

SPiRiT OF THE PRESS.

EDITORIAL OPINIONS OF THE LEADING JOURNALS UPON CURRENT TOPICS—COMPILED WEEKLY BY THE EVENING TELEGRAPH.

The Constitutional Amendment.

From the N. Y. Nation. The Suffrage Amendment as it passed the House was in these words:—"The right of any citizen of the United States to vote shall not be denied or abridged by the United States, or any State, by reason of race, or color, or previous condition of slavery, or any condition, or class of citizen, of the United States. But the Senate amendments shall be made in the United States, among the citizens of the United States, in the exercise of the elective franchise or in the right to hold office in any State, on account of race, color, nativity, education, or creed." In other words, the Senate proposes to the Legislatures of the various States a much more radical measure than that of the House, intended to prevent the a way of ability of oppression for which a possible might be opened by restrictions based on education, origin, or religion. The difference between the two houses will have to be reconciled by a committee of conference, and of what conclusions that committee will come to no one can be said to have the least idea, for the present result of the long discussion of Congress on the subject seems to be that all the propositions have about an even chance of adoption, and that no one can say what may turn up.

It is very true that the idea of the extreme members of the Republican party is, that until the negro is educated to that point at which he can be entrusted with the right to hold office, he should be excluded from the franchise. This method of dealing with the negro is that which one section of the Republican party has long advocated, the policy of extending the arm of the Government over the black until he was quite able to hold his own. It was, in fact, a system of "protection" applied to man, such as we have been accustomed to apply to manufactures, its principle being Government support in the "struggle for existence" as long as needed. The Georgia Committee's report offers an excellent example of this theory of the duties of Congress, a theory to which our chief objection is that it is impracticable. It might, perhaps, be an excellent thing, if white inferior race was slowly improving its morality and intelligence, some impartial agency could come between it and oppression, could, by gradually educating, perform that office for its subject which a parent performs for a child. And particularly would such a course be advantageous where the Government was, as in our case, in a great measure itself responsible for the existence of the subject class. While the United States is in the world would have the admirable spectacles afforded it of a Government engaged in an effort purely moral, and at the end of it would have a result which would certainly justify its attempt.

But the trouble is that such a thing has never yet been done, and as far as we can see, is just as impossible in America to-day as it would have been in Sparta two thousand years ago, though for different reasons. In Sparta it had occurred to any one to suggest it, the Spartans would have treated him either as a fanatic or criminal. In America it is impossible, because, in the first place, the laissez-faire system has been so long and so successfully worked with our own race that no considerable number of them can be induced to think of any other, except as the merest temporary shift. Any American, or any Englishman, at heart believes that a man who cannot make his way in the world without assistance from rulers is, and must be, a contemptible fellow, and if he is a negro will begin to call him "nigger," and prove the contempt in which they hold him by cheating him; if they get a chance, by enslaving him. They resent any interference with their chain of cause and effect as an interference with their liberty. The hardest charge, perhaps, against which the Republican party has had to struggle in its administration of affairs since the war, has been that which was founded on the military occupation of the South after the Rebels had laid down their arms.

Another reason why a long-continued protection of the negro is impossible is that you cannot concentrate public attention on the matter for any great length of time. It may be said that it is not necessary, inasmuch as the negro has now the ballot and the right to be elected to office. But although neither race, nor color, nor religion, nor education, nor nativity could any longer give ground for depriving him of his rights, are we to suppose that those five guarantees would prevent the clever white politicians of the South from finding ways in which to reach their ends? We need only look at Georgia. There, in the face of a law granting the negroes suffrage, every negro member of the legislature has been turned out of his seat, and no remedy has been discovered at Washington except an unlawful abrogation of the very statute under which these members were elected. We may be sure that for a very considerable length of time the Southern whites will find means by which to override any restriction we may impose upon their love of domination. No amendment can exclude the possibility of intimidation such as that which lately rendered the black vote useless in Louisiana. Cases like these will be occurring continually, and unless public attention can be riveted upon the negro question during the next century, we do not see any way in which political outrage of that sort is to be hindered by protection. You must certainly be vigilant in order to know when to pass a law and when to repeal one, when to cry "Anything for human rights," and when to cry "Nothing for human plantation rights!" If eternal vigilance is the price of liberty for yourself, what sort of watchfulness must be that which is to preserve the freedom of your somewhat sleepy neighbor? Now this continuous vigilance is an impossibility. The negro question can only be kept alive until the States are all in the Union, and then other matters will absorb the attention of individuals, and what is more, of parties. The public can only be

