

Able Opinions of Mr. Curtis.



The Union as it was. The Constitution as it is.

Reading matter on every page.

WEDNESDAY MORNING, OCT. 29.

OPINION OF JUDGE CURTIS.

The reader will find the able opinion of Judge Curtis, of Boston, upon the "military power of the President," published in full in this morning's Post. It is a great paper, unlike the former ravings of radical demagogues. It is well for the country that we have a few such men as Judge Curtis left, having the ability and public virtue to speak as he does.

A VIGOROUS PROSECUTION OF THE WAR.

This stereotyped phrase is again announced from Washington, as being indicative of the settled and determined purpose of the Administration. The late report of the Herald, to the effect that the President was again to take control of things himself, that Gen. Halleck was to return to the War Department; that McClellan was to take "Hoop Skirts" position; and that "Fighting Joe Hooker" was to assume command of the army of the Potomac, turns out to be one of those paper's periodical sensations, with which it so often amuses and astonishes a gullible public. No such radical changes are likely to occur, nor are they in contemplation.

The most characteristic feature of this executive decree holds out to this proposed report of state laws as a threat of penalty for the continuance of a governing majority of the people in rebellion against the United States. So that the President hereby assumes to himself the power to denounce it as a punishment against the entire population of a State, in violation of the laws of the United States, which are the property of its inhabitants, shall become void and null, at a certain future date, by reason of the criminal conduct of a governing majority of the people.

It is in addition to the certainty of McClellan remaining where he is, we have the additional assurance that the war is to be prosecuted with vigor that must speedily crush the rebellion. In addition to Washington, and in the army and navy, we are informed, as such as to promise, speedily, the most important results.

We are in hopes that the Abolition conspirators, who have been hounding McClellan so long and furiously, would succeed in having him removed from the head of the army. Better for him and for the country that he should be removed from a command which subjects him and his plans to be embarrassed by scheming politicians. But, perhaps, the President has taken fresh courage to resist further Abolition interference in military affairs.

Perhaps the result of the October elections, and the prospective results of those which occur in November, have measurably removed that pressure which was weighing so heavily upon him. The President upon that occasion made the humiliating confession that, notwithstanding the severity of the pressure, the country could not spare the support and services of those who were bearing so heavily upon him. How mistaken was our Chief Magistrate in his calculations. Still by the late elections how the people differ from His Excellency. The great States of Pennsylvania, Ohio, Indiana and Iowa have declared that whether the Administration dispense with radical Abolitionism or not, it will have to do this time forth.

AN AMERICAN ACTRESS IN ENGLAND.

The time was when the United States looked to England for a supply of dramatic talent, as they did for an importation of dry goods. Of late years this has been altogether changed. For every actor or actress England has sent us in the last fifteen years, we have given her one of equal ability in return.

We make the following liberal extract from a recent pamphlet written by the Hon. Charles Curtis, of Boston, late Justice of the United States Supreme Court, and the distinguished author of the masterly dissenting opinion in the Dred Scott case:

The Proclamation of Emancipation, if taken to mean what in terms it asserts, is an executive decree, that on the first day of January next all persons held as slaves, within such States or parts of States, as shall then be designated, shall cease to be lawfully held as slaves, and shall be their own efforts and with the aid of the military power of the United States, vindicate their lawful rights to their personal freedom.

The persons who are the subjects of this proclamation are held to service by the laws of the respective States in which they reside, enacted by State authority, as clear government, as any law passed by any State on any subject.

This proclamation, then, by an executive decree, proposes to repeal and annul State laws which relate to the relations of their people. Such is the mode of operation of the decree.

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