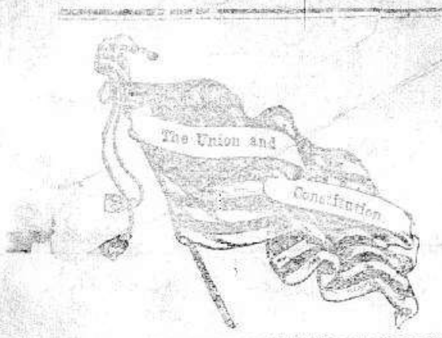

"FOREVER FLOAT THAT STANDARD SHEET."

The South-Western.

BY L. DILLARD & CO.

Office—Corner of Texas and Spring Streets,
IN BAER'S BUILDING—SECOND FLOOR.

SHREVEPORT:

WEDNESDAY ....JANUARY 16, 1867.

THOS. McINTYRE, of New Orleans, is our only duly authorized agent to receive subscriptions and advertisements in that city.

Col. S. D. WOOD, of Marshall, Texas, is duly authorized to receipt for subscriptions.

Mr. JOHN C. LOVE, Minden, La., is duly authorized to receipt for subscriptions.

REV. A. L. HAY is our duly authorised agent to receive and receipt for subscriptions and advertisements.

We are informed by Controller Leonard that the hose for the steam fire engine belonging to this city has arrived in New Orleans, and that both engine and hose were to have been delivered to Mayor Bearman on last Saturday—consequently, they may be looked for on a steamer that left the city on that day. This information comes officially, and may therefore be considered reliable.

MESSRS. Tucker & Thurmond have on hand four thousand pounds of bacon, which they propose to offer out at 15c. per pound.

LEATHER AND HARNESS.—In the present issue of the South-Western we unfurl to the breeze the card of the great importing and wholesale jobbing house, Horter, Peterson & Fenner, No. 7 Magazine street, New Orleans. At the late State Fair they received a premium on saddles, bridles, horse-collars, saddle-trees, belting and belting hose, lubricating oil, double buggy harness, &c. Their agents in this city are Messrs. Tucker & Thurmond, through whom all orders will be promptly filled at New York prices. A price-list of belting from two inches to two feet wide can be seen at their agents' office.

A JEW CHARGED WITH VIOLATING THE SUNDAY LAW.—In Boston on the 3d, a Jew named Simon S. Barry, keeper of a cigar store, was tried and acquitted in the police court, on a charge of violating the Sunday law, by keeping his shop open. The court decided that he was not amenable for doing business on the Christian Sabbath, when he had already kept the Jewish Sabbath.

A Democrat in Boston, taunted by a Radical for voting for a negro, replied that when they cannot elect a Democrat, his party always voted for the next best man.

THE BROOKS HOUSE.—By reference to the card in another column it will be seen that Mr. W. T. Brooks, late of Marshall, Texas, has become the proprietor of this well-known house. We are convinced from the following notices given him by the Texas press that he will give entire satisfaction. The Observer, (Rusk, Texas) speaking of Mr. B. taking charge of this house, (the Commercial Hotel,) says:

Commercial Hotel, Shreveport.—We learn through Col. D. B. Martin, that our old friend, W. T. Brooks, Esq., will take charge of this house some time the present month. The reputation of Mr. Brooks as a landlord is not surpassed in Texas; and with increased facilities at his new location, the travelling public will find new exhibitions of hospitality and attention to their comfort, insuring a prosperous future for this well known establishment. Mr. Brooks is most kindly remembered by many a Confederate soldier in Texas, who, worried and sick, was endeavoring to reach his home and friends on furlough, during the late war, and this gentleman, then general superintendent of the stage line from Marshall to Navasota, had given orders to his subordinates to give them at all times the preference over other passengers, whether they paid their way or not. The bread thus cast on the waters will doubtless return to him, ere many days, in the shape of patronage, from those gallant men, in his new sphere of business.

Marsden's pectoral balm is the most pleasant, safe and efficacious remedy that has ever been discovered for the relief and cure of diseases of the lungs and chest. It can be used by all with perfect safety—removing and curing the coughs, colds, influenza, croups, and all diseases of the chest. For sale by all druggists.

It is said that while George Peabody was at Zanesville, Ohio, he received not less than sixty letters from all parts of the country, soliciting donations for the use of individuals, corporations, for charitable and other purposes—in fact for almost every conceivable object for which money could be applied—to all of which he paid no attention.

HON. Trusten Polk, of Missouri, on behalf of the Southern Relief Association, notifies the President of Police Jury of Rapides that a large shipment of white beans is to be made for the use of the poor of the parishes of Avoyelles, Rapides and Natchitoches.

A scheme is discussed in Paris for the erection of a monster hotel, to contain five thousand rooms.

THE TAX ON COTTON.—The New York Journal of Commerce says of the tax on cotton:

Divested of all associations of political or partisan feeling, and placed solely upon economic grounds, the imposition of such a tax at such a crisis is wholly indefensible. Even those most interested in promoting the growth of cotton in competing fields, are amazed at this exhibition of reckless folly. Unfortunately for all concerned, the idea has been sedulously cultivated that this measure is one of retributive justice, carrying in some way to Southern homes the penalties of treason, and thus its more important bearing upon the vital questions which interest every State are in danger of being overlooked or disregarded.

During the past fiscal year 4,000,000 letters were returned to the Dead Letter Office in Washington.

A vein of marble thirty feet thick, and superior to Italian in fineness, has been opened near Zanesville, Ohio.

A NATIONAL DEMOCRATIC CONVENTION.—The following call for a National Democratic Convention, some intimation of which was given in our telegraphic dispatches last week, we find in late New Orleans papers. The call comes from the west:

There will be a United States National Democratic Convention held in the city of Louisville, Ky., organizing at twelve o'clock M., of Tuesday, May 2, 1867, on which occasion the Democrats of the United States are invited to meet for the purpose of consultation and a reorganisation of the party, and for the defending of the constitutional liberties of the States and the people.

Every congressional district in the United States, from Maine to California, will be entitled to two representatives in the convention, and there will also be one from each State and Territory at large to be elected by the district delegates, and it is suggested that notice be given by the Democrats of each district, and the aforesaid mentioned delegates be elected as soon as possible.

The object of the above National Democratic Convention is to reorganise for victory on the basis of the principles of our fathers—equality of States—no taxation without representation—equal taxation, law, order and domestic tranquility.

Let the memories and examples of the past—the darkness of the future, and the hopes of posterity be our guide and our strength in this great effort in defense of the right, the principle of liberty and the success of that self-government which derives its strength and support from the consent of the governed. THE PEOPLE.

United States, January 8, 1867.

MESSRS. Thayer & Byrne will sell to-day at 10 o'clock A. M., at their salesroom, No. 4 on the levee, groceries, provisions and cigars. Attend their sale.

COTTON VS. BUTTER.—In 1860 the crop of cotton of Georgia was 701,840 bales, and sold for about $30,000,000. The butter made in New York, the same year, yielded $60,000,000, just double; yet we know some model planters who cultivate thousands of acres in cotton, but fear *disgrace* by making butter for sale. Things must change.

