THE PITTSBURGH POST: SATURDAY MORNING, NOVEMBER 28, 1836.

DAILY POST. The Punishment of Treason The Case of Wm. T. Smithson SATURDAY, NOVEMBER 28, 1863, The Union as 11 Was, The Constitution as It Is,

Where (here is no Law there is no exchange business in that city-

INDIGNANT GALLANTRY. Our remarks in last Tuesday's Post,

upon a paragraph, copied from an Aboli- pondence with the enemy, in violation of tion paper, reassuring its readers that the fifty seventh article of war, and of Mrs. LINCOLN was preparing for an unusu-tion of the same article, has been set. ally gay winter, appear to have aroused tene d to be confined in the penitentiary the indignant gallantry of one of the at Albany, New York, or in such other the indignant gallantry of one of the place as the Secretary of War may direct, for the t-rm of five years. The sectence cial printing company. We de not re has been approved by the President, and member having written anything at all the Secretary of War has designated Al-objectionable; certainly nething so inait bany. New York, as the place of confinemissible as the abolition announcement of ment. the determination to exclude persons with

"large feet and coarse boots" from the able to discover in this circumstance the privilege of the coming series of Presiden evidence of great energy in tial entertainments. After two days re partment, and have awarded Mr. Stanton flection, however, the gallant and gifted such proise as must, with those who can person alluded to, comes to the rescue. and, as is usual in such cases, where there operations of the war. is no defense required, he only succeeds in writing himself "an ass." He com mences his defence of Mrs. LINCOLN from an imaginary assault, by quoting the fol-which they have sworn to support. The fat and comfortable secretary will jeer at " That man who lays his hand upin a woman, Save in the way of kindness, is a wretch. Whom 'twere gross flattery to name a coward."

Those who read our remarks which called forth this quotation, will at once see and will not be able to evade the laws how hard was the Commercial's condition which they have broken and scoffed. Or Wm. T. Smithson's guilt or innocence for something to say; no woulder the writer considered his subject for two days. Besides, this "gifted mind" is at fault in contribution of the line of the second by the general court martial of holding correspondence quoting the lines of ToBIN at all; for, it with and giving intelligence to the enemy. was shall of that clever dramatist, that he in violation of the fifty-seventh article of carries of the court of justice and the war, which prescribes death or a less that by jury. The Constitution declares which be, in his play, makes the Duke We will not discuss the question of his ABANZA so pointedly condemn. We trust innucence, but grant at once that he com-ABANZA SO pointedly condemn. We trust inductive, our grant the against him, that no one of the "gifted minds" about We assert, moreover, that if his guilt were

ings. spite of his every effort under the forms The Commercial as it proceeds from and protection of law to rebut the proof of Tosin's blank verse, to its own powerful his gain, then are years in the point the prose, grows more serious. In reply to should suffer death. It was treason, and our statement that Mrs. Liscols had been nothing short of treason. He owed elle enjoying "the sweet, aminble, virtuous giance to the United States: Le gave and and instructive society' of the modest and and comfort to the enemy, and for that retiring Mrs. JAMES GORDON BENNETT, and of a deserved death, also that of the fashionable CHEVALIER Again, if Mr. Smithson had belonged to WYEOFF, cur neighbor indignantly inthe army in any capacity, high or low and had been proved, in a general sourt-martial, guilty of the crime of which he was charged—giving intelligence to the enemy—than he should not have been let quires, "who told you that Mrs. BENNETT was not a virtuous woman? And then to cap the climax, the "gifted mind" off with a few years in the peniter, that y triumphantly exclaims, "would not a he should have been sentenced to and suffered death. The articles of war, auwhipped spaniel be ashamed of such cowardly inuendo?" Here we pause, and thorized by Congress, give courts martial acknowledge oursel? cornered, 'a whip such power, and it is essential to the such ped spaniel being ashamed of cowardly cessful prosecution of any ar. But Mr. Smithson, innocent or guilt inuendo," rather takes us, and we cry for was a citizen, and not a soldier. quarter.