interested in a very small number of subjects at once, and the next twenty years will certainly crowd subjects upon it. Free trade and protection, civil service reform, municipal reform, taxation, finance, and foreign relations form the tangled web which is to be the business of the next generation, as negro slavery has been that of the last. The moment is fast coming when the negro will disappear from the stage of national politics. The last from the stage of national politics is to be the amendment and establish on paper the principle that his right to vote shall not be taken away from him by State restrictions, and that neither an aristocracy of color, nor of race, nor of property, shall enslave him. In fact, the only way open to us of guarding the negro against encroachment was through military occupation, and perhaps looking at the matter from a speculative point of view, the more serious mistake we have made has been in refusing to retain armed possession of the South until proofs of a radical change of political feeling were given. But only great statesmanship could have accomplished that in the face of all party cries that were raised over it, and statesmanship was not at our command. There is a feeling implanted in the breasts of people long accustomed as ours have been to self-government which makes military rule odious even when military rule is necessary, and that feeling carries the first and heaviest the reconstruction acts upon us here were prepared for them. It is too late to take another course now the ballot is all that is left to us.

But the ballot is no panacea for political ills. It has been proved as well as anything can be proved in politics that a whole class or a whole race may be enfranchised, and yet injustice and oppression remain in force as before. The French have voted for half a century, and yet their suffrages are cleverly manipulated in the interests of a despotic and overy election. A large class in England was enfranchised by the law of last year, and yet we hear complaints every day that the new voters have not learned the extent of their powers, and that they vote against their ultimate advantage in support of wealthy candidates who seek an entrance to Parliament to represent not their constituents, but their own class; and that the voters do this in the teeth of the most active attempts to persuade them to the adoption of a more far-sighted policy. In Jamaica the negro himself has long had the right to vote and to hold office, but events which occurred in that island not very long since might teach any one who needed the teaching that the right was of itself of little value to them. But, slight protection as the ballot affords the freedman, it is the only protection in our power to give, and we have always maintained that such value as it might yield was justly his. But we repeat that very little good will come to him from laws or constitutional amendments unless supplemented by what in other cases has given newly-enfranchised classes influence among the communities which gave them the suffrage. What makes the German and Irish emigrant a dreaded if not a respected member of society in America? It is certainly not the ballot, but the fact that he uses the ballot intelligently as a weapon against all who would trifle with his liberties. He educates himself; he earns wages and saves them; he makes bargains which conduce to his own benefit as much as to that of the other party; he is honest and does not get into jail; he is sober and thrifty. When he is not, he immediately loses his rights. In this city the Irishman has no rights which his governors are bound to respect, and this merely for the reason that he is ignorant, and neither industrious, sober, nor thrifty. The politicians whom the ballot gives him, whom he himself elects, grind him to poverty by taxation and wax fat over his misery, and the more they batten on him the more he adheres to them. The ballot does not protect him, but the semblance of power which it gives makes him facile in the hands of his oppressors. If he will not work and earn money, if he will put it away in banks and not squander it in riotous living, if he learns to make a bargain as his white neighbor, then the ballot will be of some use to him, but not otherwise. Every deposit in a savings bank is worth ten votes to him. His color will be forgotten as soon as he is "respectable," and to be "respectable" in modern times means to exhibit the faculty of acquiring independent wealth. He must find some means of making his Southern fellow-citizens look upon him as an equal, and this he will never be able to do by being able to produce a copy of the Constitution at the United States and refer the usurper to the Fifteenth amendment.