The Supreme Court.

The following remarks in reference to the sentiment of the Judges of the Supreme Court are clipped from the New Orleans Picayune:

"The assailants of the Supreme Court for its decision in the Indiana case of military commissions, are much disconcerted by the fact which the publication of the text of the two opinions of majority and minority makes manifest, that on all essential points applicable to the present state of the country, the nine judges are unanimous. There was the majority opinion of five judges, and a minority opinion by four judges; and it was hastily assumed that there was a mere majority of one vote, which might be overcome without resorting to extreme measures for the reconstruction of the entire court.

"The whole court agreed in the opinion that the military commission under review was unlawful; it had no legal jurisdiction, and its sentences are null and void. They concurred in holding that there is no law by which military commissions can be held, under martial law, in any State where there is not flagrant war prevailing, or actual invasion, by force of which the civil courts are closed; and that where such an emergency exists, the authority ceases with the restoration of the normal functions of the judicial tribunals.

"This covers the whole case of all the military commissions held for the trial of civilians, where the civil courts were in the undisturbed possession of their functions—and the case of such military commissions everywhere, and at all times, in time of peace.

"The point of disagreement on which the court divided, is this:

"The majority, composed of Justices Davis, Nelson, Grier, Clifford and Field, held that martial law, and with it the suspension of the writ of habeas corpus, are constitutionally limited to the exigencies of actual war, and to the places where war is so flagrant that the courts are unable to act; and that the power includes arrest and detention, and does not authorise trial and judgment by military commissions. The operation of military law, which is part of the statute law, on persons employed in the army and navy, is of course excepted out of this definition.

"The minority, composed of Chief Justice Chase, Justices Wayne, Swain and Miller, hold, on the contrary, that these military commissions are not lawful because they have not been authorised by any law of Congress, but are, on the contrary, against the intent of an act of Congress passed in 1863. They dissent, however, from the opinion of the majority, which is expressed with emphatic distinctness, that Congress cannot, under circumstances of great public exigency, authorise military commissions to try and punish civilians, under martial law, at times when and in places where the civil courts are open. They maintain that, in time of war, "it is within the power of Congress to determine in what States or districts such great and imminent public danger exists as justifies the authorisation of military tribunals for the trial of crimes and offenses against the discipline and security of the army, or against the public safety.

"This covers, under this doctrine, and in the reasonings by which it is supported, the claim of a vast dispensing power in Congress over all the ordinary forms for administering justice and securing personal rights, to be used in time of war, solely at the discretion of Congress, and, as current history shows, at the pleasure of a mere political party, ruled by a discipline outside of the legitimate organisation of government. For all present purposes, it is an abstract opinion, which can have no vital consequence, even if sustained by a majority of the court, without the concurrence of some great war; except that it might incite an unscrupulous party, to provoke war, in order to establish a condition of affairs in which it could assert unlimited power over the liberty and life of its adversaries.

"It was, however, overruled by the majority, in some golden sentences, which stand out in noble contrast to the loose declamatory passages in which the Chief Justice sets up the practices of administrations and the results of elections, as sources of power, preferable to judicial construction of legislative powers; and justifies, on the demagogue plea of the implacable virtue of the people, the grasping by public functionaries of all powers they may decide to be needed, in case of 'a controlling necessity, which justifies what it compels, and insures indemnity from the justice of the Legislatures.'

"The court rejected these sophistical pleas for arbitrary power, in language befitting the dignity of the theme. We take a few passages, in illustration of the tone of austere vindication of the supremacy of law, which pervades the whole paper.

"Of the inflicting of extra-judicial sentences, it says:

"'No graver question was ever considered by this court, nor one which more nearly concerns the rights of the whole people; for it is the birthright of every American citizen, when charged with crime, to be tried and punished according to law. The power of punishment is alone through the means which the laws have provided for that purpose, and if they are ineffectual, there is an immunity from punishment, no matter how great an offender the individual may be, or how much his crimes may have shocked the sense of justice of the country, or endangered its safety. By the protection of the law human rights are secured; withdraw that protection, and they are at the mercy of wicked rulers or the clamor of an excited people.

"After reciting the constitutional provisions for the due administration of justice, and commenting on their stringency and precision, the Court says that after the lapse of more than seventy years, 'they are sought to be avoided,' and rebukes the attempt in these words:

"'The constitution of the United States is a law for rulers and people, equally in war and in peace, and covers with the shield of its protection all classes of men, at all times, and under all circumstances. No doctrine involving more pernicious consequences was ever invented by the wit of man than that any of its provisions can be suspended during any of the great exigencies of Government. Such a doctrine leads directly to anarchy or despotism, but the theory of necessity on which it is based is false; for the Government, within the Constitution, has all the powers granted to it which are necessary to preserve its existence, as has been happily proved by the result of the great effort to throw off its just authority.'

"Of the current doctrine of Radicalism, that martial law, in time of war, authorises the commander of an armed force to suspend civil law within his District, at his own discretion, as well towards citizens as soldiers, the Court says:

"'Martial law, established on such a basis, destroys every guarantee of the Constitution, and effectually renders the 'military independent of and superior to the civil power'—the attempt to do which by the King of Great Britain was deemed by our fathers such an offense that they assigned it to the world as one of the causes which impelled them to declare their independence. Civil liberty and this kind of martial law cannot endure together; the antagonism is irreconcilable, and in the conflict one or the other must perish.'

Again:

"'But it is insisted that the safety of the country in time of war demands that this broad claim for martial law shall be sustained. If this were true, it could be well said that a country preserved at the sacrifice of all the cardinal principles of liberty is not worth the cost of preservation. Happily, it is not so.'

"These are the great fundamental maxims of civil liberty. They mark the line of difference between the majority of the Court and the Chief Justice and those who sided with him in his obiter opinion of what the power of Congress might be in another state of facts. It is a very sad proof of modern degeneracy, that a furious partisan warfare should be raised against the Court, for which the only assignable basis is the solemn reiteration of those old standard doctrines of constitutional liberty."

LOW-DOWN WHITE MEN.—Within the last few days, as we learn from the Marshall and Mansfield papers, most pitiful robberies have been perpetrated upon freedmen. Near Marshall a white man (?) rode up to two negro wood-choppers and demanded their money. While one was shelling out his all—just 15 cents—the other took to his heels. The robber failed to catch the fugacious freedman, but shot him in the arm. He had four dollars, which he declared he had the best right to, and "wouldn't goff it up nohow." Near Mansfield, a freedman was enticed aside from the road by a white man, on pretense of trading bridles, when he was shot dangerously twice, and robbed. When a white man gets so low down as to rob freedmen, he ought to be made to make short shrift at the nearest tree to where he is caught.

ICE BLOCKADES.—The New Orleans Bulletin of the 8th inst., says the steamer W. R. Arthur, from Cairo, reports an ice gorge in the river at Randolph, forty miles above Memphis. The obstruction is located at a sharp turn or elbow of the river, and likely, on that account, to prove a serious inconvenience to our Louisville and St. Louis packets.

The President and Congress.