oldier, he was not therefore amenable But while upon our knees may we not to the fifty seventh of the articles of war modestly venture to inquire what all the which are for the Government of those who belong to the armies of the Commercials bluster and nonsense States. Just as in the case of Mr. Valmeans? Does not the gifted minds of landigbam, the Administration cuts cruss that establishment know, that the conduct wise over all the forms and securities of of their fair heroine has given scandal. law, giving the guilty the luck of punish nent or escape, and robbing the innover until papers of the respectability of the f their righteous and full detance

authority with all needful force. Show also how Daniel Webster would bave regarded such a pro-Last Saturday our Wishington dispatch es contained the following item of herwa protection would have regarded such a pro-cetcher, her this is his language: "the gentleman from Georgia (Mr. "iroup" observed that when persons had concerning Mr. William T. Smithson, a been apprehended for offenses they had person lately engaged in the banking and been rescued by habeas corpus, issued by the civil megistrate. Aid we are to de-liberate whether it be not proper for us to ADJUTANT GENERAL'S OFFICE prevent the delivers of the citizens of this WASHINGTON, Nov. 24. ountry from illegal arrest and imprison William T. Smithson, convicted by in-

ment by the interposition of their great general court martial of holding corresonetitutional remedy, their writ of habeas corpus? The Constitution contains no are vision more valuable, it makes no injunction more direct and imperative than buse respecting trials for treason and the benefits of the habeas corpus. Treason is not le t to be defined. even by the highest courts of law. It was foreseen that, in imea of commotion, victims might be sacrificed to constructive treason; that doctrine which, in other places and other times, has shed so much innocent blood, E. D. TOWNSEND, and which brought Algernon Sydney to Assistant Adjutant General.

Our radical contemporaries have been etines treason, and prescribes the mode f proof. But what is there in the worst War Deor compared, in point of enormity, to the own stables. proposition now before us? This is not to perceive its fitness, go far to atone for the give a la itude of construction to the judge; absence of energy in the purely military it is to take the cause away from the judge and carry it to the camp. Instead of indict-For our parts we can see in this per formance only one more crime committed

ment, arrighment, and trial, it propose the summary process of martial law. If the proposition should pass into a law, it by Secretary Stanton and President Lincolu against the Constitution and the laws takes away the constitutional definition this reminder of his solemn oath. The by jury : makes away the civil tribunal President will tell a story which the alluand establishes the military. sion recalls : but Time does but halt to lution of this sort I cannot believe the give them security, and a day is bastening House will consent to deliberate." when they will not jeer at their perjuries,

Without deliberation and without pause without so much as the unconstitutional authority of a bad act of Congress, President Lincoln and Secretary Stantor have thus broken down another bulwark car coul liberties. No American citis now less likely than before, our of his need, to have the se that no person, not of the army or the militia in actual service, shall be held to answer for a capital crime, unless on pre sentment or indictment of a grand Mr. Smitheon's alleged crime was defined established in the proper courts of law, in and deadly treason. He is a citizen and not a soldier : but President Lincola deincestant no grand jury need have anyhing to do with the business. The court nartial is his grand jury. For the two wit nesses prescribed by law, the court maral may accept one, and he perhaps oundrei rading humself of a creditor. a nyal, or an enemy. And Abraham Line ln 14 the judge who thus, with a tash of his reckless, iawless pen, change a the forum for the trial of treason.