The Senate and the Tenure of Office. From the N. Y. Times. It is evident the Senate does not intend to repeal the Tenure-of-Office act, or to permit Gen. Grant to make removals from office without their consent. Under all professions of confidence in General Grant, and desire to aid and support his administration in all possible ways, Senators clearly mean to keep these fetters on his hands. They know perfectly well that corruption and ineptitude in office is the greatest of the many evils from which the country suffers, and that a thorough, vigorous reform in this respect would do more than anything else towards reducing the heavy taxation which weighs upon the people, and paying the public debt. But for all that, they do not intend that General Grant shall have the power to accomplish that reform. He shall not remove a single office-holder, unless for reasons first submitted to them, and by them first pronounced sufficient. The motive of this determination is very plain. It does not indicate any general lack of confidence in General Grant on the part of Senators, but only a lack of confidence in their being able to control him in the matter of removals. Each Senator has a score of more or less friends in office for whom he is, of course, solicited; if he felt quite certain of being able to retain them in place, he would care very little about imposing restraints on General Grant's power of removal—but until that doubt can be dispelled, he prefers to take no risks. Nothing can be more absurd than the pretense that the public service can be promoted by giving the South control of this matter. It is quite possible that there should be some restraint upon the indiscriminate power of removal from office. Our past political experience shows clearly that it is a power liable to very great abuse, and that there ought to be some provision somewhere for retaining deserving and valuable officials in their position. But it is equally clear that the Senate is not the proper quarter in which that power should be reposed. The idea that a body of fifty or sixty members should be required to investigate and sit in judgment on the case before a public officer could be removed, is preposterous. The time of the Senate would be wholly absorbed in this business, and the fact that during the past three years not a solitary Republican office-holder has been removed with the Senate's consent, no matter how flagrant his violations of public duty, proves conclusively how utterly inefficient and useless such a provision would be. It would simply paralyze the Executive power of removal.

Every office-holder, no matter how corrupt or inefficient, would keep his place, and the abuses which have grown into such rank proportions under Mr. Johnson would be of necessity perpetuated under his successor. The disease has reached such a point as to require very sharp and very prompt remedies for its cure, yet the maintenance of this law renders the application of such a remedy utterly impossible.

We do not suppose that Senators are conscious of any distrust of General Grant, or of any disposition to cripple his power and injure his administration, in maintaining the Tenure-of-Office law; but in point of fact they could scarcely do anything better calculated to thwart his efforts at reform, and deprive him of all power to accomplish the great end of his election—the purification of the public service—as this.

Another Shaking Up of Mexico—General Grant's Policy.

From the N. Y. Herald. The volcanic republic of Mexico, always smoking and rumbling, with frequent discharges of gas and scorific, seems to be once more in a state of active eruption. By way of Havana—itsself in the midst of a revolutionary ordeal—we have the intelligence from Vera Cruz that on the 3d instant General Negrete (revolutionist) had captured the important city of Puebla, and had issued the usual proclamations accompanying such events, but that on the 6th, with the approach of the Government troops, he left, bag and baggage, taking the route towards Matamoros; that the revolutionists of San Martin, on the 6th, had levied a forced loan of two hundred thousand dollars on the merchants of the town; that the revolutionary General Zapata, at Sisal, had fallen on being attacked by General Vargas; that a revolution was expected at Guadalajara, the Governor having resigned and the courts having declared their inability to administer justice; that a revolution had broken out in Flassaca and another in Nueva Leon, where Quiraga, with twelve hundred armed men, had pronounced in favor of General Santa Anna; that a force of troops on a railroad near the city had proclaimed, and that a pronunciamento had been issued in Tamaulipas, where the revolution is increasing.

This is worse than Cuba, and yet, although the receipt of all this stirring news made at first a lively sensation in the Mexican capital, the excitement, we are told, had been allayed. They are used to such things in Mexico, and the oft-battered and plundered inhabitants of city, town, and hacienda do not give themselves much trouble except in the immediate presence of a raid. We hear very little of Juarez; but it would appear that he has a very considerable army in the field scattered about in squads from Ureatan up to the Rio Grande and thence across to the Pacific Ocean, that they find abundance of employment, and that it is no uncommon thing for a squad here or there to pronounce in favor of some insurgent leader whom they were sent to put down. From Maximilian to Juarez the transition of Mexico has been only the change from a foreign despotism to domestic anarchy—"only this, and nothing more." Napoleon was right in his opinion that the Mexicans, such as they are, are incapable of self-government, but wrong in his "grand idea" that they needed the protecting shield and buckler of France.