President Johnson, in his veto message, does not talk like a man for whom the revolutionary tumbril is waiting to convey him to the guillotine of official decapitation. His words are as calm, his arguments as cool, clear and finished, and his spirit seemingly as assured as though Marat Phillips had not, only the other day, declared his impeachment and removal to be indispensable; as though St. Just Stevens and Robespierre Sumner were not eager to follow up the declaration with action, and as though a frenzied populace were not ready to shriek and dance like drunken satyrs about the wheels that rumbled over the Constitution, hurrying its last defender to execution. The President's firmness is as remarkable as his practical power in opposing the usurpation of Congress has been heretofore small. His intellectual ability appears greater with each remonstrance which he utters. But passion and desperation on the other side appear to increase in even larger ratio. The present message accompanying the veto of the bill to regulate suffrage in the District of Columbia, surpasses in argumentative force, perhaps, as well as in perspicuous terseness of style, any one of his previous messages. But there is slender ground for hoping that it will succeed in arresting the legislation to which it specially refers, or the policy of which that legislation is a consistent part. Mere words are powerless against revolutionary momentum. It is like an independent force, self-impelled and self-accelerated, but incapable of pausing. The radicals in Congress have virtually abolished the executive veto, by acting in permanence as a two-thirds majority resolved to override the constitutional opposition of the President. It is not to be supposed that they will fail to do so in this instance. Not only is it likely that Congress will carry the vetoed measure over the President's head, but that the radicals, still farther emboldened by another case of his ineffectual resistance, and still more infuriated by his persistent endeavor to baffle their designs, will rush with greater precipitation to the adoption of undisguised measures of revolution. Some of their organs, chafing at the recent decision of the Supreme Court indicating a disposition in that tribunal to nullify, judicially, unconstitutional proceedings on the part of any of the branches of the government, are now advising Congress to frame and pursue its reconstructive measures on the assumption that the country is in a "state of institutional anarchy;" and the radical spirits of that fragmentary but ambitious assemblage are but too willing to listen to such advice as the behest and the anticipatory indorsement of the people. In that case we might expect a reconstruction of the Supreme Court, tantamount to its suppression, and proceedings with regard to the President which, if not adequately resisted, would signify in effect the abolition of his office as an independent and coördinate power in the government.

Meantime the spectacle of the President, vainly protesting and vainly waring, noble and admirable as it is in many respects, is a melancholy enactment of the rôle of a political Cassandra. The walls of the constitutional Troy are, it is to be feared, hopelessly shattered. Its assailants are becoming too confident to take the pains to invent disguises for obtaining entrance to the citadel. To-morrow, perchance, it will be on fire; the next day it may be ashes.

Yet, with all these apprehensions and contingencies before the country, the President continues to speak boldly, firmly, and wisely. Politically, the radicals say, he is already beheaded. Officially, he still keeps his head, while the body of his official power, as against congressional encroachments, appears rapidly approaching a degree of attenuation not sensibly distinguishable from nonentity. But the head retains its full size, with all its organs and faculties invigorated rather than impaired, speaking with courage, defiance and sagacity to the last. The "*tete decapitee*" the speaking and prophecying head with which an ingenius artisan has amused and bewildered the Parisian world, may possibly be remembered hereafter as a curious coincident of an analogous exhibition in the gloomiest days of the American republic. But let us devoutly hope that the utterances of the American head will not always be unheeded, bodiless, and inconsequential.

[New Orleans Crescent.

NORTHERN PACIFIC RAILROAD.—The estimates for the construction of the Northern Pacific railroad were sent to the Senate on the 3d. The quartermaster-general estimated that transportation would be required by the war department for 15,000 men and 15,333,000 pounds of military stores, basing his calculation upon the supply of fifteen military posts, each manned with 140 foot and 70 mounted men, ten of them from the eastern terminus and five from the western.

The estimates of the cost of the road, prepared by Brevet Brig. Gen. Simpson, are as follows: For the construction of 204 miles of road, $149,488,665; for rolling stock and fixtures, at $11,200 per mile, $22,899,486; for steamers on the Missouri and Columbia rivers, $3,000,000; for engineering and contingencies, $10,000,000, for tunneling, beyond the estimated average per mile, $11,078,398. These, and other items named, make a total of $206,000,340, or an average per mile of $101,040.

THE SUPREME COURT.—The Supreme Court, as at present constituted, consists of the following named jurists, with the date of their appointment:

1863—S. P. Chase, Ohio, Chief Justice.
1835—James M. Wayne, Georgia.
1845—Samuel Nelson, New York.
1846—Robert C. Grier, Pennsylvania.
1858—Noah Clifford, Maine.
1862—Noah M. Swayne, Ohio.
1862—David Davis, Illinois.
1862—Samuel F. Miller, Iowa.
1863—Stephen J. Field, California.

THE MONTANA GOLD MINES.—Montana, according to recently returned miners, is the richest of all the territories in gulch gold. The lode mines are also said to be very extensive, and properly conducted mills have no trouble in saving a very respectable amount of gold. Attention in Montana is now directed to the Trout Creek lodes, which have suddenly been discovered to be very rich. The locality is about one hundred and thirty miles from the head of navigation, and parties are at work making a direct road, which will, when completed, lessen the distance some seventy-five miles. The records of the mint show receipts of $12,000,000 in Montana gold.

THE BRITISH ARMY.—How to get recruits for the British army is a problem the Government of that country is at present earnestly endeavoring to solve. To add to the popularity of the service various inducements are offered, and among the late advantageous changes made in the rules of the service has been an order giving rations to the wives and families of soldiers on detached duty. Heretofore a married non-commissioned officer or private, when on detached duty, has had the burden of the support of his wife and family in the garrison he has temporarily thrust upon him. Now, however, the wives and families of soldiers are to be given rations out of the public stores, or in place of them the usual commutations.

JEWISH WIDOWS AND ORPHANS.—The twelfth anniversary of the association for the relief of Jewish widows and orphans, was celebrated yesterday by a vocal and instrumental concert, at the hall of the Deutsche Company, at the corner of Bienville street and Exchange Alley. Appropriate orations were delivered by Rev. Henry S. Jacobs and the Rev. J. K. Gutheim. The instrumental music was under the direction of Mr. Robert Meyers, the celebrated violinist, and Mr. Charles Schramm, the famous pianist, who executed together Mendelsohn's Rondo Capriciose in a most brilliant style. Mrs. Schwartz sang Casta Dica from Norma, and as usual, whenever she sings, with a perfect storm of applause. The hall was crowded to overflowing, and both the religious ceremonies and the concert were of a high character. [N. O. Bulletin.

MURDERS, SUICIDES AND ACCIDENTS.—During the past six months nineteen murders have been committed in this city; twenty persons have committed suicide, forty-two have been found drowned and twenty-seven have been killed by other accidents. [N. O. Bulletin.

A Western exchange says the habit of drinking can be cured by giving the drinkers all the liquor they want all the time. That this experiment will prove a success we know. It was tried on a man in Milwaukee, not long since, who, after drinking all the liquor he could hold, for two weeks, imagined he saw snakes, Ben. Butler, and Thad. Stevens, and jumped out of a four-story window, running a curb stone into his head. He has not drank a drop since, nor will he the rest of this century.