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The best crimes 1 Bound (ying the Uair. This is an arrive 1 at reactive intradiced into this country, by has one been favor bir known by the r. birst of the news there not a favor HAI with the the the theorem internet of any king boung receiver to our the attainment of the boung receiver to compare the attainment of the tesurable results, other than a nature - own muriner forstore le

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known to and used only by the Company in their ewn stables from 1844 until the opening of the Scrofu'a Railway over the principal routes. After the general use of these remedies in all the stables of the Company, their annual sales of condemned stock be scaffeld. The Constitution, therefore, were discontinued, a saving to the Company ex ceeding £7,000 per annum. In 1853 the London Brewers' Association offered the Company £2.(XX ases of construction of treason that can for the receipes and use the articles only in their BLOOD POWDER

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in pearance, condition and strength. London and Interior Royal Mail Company's CELEBRATED BONE OINTMENT, A cortain cure for spavin, ringbone, scratche lumps, tumors, sprains, swellings, bruises, foun derod feet, chillblaiss, wind galls, contractions the tendons, bone enlargements, &c. Blood Powder 50c per 12 oz, packages: Bc: Ointment 500 per Sor. jar. 140. 320 Strand, Lon McKeeson & Rorbins, New York.

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Finding the sore extending of the distribution of the solution of sugar of each and creat positions. Finding these reme-dies of near any and green minor of any approximation of the disease Can we and gree meintern if and extination construction of the disease of the disease of a start of the disease of a start of a start of the disease Can we and gree meintern if and ext the disease Can we and gree meintern if and ext the disease can we and gree meintern if and ext main remoting to ward the noise. In the times the disease can we and gree meintern of a size. This for the chicked the disease but the in-disease of the disease can be the start county, who a strend the disease can be the size proper stream of a remute in the form of saive. This for the chicked the disease but the in-disease of the a strend the disease can be the spear of the size of the chicked the disease can be the spear of the size the a catter way agreester part of my ba, and attacked the nose, when I went to the other disease a can be a cater way agreester part of my ba, and attacked the near super in the same prome of the disease a can be the pro-nound the Klee is Medical College. He pro-nound, the file is many agreester same -ind mether way agreest a cater way agreester part of my ba, and attacked the near super in the same prome of the disease a cater way agreester part of my ba, and attacked the near super in the same prome of the disease a cater s ð **GENTS'** Testimonials: SHORS GLOVES, EST MUSQUETIER KID GLOVES. NT00 LADIES', ashmere Gloves & Gauntlets, ĕ Of Ladies' Cashmere SCARFS & LADIES' SILK SCARFS We have a large supply and soll very cheap. 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In Arril e disens a again for unad, and so violent was the for the for evend as trans a mainter to the set **Hostery and Gloves** in the city, and at the lowest prices pare interret and interret and she internet was the returned to Uneinpart, and again placed my self under the charge of Dr. Newton, with whon I ramaned at soutember, during which time neuses overy known remedy, and party suc-coded in chocking the disease, but when I re-turnes i me there were still three diseases unders up numbers, let ut und have discharging unders up numbers, let ut und have how took MACRUM & GLYDE. 78 MARKET STREET, no28 Between Fourth and Diamond F.)ERSIKR & SCHWARZ, Fancy Goods and Toy House, 164 Smithfield street. that is is the under e that I g t CARPETS. e!t Have Advanced in the East, check, and had

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New York Evening Post, have been com-Again we repeat, grant that Mr. Sturth pelled to notice it. Do they not know son is guilty. Grant that he had commuthat she has been reduked for receiving the visits of WYKOFF, a notorious adven-tarer and rune whom, the Frening Port turer and roue, whom the Evening Post of which Secretary Stanton and Presiden declares is shunned by all respectable Lincoln have been guilty is a more fit. New York society. It they do not know subversion of the letter and spirit of to New York society. It they do not know Supreme law. It is the crime again these things, we will pardon their igno Vallandigham again repeated. Then rance, but if they do they only show their was against a man innocent of treason or want of a proper appreciation of public any crime known to our laws Now : journalism when they attempt to gloss est crime known to our laws. But it is over such unprecedented proceedings. the same crime-unpardousble in ruler-Mrs. LINCOLN'S preparations for unusual It is the sapping of the foundation of gaiety and folly is reprehensible, and if public safety, by those most trusted to she is determined to persist in it she and preserve and defend them. It is treachery in the head of the State her set must not expect to escape the lash Is any reader so little acquainted with the history and laws of his country as 10 of ridicule. The country is not in conregard this as strained language -as to dition for the carryings on of the Wrsevere comment upon the action of th KOFF's at the White House ; and reasona. executive officers, engaged in carryin ble objection, to that National establishon a war? Well, we want the war to succeed as much as Mr. Lincoln wants it to ment being prostituted to such persons' but we don't want the punishment of reb purposes, will not be construed by sensible people into laying "violent hands upon or any one else's excuse for doing the els for violating the Constitution to be hi a woman."