The inquiry, then, still comes back upon us, what is to be done with Mexico? Among the family of nations she has become a troublesome subject, fit only for the House of Correction or a humane and competent guardian. Are the immense material resources, such as they are, are incapable of self-government, but wrong in his "grand idea" that they needed the protecting shield and buckler of France.

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But what is to be done? What can we do with Mexico under the doctrine of non-intervention? We can do more than we could do with the Cheyenne and Comanche Indians under the same fallacy. But we must do something. Had the policy been adopted which was suggested by General Sheridan and very broadly hinted at by General Grant shortly after the capture of the late Southern Confederacy, the Mexican problem would to-day have been reduced to a mere question of territorial governments for the several States of the absorbed republic. But Andy Johnson and his timorous and temporizing Secretary of State, when they should have been settling the Mexican problem, were dabbling in the Esquimaux, the icebergs and white bears of Alaska, and in the combustible island of St. Thomas. General Scott, too, in his day, lost a fine opportunity in refusing to offer the whole of Mexico as a free gift, with a million of dollars for his salary as Captain-General; but he had the plausible excuse that under our Constitution of that time the Mexican people could not be freed with ours on the Mexican basis of equal rights to niggers. Now the coast is clear and the occasion is evidently ripening for the trial of General Grant's policy. If General Rosecrans is doing nothing it is, no doubt, because his instructions from the State Department amount to nothing. But suppose under General Grant the Mexican difficulty is solved by annexation, can we stop there? By no means. We can not safely permit any of the isthmus transit routes from ocean to ocean, between Tehuantepec and Darien, to fall into the hands of England or France. They are all necessary to us to secure the command not only of the Pacific Ocean and the trade of Eastern Asia, but of the Gulf of Mexico. Nor is this a mere boastful and noisy blowing of the American trumpet. These things are among the coming events foreshadowed in the rapidly expanding power and public opinion of the United States. We look to General Grant, therefore, for the comprehensive American policy suggested, and we are satisfied that, in properly carrying out this programme, instead of incurring any additions to our national debt we shall gain the resources for its easy and early extinction. Such are our reflections upon this Mexican news and our conclusions concerning the pacification of Mexico under General Grant's administration.

Congress.

From the N. Y. Tribune. The present Congress ceases to exist on the 4th of March. It has, therefore, but ten days and the 4th proximo being counted, just nine working days. Mr. Johnson has the power to keep any bill ten days, without either signing or vetoing it, and any bill thus left in his hands when Congress adjourns falls to the ground. Practically, therefore, nothing more can be done by the Fortieth Congress save by his permission. To this complexion has his long contest with the body that impeached him come. It has hitherto controlled his administration, but at last he has the better

of it, and goes out of office with what must be a very comely sense of final mastery! The business of Congress is in a satisfactory state for such an emergency, only in the sense that much unwise legislation has been defeated. Some of the most important measures remain to be driven through at the heels of the session, and entrusted to the tender mercies of the President. The Post Office, the Legislative, Executive and Judicial, the Deficiency, and the Miscellaneous appropriation bills are still in the House. Of these we shall not be sorry to see the last remain there. Whatever is really needed, in it, can easily be provided for by the next Congress, and it is usually so loaded down with all manner of jobs and swindles that it will not be a sorrow to hear of the loss of the whole batch. The Indian appropriation bill has yet to run the gauntlet of a conference committee. The Senate seems likely to let the army reduction go over, a result for which we have the less regret in the hope that the delay may give us a more thorough and valuable measure of economy than the bill as finally passed in the House afforded. The Civil Tenure-of-Office act is threatened with the same fate in the Senate. Even the Constitutional amendment concerning suffrage is not safe. Of course measures of real financial relief are now not to be looked for. We only hope the omnibus railroad bill, unavowed of small designs against the Treasury and the national credit, may be equally certain of failure. The tax bill seems to have no chance, and an effort is making to get the sections about whisky and tobacco taken out and put through by themselves. The bill concerning National Bank circulation is to be amended by the Senate Committee, and the House features will be struggled for in the Senate with some show of success. The bill is too important to be decided hastily, as we fear it will be, if at all. Mr. Hooper's bill, prohibiting the increase of the gold debt, has some chance of passing.