THE POLITICAL PRESS.—The era of good feeling cannot dawn upon the country until the pernicious influence of the partisan press is destroyed. The people in both sections of the Union must withdraw their countenance and support of the mischievous partisans who tincture the daily record of current events with the poison that emanates from their sectional pens.

The public mind is excited and inflamed by the demagogues who seek to elevate themselves upon the ruin of those who differ from them in opinion. These unprincipled and unscrupulous men are thoroughly and utterly selfish. They have no regard for the welfare of the people. They are disturbers of the public peace, and strive to excite communities and create discontent through the instrumentality of falsehood and misrepresentation. If the political press were to be extinguished, we should be more harmonious, more prosperous, more thoroughly united, and sectional animosity would be displaced by a love of country, the whole country, and nothing but the country.

[N. O. Commercial.

A massive gold ring is to be presented by the Providence Typographical Union to R. S. Menamin, of Philadelphia, editor of the Printers' Circular, who represented the union at the last national convention at Chicago. The outside of the ring contains the Rhode Island coat-of-arms and the Latin motto "Suum Cuiquis," while on the inside is a suitable inscription.

Marsden's pectoral balm for coughs, colds, influenza.

Ada Isaacs Menken has made up her mind to show herself at the great Paris Exhibition.

An English clergyman recently preached a sermon, in which he said that the newspaper was a part of life's earnest self-culture.

Napoleon has sent one hundred pounds to the Quebec sufferers.

TELEGRAPHIC NEWS.

[For the South-Western.]

Markets.

NEW YORK, January 14, noon.—Gold 134½; exchange, sixty days, 109¼@109⅜. Cotton quiet at 34½@35c. for middling uplands.

NEW YORK, January 14, evening.—Cotton less active; sales 600 bales; middling uplands 34½@35c. The demand for money is a little more active to-day, but all first class borrowers are supplied at 7 per cent. on call. There was a rumor on the street to-day that the Government was soon to pay off composited notes with greenbacks, which would certainly cause greater ease in money. The Treasury will to-morrow commence to disburse nine millions as interest on 7-30's. Gold advanced to 134⅞ at the close. Transactions at the boards to-day have been very heavy; mining shares have been firmer.

NEW YORK, January 15, noon.—Gold 134⅝. Cotton quiet at 34½@35c. for middling uplands.

NEW YORK, January 15, evening.—Cotton dull, and a shade lower; sales 500 bales; uplands 34½c.; receipts for the week 10,000 bales; exports for the same period, 14,000 bales; stock on hand and on ship board not cleared, 188,000 bales; receipts at all ports since September 1st, 810,000 bales against 976,000 bales same period last year. Gold 135. United States 5-20's of 1862, 107¼, of 1864, 105¾, of 1865, 105⅞; new issue, 104¼; 10-40's, 99⅞; 7-20's, 104¼; Missouri 6's, 93.

NEW ORLEANS, January 14.—Sugar nominal. Cotton 31c. for low middling. Rio coffee in fair demand at 24c.; raw whisky $2 30.

NEW ORLEANS, January 15, evening.—Cotton firm; sales 5700 bales; low middling 31@31½c.; middling 32@32½; receipts during the last four days 15,500 bales against 12,800 bales for the four days previous; exports 16,600 bales; sugar active, demand fair, at 11¼c. ₰ lb.; molasses in good demand; common 60@65c.; prime to choice 66@72c. ₰ gallon; sterling exchange 46; New York exchange ⅛c. discount; freights, New York, 1¼ by sail; 1⅜ by steamer; Liverpool ⅝@11-16d.; Havre 1½c.; freight on gold 1¼.

Congressional.

WASHINGTON, January 14.—*Senate.*—Mr. Ramsey presented a petition asking for an appropriation for the improvement of the Mississippi river. Referred to the Committee on Commerce.

The following were presented: A bill declaring the forfeiture of certain privileges and citizenship for acts of rebellion against the United States, and providing for the restoration of these privileges in certain cases. Referred to the Judiciary Committee. Also, a bill to establish civil governments in the States lately in rebellion. Referred to the Committee on Reconstruction.

House.—The Committee on Territories have instructed Ashley to report his amendment to the bill to establish a civil government in North Carolina as a substitute for Stevens', now before the House.

A bill was introduced and referred to the Committee on Ways and Means, to repeal so much of the internal revenue act as imposes tax on unmanufactured cotton.

Mr. Sloan, of Missouri, delivered a speech on Kelso's resolution to impeach the President, in which he made the usual charge of usurpation indulged in by radical orators.

Mr. Cook, of Illinois, reported from the Judiciary Committee a bill amending that portion of the law approved February 24th, 1864, which authorised the Secretary of War to appoint commissioners in each of the loyal slave States to award compensation to owners of colored volunteers, so as to suspend the powers and compensation of said commissioners. The bill was passed.

A resolution was adopted declaring it to be the duty of the Government to give effect to the manifest wish of the nation, by declaring against the further importation of coolies into this hemisphere or the adjacent islands.

The Nebraska bill was taken up and discussed at length. A vote will be taken to-morrow.

The Senate was engaged in the discussion of the bill to regulate the tenure of office. Adjourned without a vote.

WASHINGTON, January 15.—*Senate.*—Senator Wiley presented a memorial for the constitutional amendment abolishing all inequality in political rights on account of race or color. Referred to the Franchise Committee.

WASHINGTON, January 15.—*Senate*—The chair laid before the Senate a communication from the Governor of South Carolina, transmitting the certificate of election of James B. Campbell. Laid on the table.

Mr. Howard called up the resolution heretofore introduced by him, instructing the committee on foreign relations to inquire into the present relations between France, Mexico and the United States, as to the possibility of the withdrawal of the French troops, and as to the ability of Maximilian's maintaining himself, &c. Mr. Howard said our trade and commerce had been much injured by the war carried on for several years. The country wanted to know the exact status; the dignity and interests of this nation require that this Government should take such measures as will secure the immediate restoration of peace, and the reinstatement of the republican government.

The resolution was laid aside for the bill regulating the tenure of office. Pending the discussion of the latter the Senate adjourned.

House.—On motion of Mr. Cobb, the Committee on Claims was instructed to ascertain and report the facts connected with the capture of Jefferson Davis and the connection of the fourth Michigan and first Wisconsin cavalry regiments therewith. The committee have power to send for persons and papers.

The House then proceeded to the consideration of the Nebraska bill, and a general debate followed. A vote will be taken at three o'clock.

The House took up the bill for the admission of Nebraska into the Union. The Senate had inserted one condition to her admission, that the word "white" in her constitution should not discriminate against citizens on account of race or color. Mr. Boutwell moved to amend by substituting as a condition precedent that the Nebraska Legislature should give suffrage to all, without distinction of race or color. During the debate, Mr. Davis, of New York, wished to know if Congress had a right to impose conditions upon a new State and enforce those conditions without the consent of the people? Mr. Farnsworth said that Congress clearly had that right; it was simply granting a Territory a charter to become a State, and there was as much authority to impose a condition as to impose a condition on a Territory while it is a Territory. Mr. Hise, of Kentucky, and others opposed the bill. It was passed, with Boutwell's amendment, by a vote of 103 against 55.

