount therein agreed upon as the price to be paid in case of the actual delivery thereof, which may be recovered according to the thereof, which may be recovered according to the Act of Congress in that case provided, approved Marca 3, 1843.

Marca 3, 1843. The 203,000 cubic feet to be delivered in each yard will be in the following proportions:—Say 33,000 cubic feet of pieces suitable for stems, sternposts deadwoods, aprobs, sternpost knees, keelsons, an hooks, all siding from 13 to 20 inches, and the hook Biding 14 and 16 inches. These pieces to be in the proportions in which they enter into the constru-tion of a ship of war; conforming substantially 1 shape, length, and character with those heretofor received, with frames of corresponding siding; the monids of which can be seen at any navy yard; 120,000 cubic feet of the siding of 13 and 15 inches, in about equal quantities of each, and 10,000 crbic feet about equal quantities of each, and 10,000 cubic fe about equal quantifies of each, and 10,000 critic feet of a siding of 12 inches; all these pieces being in length from 13 to 17 feet, with a natural and fair curve of from 12 to 30 inches or more in that length, and one-half the number of pieces to have from the mean to the greatest crook. Also 30,000 cubic feet-of timber siding 43 and 15 inches, in length from 17 to 90 feet. to 20 feet.

All to be sided straight and fair, and rough-hewe-the moulding way to show a face of not less the two-thirds the siding, the wane being deducted

two-thirds the stang, the while being determined the measurement. The timber to be cut from trees growing within 20 miles of the sea, of which satisfactory evidence will be required, and to be delivered in the respec-will be required, and to be delivered in the respect tive yards at the risk and expense of the contra subject to the usual inspection, and to the entire ap proval of the Commandant of the yard.

The whole quantity to be delivered within two years from the date of the contract,

Satisfactory evidence must be presented with each proposal that the parties either have the timber are acquainted with the subject, and have the facility to presente it.

are acquainted with the subject, and have the facility to procure it. In addition to the above, separate "Sealed Pro-posais" will be received at the same time, on the same terms and conditions and similarly endorsed, from persons having the timber on hand already cut, for the delivery in each of the navy yards at the thetetown and Brooklyn, of from 3 to 3000 Charlestown and Brocklyn, of from 3 to 50,000 cubic feet of Live-oak, the principal pieces siding, 14 to 17 inches, the remaining portion 12 and 15 inches; the principal pieces gand crooked timber being in the same proportion to the quantity offered as that specified in the first case, with the same lengths and crooks. lengths and crooks.

The whole amount contracted for in this case must be delivered on or before the 1st February

The Department reserves the right to reject any and all bids for any timber under this advertisement if considered not to the interest of the Government to accept them, and to require satisfactory evidence, that bids are bona jide in all respects, and are made by responsible persons

### FORM OF OFFER,

(Which, if from a jirm, must be signed by all the mem-bers.) I (or we), of \_\_\_\_\_, in the State of \_\_\_\_\_

hereby agree to furnish and deliver in the United States Navy Yard at thousand cubic feet of Live-oak timber, in con-formity with the advertisement of the Bareau of Construction and Repair of the date of November 5, 1870, viz. :-- cubic feet, suitable for principal pieces, at 2 per for principal ...... cubic feet, curved timber, at g\_ per foot...... ...... cubic feet timber, at g\_ per ft. 8 ..... ..... (The total value to be likewise written in full.) Should my (or our) offer be accepted, I (or we) re-quest to be addressed at \_\_\_\_\_, and the contract sent to the Purchasing Paymaster of the Naval Station at \_\_\_\_\_ for signature and certificate. Date \_\_\_\_ [Signature], A. B. C. D.

however, the first step that costs-and in this case the step was a backward one. Second only in ingenuity to General O'Neill's "plan of campaign" is his relation of the circumstances attending his arrest. Many interesting points are raised, bearing upon the relative speed of horses and rifle balls, the efficacy of barrels in stopping a running carriage, and such like, which we leave to the treatment of professional critics. we are an essentially, incurably, maritime leave to the treatment of professional critics. every case the magistrate was made responsi-power. All the sea does for us as defenders The General proves, to his own satisfaction, ble for wrongful or mistaken action. In for recognition at the hands of the Broad

The jury rendered a verdict for the plaintiff for both amounts in full. After the verdict, Baron Martin said he was surprised that the company had not sooner repaid to the plaintiff the amount which they charged him for the special train.

#### GEN. SHERMAN'S REBUKE OF GRANT. From the N. Y. World.

General Sherman has done well in rebuking, in his official report, the systematic use of the standing army by the Republican party in aid of the civil power, or rather its own political power, but the rule he recommends for the future is faulty. He says the Federal military "should only be employed as a posse comitatus duly summoned by the United States Marshal, and acting in his personal presence." Doubtless General Sherman foresees that the constant use of the army, as Grant has used it, as an instrument of coercion in elections North, South, East, and West, will arouse a spirit of aversion towards it which it will not be easy to allay. But the difficulty with his plan of reform is that he evidently contemplates the further use of the military in aid of the executive as contradistinguished from the judicial power, for he not only places the force under charge of the Marshal, but permits him to call it forth. That is wrong, as General Sherman would have seen had he been better instructed in the British constitutional and political history of this particular subject during the last 150 years. In that country it has long been settled that it is in aid of the magistrate-the judicial, not executive power -that the military can be used. There are but two British statutes-one 14 Car. II (amended George III), and the other 23 Car.\_ II-authorizing the use of soldiers of the regular army to aid the executive, in the former case to collect customs and in the latter to suppress conventicles. If he will turn to the opinion given by the then Attorney-General, Lord Raymond, in 1721, wherein the legality under the common law of using troops in aid of civil power was first carefully considered, General Sherman will see that the conclusion was that the armsy "should not at all interpose in any of these things, but at such times as they shall be desired by the civil magistrate." The form of warrants issued by the King or Secretary at War from 1716 to 1785, directed to the troops when calling on them for aid, is most instructive. The orders to the military in nearly all cases were in the negative-directing them not to repal force with force unless the civil magistrate should find it necessary and give the orders. In