The Tenure-of-Office Act.

From the N. Y. World. Saturday's debate in the Senate on the proposed repeal of this absurd law did not contain anything merely developed the tactics of the opponents of the measure, to swamp it by the pretended pressure of other business. So long as General Grant pulls straight in the party traces, the Senate will confirm his appointments and sanction his suspensions; but it intends to keep the bita in its mouth and the reins in its own hands, to be vigorously used if he is not tractable. Removals are often necessary; but the Senate can make no removals, nor initiate any, even with the Tenure-of-Office act in full force. It is more contrary to the genius of republican institutions than a long and secure tenure of office. The essence of republicanism consists in the election of officers by the people at short intervals. Their terms do not end in consequence of incompetency or malversation, but to enable the people to decide whether they do not prefer others. The people replace officers for any reasons or for no reasons; for incapacity, for personal dislike, for party politics, for the merest caprice; and nobody thinks that the retired functionaries are injured or have any ground of complaint. No man suffers from his reputation when the people do not re-elect him, because it is their constant habit to give offices to new men for reasons which do not reflect on the former incumbents. Particular individuals have no more right to offices which are filled by appointment than to offices filled by election. The claims of incumbents are entirely irrelevant to the present question; and equally irrelevant is the question that officers should be removed only for positive derelictions of duty. This pretense would be just as good an argument against our whole elective system, that is, against republican government itself, as against the repeal of the Tenure-of-Office act.

With regard to officers filled by appointment, the Constitution takes good care that incumbents shall not get in without the Senatorial sanction, but it leans with its whole weight against keeping them in against the pleasure of the President. It is of no public consequence that officers be discharged, if good men are put in their places. Hence, the constitutional gate was swung wide open for removals, and was guarded only in case of appointments. The theory of the Tenure-of-Office act is, that removals should be made only for reasons that reflect on the character of the incumbent, and after an investigation to see that he suffers no injustice. But, by the Constitution, there is only one class of officers that hold by the tenure of good behavior—the exceptional character of judicial functions. But even in the case of the exceptional tenure of judicial officers, in all other cases, the better service of officers may be as freely dispensed with if they are upright and competent, as if they are not. The people are free to re-appoint elected officers to private life quite irrespective of their qualifications, and the Constitution gives the President the same liberty in respect to appointed officers. It is only when the President, or the fixed terms of elected officers, or the peculiar tenure of the judges, keep the officers in place, that the Senate has anything to do with removals; and then only by the trial of impeachments. The Senate cannot constitutionally initiate removals by any process. Before it can investigate and pass upon the fitness of an officer to hold his place, the House must impeach him. By the Constitution it is only in impeachment cases that the Senate can enter upon such investigations at all. The Constitution renders it difficult for the President to make bad appointments by subjecting his appointments to Senatorial supervision. It renders it impossible for him to keep bad men in office by subjecting them to removal by impeachment—a process in which he has no participation. But the Constitution does not concern itself to keep good men in office merely because they are good, with the single exception of the judges. And the reason stands out in such prominence that nobody can miss it. It is that it is of no public consequence whether one fit man or another fit man performs the duties of any office. Removals of good officers can work no harm, if other good officers are substituted in their place; and hence the participation of the Senate is limited to securing a reasonable chance of good substitutes for the officers whom the President removes. To enable him to put bad men out, to enable him to put suspected men out, to put out men who are barely passable and indifferent, when officers of first-rate competence can be had, and above all, to keep the salutary fear of removal lung over the public service as an incentive to faithfulnes, the Constitution gives the President an unlimited power of removal, and can secure complete successors to the removed officers by limiting his power of appointment, and preventing his bestowing offices upon incompetent favorites. The participation of the Senate in ordinary removals accomplishes no desirable object. It keeps the service demoralized and disgraced by whisky thieves and other scoundrels, whom the Senate cannot remove and will not permit the President to remove. There is not a man in the whole revenue service whom it concerns the public welfare to keep in office, because there are plenty of other men just as compe-

tent as he is, and it makes no difference whether this competent man or that incompetent man fills any particular office. But there are thousands of men in the revenue service who ought to be put out, and no President feels like attempting to get rid of them when he can merely suspend for reasons of whose sufficiency the Senate must judge. It is mortifying to a President to be overruled, and he will touch only those glaring cases of fraud and incompetence in which the proofs are conclusive.