The bill for the admission of Colorado, with similar conditions precedent, passed by a vote of 70 against 58. Adjourned.

Miscellaneous.

WASHINGTON, January 13.—The opinion of the Supreme Court is to be given on the question presented in the cases, *ex parte*, of Maer, of Louisiana, and Garland and Martin, of Arkansas, who, having participated with the rebellion in the South, ask to be readmitted to practice at the bar of that tribunal, and involving more particularly the constitutionality of the law extending to attorneys in the United States courts the provisions of the act of July, 1862, which requires a test oath of civil, military and naval officers, with the penalty for perjury.

WASHINGTON, January 14.—Advices received here from Europe state that a large quantity of gold securities will be returned to this country by the next steamer. The business community there are becoming weary of such investments since the threatened impeachment question takes a tangible shape.

Stanton, it is said, has been subpoenaed as a witness before the House Judiciary Committee, in the matter of impeachment of the President.

The Associate Justice Field to-day, delivered the opinion of the United States Supreme Court in the Missouri test oath case, John A. Cummings, a Roman Catholic priest, who was indicted for preaching and teaching without taking the oath prescribed by the constitution of that State, being plaintiff in error. The court decides the test oath in this case unconstitutional, in the nature of punishment without trial, and in its character *ex post facto*, and as bill of attainder. The judgment of the court below is reversed with directions that plaintiff shall depart without delay.

Associate Justice Field, also delivered an opinion of the court in the *ex parte* cases of Garland and Moore, who, having taken part in the rebellion, ask to be readmitted to practice in the court. Held that as the statute enjoins a punishment which may not be unpunishable at the time the offense was committed, it is in its nature and *ex post facto* law. Attorneys are not officers of the United States; they are officers of the court, and hold their offices during good behavior. The court is not the register of the edicts of any other power. The applicants obtained a pardon from the President, which relieves them from the consequences of the offense, and makes the citizen in view of law what he was before it was committed. Congress cannot limit the prerogative of mercy, which should not be fettered by legislative restriction. It followed that the prayer of the petitioner must be granted; also the prayer of Mr. Moore. The rule which requires an attorney to take the test oath must be rescinded, and the order is made accordingly. Associate Justice Miller, for himself, Chief Justice Chase, and Associates Swayne and Davis, read a dissenting opinion.

WASHINGTON, January 15.—The New Orleans Riot Committee will resume their investigation in Washington, calling before them General Baird, in command at New Orleans at the time of the riot.

Missouri has submitted her bill of expenses for calling out and equipping the State troops during the war. It amounts to seven millions, or two millions less than was at first claimed.

Bonds to the amount of $640,000 have been secured to the Central Pacific Railroad for 20 miles more of completed road.

NEW YORK, January 14.—The steamer Manhattan, with European dates to the 2d and 3d inst., has arrived.

The Times says the year of 1867 brings peace as a new year's gift to Europe, and financially never did a year open with better promise.

The Emperor Napoleon, in his address to the diplomatic body on the 1st said: "The opening of the new year furnishes me an opportunity of expressing my wishes for the stability of thrones and the prosperity of nations. I hope we are entering upon a new era of peace and conciliation, and that the universal exhibition will contribute towards cooling the passions and drawing closer the general interests."

NEW YORK, January 15, noon.—A Nashville special to the Tribune, says the Legislature will undoubtedly pass at an early day a law extending suffrage to the freedmen.

A convention of pilots has forbidden the participation of any pilots of this harbor in the proposed race across the Atlantic between pilot boats, and therefore the match between J. D. Jones and Hope has been broken off.

NEW YORK, January 15, evening.—The steamer Monterey has arrived from New Orleans; Saragossa from Charleston, and the Saratoga from Norfolk.

ALBANY, January 15, evening.—Roscoe Conkling was elected Senator to-day.

HARRISBURG, PA., January 15, noon.—Governor Geary was inaugurated with imposing ceremonies. His inaugural is intensely radical, and upholds Congress. He says upon its deliberations and actions, our present interests and future welfare all depend.

HARRISBURG, PA., January 15, evening.—Cameron was elected United States Senator to-day. The Democratic members voted for Cowan.

ST. LOUIS, January 15, noon.—It is reported that Gov. Fletcher has again stationed two companies of militia in Lafayette county, to the displeasure of the conservatives.

ST. PAUL, January 15, noon.—A bill has been introduced in the House to strike the word "white" from the constitution; also, a resolution, requesting Senator Norton to resign.

COLUMBIA, S. C., January 14.—The freedmen are leaving this vicinity in such numbers as to excite alarm for the future cultivation of the land. They are chiefly bound for Florida, whither they are transported at Government expense, at about $5 per head, and a promise of rations until the working season. The main reason for leaving, are hopes they indulge of better employment in the new region to which they are destined.

Cable Dispatches.

LONDON, January 13.—The London Globe has an editorial in which it says the Eastern question has become so pressing that it demands the immediate attention of European powers. It is the opinion of the Globe that a general conference of the leading powers will be proposed on the subject.

Advices from the East report that an insurrection is on the point of breaking out in Bosina.

LONDON, January 13, evening.—A report from Madrid states that Garibaldi has gone to the island of Candia.

LONDON, January 14, evening.—U. S. 5-20's, 72⅞; consols for money closed at 90.

LONDON, January 15, noon.—The project of the Spanish loan looks like a failure.

LIVERPOOL, January 12.—United States 5-20's at Frankfort 75⅞.

LIVERPOOL, January 14, noon.—Cotton opened quiet and steady; sales estimated at 7000 bales; middling uplands are still quoted at 14¼d.

The steamer Humphrey, which cleared from this port for New York, was lost at sea near Holly Head, Wales, a few days since. All on board except the captian and one man were drowned.

LIVERPOOL, January 14, evening.—Cotton market closed very dull, and the days' sales did not even reach the noon estimate; total sales reached about 6000 bales, notwithstanding the dullness of prices; middling uplands remain firm at 14¼d.

LIVERPOOL, January 15, noon.—Cotton opened heavy, though prices are unchanged. Sales will probably foot up 5000 bales. Middling uplands 14⅛d.

PARIS, January 14, noon.—There is a vague rumor afloat, but not confirmed, that a desperate plot to assassinate the Emperor Napoleon had been discovered and frustrated by the officials.

PARIS, January 15.—The United States steamer Miantonomah, with other vessels of the squadron, is now at Barcelona, Spain. Great crowds of people visited her.

The last of the transports for Vera Cruz to bring home the French troops from Mexico, left Toulon late last evening.

BERLIN, January 13.—The North German Gazette denies that Bismark has issued any diplomatic circular, as was recently reported.

PESTH, January 13.—A motion has been introduced into the Hungarian Diet, declaring that the decree lately issued for the reorganisation of the army is void, and all who order its execution shall be punished for treason.