swoman." But the Commercial's bluster may be intended for the stroophere of Washing. intended for the stracephere of Washington; it may have a point to make at head which the Constitution guarantees. quarters; if so it has put its buncome on quarters; if so it has put its bancome on But our language is not strained or too thick; it won't stick Like all toad-view of this matter is not-we neg ies the Commercial bows too low; but no have such keen noses for disloyally matter if thrift will follow fawning. not in the least disloyal. Our view

the matter is the same which Copyres THE COMMERCIAL PRINTING CO. once decided to take. Our language

The managers of this concert appear to tame compared to that in which Daniel think that the proper tone of a public Webster (who is said to have known what journal is an admixture of falsehood and sudded Congress to the same conclusions. ruffianism. This arises from its irrespon-The debate occurred in 1814, when M: sible character, every literary loafer and Webster was representing New Hampshire political quack, who desires to see him. in the House, on a resolution which he self in print, having access to its columns. Genonneed as an anompte to change in forum for the trial of treason from civil ic denounced as an attempt to change the In its issue yesterday it contains a lead military tribunals. Said he : ing article in relation to the Post, of "What is the nature of these cases for which it is deemed necessary to provide which the following is a specimen :

"JEFFERS'N denouncest slavers, the Post up: of treason? It is said information has boots it. He believed that a incjority should been communicated to the enemy, very military punishment ? Are they not cases of treason? It is said information have the property is should rule, the Post connect a mejority should the majority. He bolieved that a mejority is bolieved the property of treason is to be on communicated to the energy, very to decease to discuss the majority. He bolieved the property of our own forces, by citizens of the sole at the heater the major the major from the representation of what is positively that this act * is not treason? It is not treason? It is sole of the sole at the heater the major the majority of the best of the major from the representation of what is positively that this act * is not treason? It is not the sole of the information the use of these there are determined to be the trease of the information the use of the sole at the heater the use of these property for the trianed of the sole of the information the use of these there are determined to the even will only reason and the use of these property for the trianed of the giving to the event and defined to the use of these property is not the use of the bound of the use of these property is not the use of the sole of the information the use of these property is not treason? It has been said by an able physician, that

We inquire Is there any country under the sun, except our own, where such a sheet the Post would not have been suppressed, and it conductors imprisoned, fined or banished? No! not one; and when 'our country requires all its strength and resource to make head against re-b lion." We are alm at sorry that ours is an exception - Commercial. What sorrow can compare with thine,

oh, NATHANIEL, only fined, imprisoned, banished. Ayuthing but banishment. We cannot have thee "gitted mind " version?

The Theatre.

5

sideration of it even for a moment. It Mg. EDITOR: Many of the ladies who goes to destroy the plainest constitutional provisions. If it should prevail. I should have visited the theatre during the engagement of Vestvali, express them solves sat not hesitate to pronounce it a most enor isfied in the management omitting the mous stride of usurvation." It has prevailed by the dictum of the Regent's ball in the second act of the executive-not even preceded by such Dake's motto, and also the programme of an act of Congress as Mr. Webster thus performance. These ommissions they do or not guilty, of a most enormous stride of not particularly complain of, although they are the most interesting portions of and call Mr. Wm. T. Smitheon out of the and he hopse every sufferer will try his romedy. the play. They do feel amazed, however, at receiving what one styles "too much Albany penitentiary and into his presence. at receiving what one styles "too much pork for a shilling," namely an exhibi-tion occasioned by a very low neck dress, worn by one whose rotundity and plump-titude seem to engage much of her atten-tion. When seated upon the imaginary bank, in the gipsy scene, this exhibition is rather striking; too much so for the gaze of all save old the group of al

 beil percentis in Primat Patento Old Age.
beil percentis transviso Falling OF.
beil eus a / Discussa a the Scalp.
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----WHAT IN LLT What is it that clarkins groy whiskers in fi minutes CRISTADORO'S DYE!