mate that they will no longer be hewers of wood and drawers of water. By this they do not mean that they will cease to chop wood, tote water, dump coal, black boots, and do other chores for their white fellowcitizens of Philadelphia. It is a figure of speech by which they convey the hint that they will not be used merely to vote the radical ticket, but must have their fall share of the honors and emoluments of office. This is Congo gratitude towards those who have bestowed the boon of the ballot. The glorious privileges of suffrage conveyed by the fiftsenth amendment are contemptuously described in the figurative language of South street as the hewing of wood and drawing of water. The negroes of the First district basely fly in the faces of their white brethren and demand the nomination for State Senator. If this does not fill the heart of every radical patriot within the bounds of that district with disgust we have utterly failed to comprehend the nature of the animal. That the negroes of Philadelphia, to whom the ballot was given that they might swell the party vote, should insist on holding the offices into the bargain is more than the good temper of the politician of the radical persuasion in that city can be expected to bear. But he will soon discover that he must grin and bear it.

In South Carolina and other portions of the recenstructed South the negroes have pretty nigh ceased to hew wood and draw water in the political camp of their allies. A negro Secretary of State, three negro members of Congress, and negroes in numerous other public positions, show their understanding of the fifteenth amendment in South Carolina. This was not the programme of the carpetbaggers, who expected a life estate in the offices of that State by means of negro votes. In their disgust at negro ingratitude and white superciliousness, many of them are now leaving that country for that country's good. Candor compels the admission that the blacks who have been elected to office in South Carolina are the superiors of their carpet-bag rivals. Far be it from us, however, to institute a comparison between Octavius Vespaslanus Cato and his intelligent and distinguished white competitors for the radical nomination for Senator in the First district of Philadelphia.

The eyes of the country are now fixed on the First district. Here is an opportunity for the radicals of Philadelphia to give a signal test of the sincerity of their convictions If negroes are good enough for voters, let the radicals show that they are good enough also to represent Philadelphia in the State Legislature. There should be no wriggling in the Loyal League on Broad street. The members of that political association elamored loudly for the ratification of the fifteenth amendment in this State. They sent representatives to the capital who violated their official oaths and trampled on the Constitution of the Commonwealth by voting for the ratification. The mutilated Constitution stands to-day with the word white written all over it, as a monument of the perfidy and obsequiousness of the representatives of the people of Pennsylvania. But that is past. The revolution has been effected by fraud, but it is none the less a revolution. It has all the virtue and validity of the solemn and deliberate decree of the

Let the white radicats of Philadelphia accept the situation with the best grace. A negro demands, as proof of their sincerity, a scat in the Senate of Pennsylvania under an amendment which was ratified against the will of the people. The claim of the negroes

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Witness :

FORM OF GUARANTEE.

The undersigned \_\_\_\_\_\_, and \_\_\_\_\_, in the State of \_\_\_\_\_\_, and \_\_\_\_\_, of \_\_\_\_\_, of guarantee that, in case the foregoing bid of ten days after the receipt of the contract at the pos office named, or by the Paymaster of the Nava Station desig-ated, execute the contract for the same with good and sufficient surveites; and in case said \_\_\_\_\_\_\_ shall fail to enter into contract as aforesaid, we guarantee to make good the differ

ence between the offer of the said that which may be accepted. Date ---

[Signatures] C. D. E. F.

Witness:

Each of the guarantors must be certified by the Assessor of internal Revenue for the district i which the parties are assessed. 11 T 1aw4w

PROPOSALS FOR THE ERECTION OF PUL LIC BUILDINGS. OFFICE OF THE COMMISSIONERS FOR THE

ERECTION OF THE PUBLIC BUILDINGS, PHILADELPHIA, NOV. 3, 1870. Proposals will be received at the Office of the President of the Commission, No. 129 S. SEVENTH Street, until December 31, 1870, for the following protoches and labor:

dations, etc., per cubic yard. 2. For concrete foundtions, per cubic foot. 3. For foundation stone, several kinds, laid per

perch of twenty-five feet, measured in the walls. 4. For hard bricks per thousand, delivered at Broad and Market street during the year 1871. 5. For undressed granite per cable foot, specify-

ing the kind. 6. For undressed marble per cubic foot, specify-

ing the kind. 7. For rolled iron beams (several sizes), per lineal yard of given weight. The Commissioners reserve to themselves the

right to reject any or all of the proposals. Further information can be obtained by applying to the President of the Board, or to the Architect

John McArthur, Jr., at als office, No. 205 S. SIXTI Street.

By order of the Commission. JOHN RICE, President. CHAS. R. ROBERTS, Secretary. 115

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### PROPOSALS.

OFFICE OF THE COMMISSIONERS OF FAIRMOUNT PARK, NO. 224 SOUTH FIFTH STREET.

PHILADELPHIA, November 28, 1870. Proposals, in writing, for the exclusive privi-lege of ranning Park Carriages, during the year 1871, within the limits of Fairmount Park, with he received at this office until DECEMBER 1870, at 10 A. M Specifications may be seen

this office. By order of the Committee on Superinten dence and Police. DAVID F. FOLLY.

11 29 tuthe3t Secretary Park Commissio

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