ST. PETERSBURG, January 13.—The Czar and members of the imperial court were present at the ball lately given in aid of the suffering families of the Cretans.

News Items.

From May to November, 1866, the exports of Chicago amounted to nearly two millions of dollars.

The gold mines on the Potomac river, not far above Washington, are being worked with fair profit.

There are 202 daily, tri-weekly and weekly papers published on the Pacific coast at this time.

There are now seventy-eight manufactories of cotton, calico and woolen goods in Georgia.

The cotton crop of Egypt this year is estimated at $100,000,000 in value.

Wm. Frost, of Norway, Maine, raised 240 bushels corn in the ear upon a single acre the past season.

Wool eight and a half inches long has been taken from a Cotswold lamb, in Lyndon, Vermont.

Albert Pike, it is said, has become associated with the editorial department of the Memphis Appeal.

The sugar in the cellars of the sugar house at Portland, Maine, destroyed by fire last July, is still burning. This is a candid fact.

Miss Gregg, of South Carolina, sister of the late rebel General Maxey Gregg, has gone to Liberia as a missionary.

A German writer has come out with an apology for Judas Iscariot. He thinks Judas has been misconceived and misrepresented.

It is estimated that 4,000 houses have been built in Cleveland, Ohio, in 1866, and yet there are no houses to rent.

The grand jury of Madison county, Mississippi, has complimented Major General Wood for impartiality and justice in his administration of the Freedmen's Bureau.

John Smith, of Pleasant Mills, N. J., is 117 years old, has been blind seventeen years, but is otherwise unimpaired in mental and physical faculties.

A Radical paper says it will tax the wisdom of Congress heavily to undo the mischief done by the President. But the wisdom of Congress can't bear a heavy tax, retorts Mr. Prentice.

When Lynch received Roberts' "I regret to inform you I do not think you are to be hanged," he is reported to have said, "no nonse is good news!"

The world's product of pig iron for 1865 was as follows: England 4.910,000 pounds; France 1,301,000; United States 1,100,000; Belgium 580,000; Sweden and Norway 525,000; other countries 600,000; total 9,020,000.

It appeared in evidence in a photograph case before the Circuit court at Washington, last Friday, that 25,000 cartes de visite of General Robert E. Lee were sold in Washington immediately after that commander's surrender.

A resident of Bucyrus, Ohio, is about shipping to the Governor of Georgia, for the poor of that State, six car loads of wheat, six of corn, and six barrels each of pork and beef.

The census of Illinois, taken last year and just published, shows a population of 2,141,510, as follows: White males, 1,093,111; white females, 1,031,059. Total white population 2,024,170. Colored males, 9112, colored females, 3228. Total 12,340.

The Boston Courier, in speaking of the tour of Radical Congressmen to New Orleans, says: Isn't this a convincing evidence of the pacification of the South? They would have hardly gone there in time of war.

The Evansville Journal chronicles the death of David Aiken, at the age of 80 years, who walked from New Orleans on a race with the first steamboat that ever came up the river to his place in Warrick county, beating the boat two days.

Why are there so few convicts in the Michigan penitentiary this year, asked Sam's friend a day or two since. "Why," said Sam, "they send them by the Pontiac railroad, and their time expires before they get here.

WHISKY FRAUDS.—Ninety millions of gallons of whisky were made in the United States in 1860, according to the census, while the last report of the revenue commissioners returned but ten millions. This enormous deficiency is not to be accounted for by any increase in either demand or supply, but solely by the fact that the tax on whisky is now two dollars a gallon. The special committee which Congress appointed to investigate the frauds in the revenue department has work enough before it; for even if we suppose that the tax has decreased the manufacture of whisky thirty million gallons since 1860, there would not be cause to suspect that the treasury has been defaulted of $100,000,000. All that we have published of the frauds in this city is nothing compared to those undiscovered; yet the committee has learned that there are three thousand small distilleries in this city where whisky is illegally made, and that government officers protect the swindle. To complete its investigation here; the committee will reässemble in New York in January, and will afterward visit the western cities. The work seems as endless as that of the Denaides; but even the imperfect investigation, which is all we can reasonably expect, will save millions of dollars. Of more permanent importance is the effort the committee will make to reörganise the revenue system, so as to prevent further frauds; but the discussion of the methods proposed is premature before the work is done and their report submitted to Congress.

[New York Tribune.

The Newburyport (Mass.) Herald says one of the intelligent and independent voters, on Monday last, with a brick in his hat, was given a dollar to vote a certain ticket. He reached the ballot-box safely, but was a little confused in mind, and through his watering eyes all things appeared dim, like the fag end of dissolving views, when with a sudden jerk he thrust the greenback into the ballot-box and put the ballot in his pocket, and started for home. Some of the boys tried to tell him that it was not a religious meeting, and the box where he had deposited his money was not a contribution box; but he hurried home neither wiser or richer from his day's work.

President's Veto of the Bill to Regulate

ELECTIVE SUFFRAGE IN THE DISTRICT OF COLUMBIA.

[By Telegraph to the N. O. Cresent.]

To the Senate of the United States:

I have received and considered a bill entitled "An act to regulate the elective franchise in the District of Columbia," passed by the Senate on the 13th of December, and the House of Representatives on the succeeding day. It was presented for my approval, on the 26th ultimo, six days after the adjournment of Congress, and is now returned, with my objections, to the Senate, in which house it originated. Measures having been introduced, at the commencement of the first session of the present Congress, for the extension of the elective franchise to persons of color, in the District of Columbia, steps were taken by the corporate authorities of Washington and Georgetown to ascertain and make known the opinion of the people of the two cities upon a subject so immediately affecting their welfare as a community. The question was submitted to the people at special elections, held in the month of December, 1865, when the qualified voters of Washington and Georgetown, with great unanimity of sentiment, expressed themselves opposed to the contemplated legislation. In Washington in a vote of 6556, the largest, with but two exceptions, ever polled in that city, only thirty-five ballots were cast for negro suffrage, while in Georgetown in an aggregate of 813 votes, a number considerably in excess of the average vote at the four preceding annual elections, but one was given in favor of the proposed extension of the elective franchise. As these elections seem to have been conducted with entire fairness, the result must be accepted as a truthful expression of the opinion of the people of the district upon the question which evoked it. Possessing as an organised community the same popular right as the inhabitants of a State or Territory to make known their will upon matters which affect their social and political condition, they could have selected no more appropriate mode of memorialising Congress upon the subject of this bill than through the suffrages of their qualified voters. Entirely disregarding the wishes of the people of the District of Columbia, Congress has deemed it right and expedient to pass the measure now submitted for my signature. It therefore becomes the duty of the Executive, standing between the legislation of the one and the will of the other, fairly expressed, to determine whether he should approve the bill, and thus placing upon the statute books of the nation a law against which the people to whom it is to apply have solemnly and with much unanimity protested, or whether he should return it with his objections, in the hope that, upon reconsideration, Congress, acting as the representative of the inhabitants of the seat of government, will permit them to regulate a purely local question, as to them may seem best suited to their interests and condition. The District of Columbia was ceded to the United States by Maryland and Virginia in order that it might become the permanent seat of government of the United States. Accepted by Congress, it at once became subject to the exclusive legislation for which provision is made in the Federal Constitution. It should be borne in mind, however, that in exercising its functions as the law-making power of the District of Columbia, the authority of the national legislature is not without limit, but that Congress is bound to observe the letter and spirit of the constitution as well in the enactment of local laws for the seat of government as in legislation common to the entire Union. Were it to be admitted that the right to exercise exclusive legislation in all cases whatsoever conferred upon Congress unlimited power within the District of Columbia, titles of nobility might be granted within its boundaries, laws might be made respecting an establishment of religion, or prohibiting the free exercise thereof, or abridging the freedom of speech, or of the press, or the right of the people peacefully to assemble and to petition the government for a redress of grievances. Despotism would thus reign at the seat of government of a free republic and as a place of permanent residence. It should be avoided by all who prefer the blessings of liberty to the mere emoluments of official position. It should also be remembered in legislating for the District of Columbia under the federal constitution that the relation of Congress to its inhabitants is analogous to that of a legislature to the people of a State under their own local constitution. It does not therefore seem to be asking too much that in matters pertaining to the district, Congress should have a like respect for the will and interests of its inhabitants as is entertained by a State legislature for the wishes and prosperity of those for whom they legislate.