The effect of the Tenure-of-Office law is very much the same as to make all officers irremovable except by the cumbersome process of impeachment—a process intended for those cases in which ordinary remedies fail. Under the Tenure-of-Office act, the Senate must proceed upon evidence of such a nature, as if it were trying a President to be overruled, and he will touch only those glaring cases of fraud and incompetence in which the proofs are conclusive. The effect of the Tenure-of-Office law is very much the same as to make all officers irremovable except by the cumbersome process of impeachment—a process intended for those cases in which ordinary remedies fail. Under the Tenure-of-Office act, the Senate must proceed upon evidence of such a nature, as if it were trying a President to be overruled, and he will touch only those glaring cases of fraud and incompetence in which the proofs are conclusive. The effect of the Tenure-of-Office law is very much the same as to make all officers irremovable except by the cumbersome process of impeachment—a process intended for those cases in which ordinary remedies fail. Under the Tenure-of-Office act, the Senate must proceed upon evidence of such a nature, as if it were trying a President to be overruled, and he will touch only those glaring cases of fraud and incompetence in which the proofs are conclusive.

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SOLE AGENTS OF PATENTS. 400 CHESTNUT ST. PHILADELPHIA. 305 7th Street, WASHINGTON, D. C. 218 1/2 N. 2d St. PHILADELPHIA. On the petition of WALTER B. FORBUSH of Buffalo, N. Y., Administrator of the estate of E. B. Forbush, deceased, praying for the extension of a patent granted to the said E. B. Forbush on the 17th day of April, 1857, for his improvement in the use of a patent granted to the said E. B. Forbush on the 17th day of April, 1857, and again renewed in five divisions respectively 1862, 1863, 1864, 1865 and 1866, the 23d day of May, 1867, he has in proof presented the following affidavits: That said patent should be heard at this office on the 23d day of March next. Any person may on any day of this session, objections, oppositions, and other papers, be filed in this office on any day before the day of hearing. ELISHA FOOTE, Commissioner of Patents.

UNITED STATES PATENT OFFICE,

WASHINGTON, D. C. Jan. 22, 1869. On the petition of LYDIA W. LITCHFIELD, administratrix of the estate of Jarry Litchfield of Buffalo, N. Y., deceased, praying for the extension of a patent granted to him on the 15th day of May, 1858, for an improvement in stationery for locking, it is ordered that said petition be heard at this office on the 15th day of April next. Any person may on any day of this session, objections, oppositions, and other papers, be filed in this office on any day before the day of hearing. ELISHA FOOTE, Commissioner of Patents.

UNITED STATES PATENT OFFICE,

WASHINGTON, D. C. Jan. 22, 1869. On the petition of OLIVIER E. BOLLES, of Rochester, N. Y., Administrator of the estate of E. B. Forbush, deceased, praying for the extension of a patent granted to him on the 15th day of April, 1857, for an improvement in Machine for Rating and Transporting Staves, it is ordered that said petition be heard at this office on the 15th day of April next. Any person may on any day of this session, objections, oppositions, and other papers, be filed in this office on any day before the day of hearing. ELISHA FOOTE, Commissioner of Patents.

UNITED STATES PATENT OFFICE,

WASHINGTON, D. C. Jan. 22, 1869. On the petition of ELLIOTT RUSSELL, of New York, praying for the extension of a patent granted to him on the 15th day of May, 1858, for an improvement in machinery for digging, it is ordered that said petition be heard at this office on the 15th day of April next. Any person may on any day of this session, objections, oppositions, and other papers, be filed in this office on any day before the day of hearing. ELISHA FOOTE, Commissioner of Patents.