What chatges red hair to a rich and sumptue brown Y CRISCADORO'S DYE: nat the contains neither line lead por p trate of silver "

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filed by all Hair Dresser, Price, 11, 31 10, and 3 per box, according to HEGUS & HACKE'S no21 lmd&w BRANDRETH'S PILLS,-WHILE Corner of 5th and Market Stv FRENCH MERINGES, tore the Union uson conditions." Here are just four naked and unblush- the most important service which can be Wherein is the superlative quality. The Brand-It has been said by an able physician, that CASHMERES. FINE WOOL PLAIDS.

Here are just four naked and unblush-ing falsehoods, which the conders of the Post will stone discern. The Post thinks of slavery precisely as Mr. JEFFERSON did, and so in relation to the Union and the right of majorities to govern VEPV coopv COUNTRY BLANKETS. WHITE and PLAID FLANNELS, he courts of law, where the Constitution the most justly famed BRANDERTS'S PILLS. GREY IWIL'D FLANNELS,

bas placed it, and confer it on the m.h. Jillions of Pople whose lives appeared to be lary. Sir, the proposition strikes me as at the last ebo, worn out by ever's consuming fresh by consumption's inside us advances, by racking torments of inflammatory rheumatism, President Lincoln and Secretary Stan ing away of the trial for treason from civil persons are uvin; winesses, and thousands are

to military tribunals. They have simply residents in every city of America. Principal to military tribunais They have simply residents in every city of America. Principal taken it away without considering or Office, No. 294 Canal street, New York. pausing. If Mr. Webster could call thus Seld by **Thomas Redpath**, Diamond Alley. Seld by **Thomas Redpath**, Diamond Alley.

what shall we call its open sub- medicine. no23-1n caunot consent to enteriain the convertiser having been restored to health in a few weeks by a very simple remedy, after having suffered several years with a revere lung af

The undersigned will offer for sale their valu able COAL WORKS, at ection, and that dread disease, Consumptionactions to make known to his fellow sufferer the means of cure. To all who desize it, he will send a copy of the Port Perry, Allegheny co., Pa., At 2d Look, on the Monongahela River, within prescription used (free of charge,) with the direc-tions for treparing and using the same, which

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Being afflicted with a grievous taiter on the arms and fage a tet tryin, many renedies which otters taind to core-1 whe persuaded by W M Barris & to, to try: Lindsevis fil proved Blood-Searcher," and n where woeks after using the second bottle, prinounce myself err.d. The tet-ter br keout something over (ney year ago, on the inside of my sime, extending from the elbows down to the wrise, also on my face, immodiate-ly ar-und the u outh and chin, and continued to be ly around the work and on my mee, immediate a perior to rement to me uon cared by the Blood Searcher My arms were at times aims tu eless, owing to the doep cracks and so is on them. Itsble obler is at any time on the least exartion to lift or work, and sometimes so its y local sarcely provent tearing off my flesh. I base is streety provent tearing off my flesh. I base Mr. Latdrey, and to the puch graeraly, to make this statement is note that there like my-self usy b benefited by up this in aluab e medeine. eddine. mark. Cw. n is and subscribed before see, one of the in and for the sity of Pittsburgh, this 59 MARKET STREET, A derman in and for the oty of Pittsburgh, t stoley of dury C. D. 1883. AN., MCM as TE for another and PETTSBURGH. ELDERTS JAL IN Th, 185 J. M. Lindsey-

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