The spirit of our Constitution and the genius of our government require that in regard to any law which is to affect and have a permanent bearing upon a people, their will should exert at least a reasonable influence upon those who are acting in the capacity of their legislators. Would, for instance, the legislature of the State of New York, or of Pennsylvania, or of Indiana, or of any State in the Union in opposition to the expressed will of a large majority of the people whom they were chosen to represent, arbitrarily force upon them as voters all persons of the African or negro race, and make them eligible for office without any other qualification than a certain term of residence? In neither of the States named would the colored population, when acting together, be able to produce any great social and political result. In New York before he can vote the man of color must fulfill conditions that are not required of white citizens. In Pennsylvania the elective franchise is restricted to the white freemen, while in Indiana negroes and mulattoes are expressly excluded from the right of suffrage. It hardly seems consistent with the principles of right and justice that representatives of States where suffrage is either denied the colored man or granted to him on qualifications requiring intelligence or property, should compel the people of the District of Columbia to try an experiment which their own constituents have thus far shown an unwillingness to test for themselves; nor does it accord with our republican ideas that the principle of self-government should lose its force when applied to the residents of the District, merely because their legislators are not like those of the States, responsible through the ballot to the people for whom they are the law-making power. The great object of placing the seat of government under the exclusive legislation of Congress, was to secure the entire independence of the general government from undue State influence and to enable it to discharge, without danger of interruption or infringement of its authority, the high functions for which it was created by the people. For this important purpose it was ceded to the United States by Maryland and Virginia, and it certainly never could have been contemplated as one of the objects to be attained by placing it under the exclusive jurisdiction of Congress that it would afford to propagandists or political parties a place for an experimental test of their principles and theories. While indeed the residents of the seat of government are not citizens of any State, and are not therefore allowed a voice in the electoral college, or representation in the councils of the nation, they are nevertheless American citizens, entitled as such to every right which pertains to citizens of our common country.

In all matters then affecting their domestic affairs the spirit of our democratic form of government demands that their wishes should be consulted and respected, and they ought to feel that, although not permitted practically to participate in national concerns, they are nevertheless under a paternal government regardful of their rights, mindful of their wants, and solicitous for their prosperity. It was evidently contemplated that all local questions would be left to their decision, at least to an extent that would not be incompatible with the object for which Congress was granted the exclusive legislation over the seat of government. When the Constitution was yet under consideration, it was assumed by Mr. Madison that its inhabitants would be allowed a municipal legislature, for local purposes derived from their own suffrage. When for the first time Congress in the year 1800 assembled at Washington, President Adams, in his speech at the opening, reminded the two houses that it was for them to consider whether the local powers over the District of Columbia vested by the Constitution in the Congress of the United States should be immediately exercised, and he asked them to consider it as the capital of a great nation advancing with unexampled rapidity in the arts, in commerce, in wealth and in population, and possessing within itself those resources, which, if not thrown away or lamentably misdirected, would secure to it a long course of prosperity and self-government. Three years had not elapsed when Congress was called upon to determine the propriety of retroceding to Maryland and Virginia the jurisdiction of this territory, which they had respectively relinquished to the government of the United States. It was urged, on the one hand, that exclusive jurisdiction was not necessary or useful to the government; that it deprived the inhabitants of the District of their political rights; that much of the time of Congress was consumed in legislation pertaining to it; that its government was expensive; that Congress was not competent to legislate for the District, because the members were strangers to its local community, and that it was an example of a government without representation, an experiment dangerous to the liberties of the States. On the other hand it was held among other reasons, and successfully, that the Constitution, the act of cession of Virginia and Maryland, and the act of Congress accepting the grant, all contemplated the exercise of exclusive legislation by Congress, and that its usefulness, if not its necessity, was inferred from the inconvenience which was felt for the want of it by the Congress of the confederation; that the people themselves, who it has been said had been deprived of their political rights, had not complained and did not desire a retrocession, that the evil might be remedied by giving them a representation in Congress when the District should become sufficiently populous, and in the meantime a local legislature; that if the inhabitants had not political rights they had great political influence; and that the trouble and expense of legislating for the District would not be great but would diminish, and might in a great measure be avoided by a local legislature; and that Congress could not retrocede inhabitants without their consent. Continuing to live substantially under the laws that existed at the time of the cession and such changes only having been made as were suggested by themselves, the people of the District have not sought by a local legislature that which has generally been willingly conceded by the Congress of the nation.

As a general rule sound policy requires that the Legislature should yield to the wishes of a people when not inconsistent with the Constitution and the laws. The measures suited to one community might not be well adapted to the condition of another, and the persons best qualified to determine such questions are those whose interests are to be directly affected by any proposed law. In Massachusetts, for instance, male persons are allowed to vote without regard to color, provided they possess a certain degree of intelligence.

In a population in that State of 1,231,066 there were, by the census of 1860, only 9602 persons of color, and of the males over twenty years of age there were 339,086 white, and 2602 colored. By the same official enumeration there were in the District of Columbia 60,764 whites, to 14,316 persons of the colored race. Since then, however, the population of the District has largely increased, and it is estimated that at the present time there are nearly a hundred thousand whites, to thirty thousand negroes. The cause of the augmented numbers of the latter class needs no explanation. Contiguous to Maryland and Virginia the district during the war became a place of refuge for those who escaped from servitude, and it is yet the abiding place of a considerable proportion of those who sought within its limits a shelter from bondage. Until then held in slavery, and denied all opportunities for mental culture, their first knowledge of the Government was acquired when, by conferring upon them freedom, it became the benefactor of their race. The test of their capability for improvement began when for the first time the career of free industry and the avenues to intelligence were opened to them. Possessing these advantages but a limited time, the greater number perhaps having entered the District of Columbia during the later years of the war, or since its termination, we may well pause to inquire whether, after so brief a probation, they are as a class capable of an intelligent exercise of the right of suffrage and qualified to discharge the duties of official position.

The people, who are daily witnesses of their mode of living, and who have become familiar with their habits of thought, have expressed the conviction that they are not yet competent to serve as electors, and thus become eligible for office in the local governments under which they live. Clothed with the elective franchise, their numbers, already largely in excess of the demand for labor would be soon increased by an influx from the adjoining States. Drawn from fields where employment is abundant, they would in vain seek it here, and so add to the embarrassments already experienced from the large class of idle persons congregated in the District. Hardly yet capable of forming correct judgments upon the important questions that often make the issues of a political contest, they could readily be made subservient to the purposes of designing persons. While in Massachusetts under the census of 1860 the proportion of white to colored males over twenty years of age was one hundred and thirty to one, here the black race constitutes nearly one-third of the entire population, whilst the same class surrounds the District on all sides ready to change their residence at a moment's notice and with all the facility of a nomadic people, in order to enjoy here, after a short residence, privileges they find nowhere else. It is within their power in one year to come into the District in such numbers as to have the supreme control of the white race, and to govern them by their own officers, and by the exercise of all the municipal authority, among the rest of the power of taxation over property in which they have no interest. In Massachusetts where they have enjoyed the benefits of a thorough educational system, a qualification of intelligence is required, while here suffrage is extended to all, without discrimination as well to the most incapable who can prove a residence in the District of one year, as to those persons of color who comparatively few in number are permanent inhabitants, and having given evidence of merit and qualification, are recognised as useful and responsible members of the community. Imposed upon an unwilling people placed by the Constitution under the exclusive legislation of Congress, it would be viewed as an arbitrary exercise of power, and as an indication by the country of the purpose of Congress to compel the acceptance of negro suffrage by the States. It would engender a feeling of opposition and hatred between the two races which, becoming deep rooted and ineradicable, would prevent them from living together in a state of mutual friendliness. Carefully avoiding every measure that might tend to produce such a result, and following the clear and well ascertained popular will we should assiduously endeavor to promote kindly relations between them, and thus, when the popular will leads the way, prepare for the gradual and harmonious introduction of this new element into the political power of the country. It cannot be urged that the proposed extension of suffrage in the District of Columbia is necessary to enable persons of color to protect either their interests or their rights. They stand here precisely as they stand in Pennsylvania, Ohio and Indiana.

Here, as elsewhere, in all that pertains to civil rights, there is nothing to distinguish this class of persons from citizens of the United States; for they possess the "full and equal benefit of all laws and proceedings for the security of person and property, as is enjoyed by white citizens," and are made "subject to like punishment, pains and penalties, and to none other, any law, statute, ordinance, regulation or custom to the contrary notwithstanding." Nor, as has been assumed, are their suffrages necessary to aid a loyal sentiment here, for local governments already exist of undoubted fealty to the Government, and are sustained by communities which were among the first to testify their devotion to the Union, and which during the struggle furnished their full quotas of men to the military service of the country. The exercise of the elective franchise is the highest attribute of an American citizen, and when guided by virtue, intelligence, patriotism and a proper appreciation of our institutions, constitutes the true basis of a democratic form of government in which the sovereign power is lodged in the body of the people. Its influence for good necessarily depends upon the elevated character and patriotism of the elector, for if exercised by persons who do not justly estimate its value and who are indifferent as to its results, it will only serve as a means of placing power in the hands of the unprincipled and ambitious, and must eventuate in the complete destruction of that liberty of which it should be the most powerful conservator. Great danger is, therefore, to be apprehended from an untimely extension of the elective franchise to any new class in our country, especially when the large majority of that class, in wielding the power thus placed in their hands, cannot be expected correctly to comprehend the duties and responsibilities which pertain to suffrage. Yesterday, as it were, four millions of persons were held in a condition of slavery that had existed for generations; to-day they are freedmen and are assumed by law to be citizens. It cannot be presumed from their previous condition of servitude that as a class they are as well informed as to the nature of our Government as the intelligent foreigner who makes our land the home of his choice. In the case of the latter neither a residence of five years and the knowledge of our institutions which it gives, nor attachment to the principles of the Constitution, are the only conditions upon which he can be admitted to citizenship. He must prove in addition a good moral character and thus give reasonable grounds for the belief that he will be faithful to the obligations which he assumes as a citizen of the republic. Where a people (the source of all political power) speak by their suffrages through the instrumentality of the ballot box, it must be carefully guarded against the control of those who are corrupt in principle, and enemies of free institutions; for it can only become to our political and social system a safe conductor of healthy popular sentiment when kept free from demoralising influences. Controlled through fraud and usurpation by the designing, anarchy and despotism must inevitably follow. In the hands of the patriotic and worthy, our Government will be preserved upon the principles of the Constitution inherited from our fathers. It follows, therefore, that in admitting to the ballot box a new class of voters not qualified for the exercise of the elective franchise, we weaken our system of government instead of adding to its strength and durability. In returning this bill to the Senate, I deeply regret that there should be any conflict of opinion between the legislative and Executive departments of the Government in regard to measures that vitally affect the prosperity and peace of the country. Sincerely desiring to reconcile the States with one another, and the whole people to the Government of the United States, it has been my earnest wish to coöperate with Congress in all measures having for their object a proper and complete adjustment of the questions resulting from our late civil war. Harmony between the coördinate branches of the Government, always necessary for the public welfare, was never more demanded than at the present time, and it will therefore be my constant aim to promote, as far as possible, concert of action between them. The differences of opinion that have already occurred have rendered me only the more cautious, lest the Executive should encroach upon any of the prerogatives of Congress, or, by exceeding in any manner the constitutional limit of his duties, destroy the equilibrium which should exist between the several coördinate departments, and which is so essential to the harmonious working of the Government. I know it has been urged that the Executive department is more likely to enlarge the sphere of its action than either of the other two branches of the Government, and especially in the exercise of the veto power conferred upon it by the Constitution. It should be remembered, however, that this power is wholly negative and conservative in its character, and is intended to operate as a check upon unconstitutional, hasty and improvident legislation, and as a means of protection against invasions of the just power of the Executive and Judicial departments. It is remarked by Chancellor Kent that, "To enact laws is a transcendent power, and if the body that possesses it be a full and equal representation of the people, there is danger of its pressing with destructive weight upon all the other parts of the machinery of government. It has, therefore, been thought necessary by the most skillful and most experienced artists in the science of civil polity that strong barriers should be erected for the protection and security of the other necessary powers of the Government. Nothing has been deemed more fit and expedient for the purpose than the provision that the head of the Executive department should be so constituted as to secure a requisite share of independence, and that he should have a negative upon the passing of laws, and that the judiciary power resting on still more permanent basis should have the right of determining upon the validity of laws by the standard of the Constitution. The necessity of some such check in the hands of the Executive is shown by reference to the most eminent writers upon our system of government, who seem to concur in the opinion that encroachments are most to be apprehended from the department in which all legislative powers are vested by the Constitution. Mr. Madison, in referring to the