THE PENDING CANVASS.

PENNSYLVANIA.

HON. JOHN W. FORNEY ON THE ADMINISTRATION OF PRESIDENT JOHNSON.

Special Dispatch to The N. Y. Tribune.

MECHANICSBURG, Cumberland Co., Pa., Aug. 19, 1866.

An immense Union Mass Meeting called by the Boys in Blue of Mechanicsburg, Cumberland Co., Pa., was held on Saturday afternoon, the 18th inst., which was addressed by the Hon. John W. Forney and others. Upon his arrival at Harrisburg, this morning, Mr. Forney was met by a delegation of soldiers and escorted to a special train which conveyed him to Mechanicsburg. The utmost enthusiasm prevailed, and the people in that section of the State are fully aroused to the importance of the issues invoked in the present contest. Mr. Forney was received with loud cheering. The ruffian speech of the President of the United States, he said, on the 22d of February was the key-note to a remorseless and revolutionary campaign; and from that hour to the present every word has been a new threat and every step a new usurpation. The crowning outrage was the Convention that adjourned in Philadelphia on Thursday afternoon. No other brain but that of William H. Seward could have conceived so deliberate an insult upon a loyal people, and no hand could execute so shameless and wanton a conspiracy but the hand that Andrew Johnson raised before high Heaven when he swore before God and man that treason should be made odious, that traitors should be hated, and that loyal men alone should control the destinies of the recovered States of the South. A convention of all the States of the American Union, for the adjustment of great questions, is one of the wisest measures of the National Constitution. But it was never intended to be prostituted to the purpose of destroying human liberty, of elevating human slavery, of punishing the brave and the loyal, and of rewarding the savage traitors. Had a convention of the representatives of the victorious people of all the loyal States, and of the obedient and penitent people of the recent insurgent States, been called in Philadelphia, there to commemorate the ceremonies of a perpetual peace, on the solid basis that treason had been crushed and freedom maintained, the occasion would have been almost unparalleled in human annals. It would have been the world's wonder and the world's joy. Our American nature would have been secured by guarantees, so that would have been frankly demanded and required by the victorious, and cheerfully and gratefully accepted by the vanquished. The noisy and bitter waters of fraternal strife would have been permanently stilled and sweetened. Every household would have cheerfully offered its altar to reconciliation. Religion would have sanctified the blessed reunion with its holiest symbols; and every agency of benevolence, of art, of trade, of manufactures—every class and condition of society—every man, woman and child in both sections would have contributed to one spontaneous and rapturous thanksgiving. How is it now? Let the Copperheads of New-Orleans with their savage celebrations of Andrew Johnson's treason—let the murdered loyalists of Texas and Mississippi answer! The motive that prompted these frightful excesses originated the Philadelphia Convention. That body met under circumstances calculated to awaken the strongest resentments, and to revive the most terrible recollections. It was held, as it were, for the purpose of provoking that civil war predicted in the President's speech on the 22d of February, *as sure to begin "on the other end of the line."* The thin veneer of cheap and well-paid loyalty did not hide, even if it was intended to hide, the black and poisonous elements assembled for the purpose of arranging the new plan of rewarding treason and punishing loyalty. The chief spirits of the two wings of the Rebel army—the Copperheads of the North and the traitors of the South—crowded the spacious amphitheater. They came for a purpose well known to themselves. Invited by the President of the United States, and incited by the hopes of division among the men who had defeated them on the battle-field and at the ballot box, they were well content to look upon a drama, the end of which was to bring equally restoration and revenge to themselves. The incidents and actors in the Convention deserve a faithful chronicle. It was to last ten days, and was to be a formal council between statesmen in which great problems of government were to be discussed and solved. It did not last two entire days. The feature that most distinguished it was a fear of discussion, a horror of truth, a dread lest from some one of the crowded benches an overjoyed and impenitent Rebel might give utterance to his exulting prayer for the defeat of the only party that saved and continues to save the Union, or lest from the overhanging galleries an indignant soldier might denounce the cowering conspirators beneath him. Hence the secret care which marked the arrangements of the entire proceedings. Hence the indecent and the hot haste to get through with the dangerous work. No comedy was ever so rehearsed before. The author of the play was the willy philosopher of the State Department, who seems to have employed the hours of his convalescence from the wounds inflicted by the slave-tyrant's dagger, to weave a plot by which at once to gratify his revenge against his own party, to delude and destroy the President, to disenchant the loyal millions, and to bring back the guilty traitors full handed to power. With the proceedings of this convention before us, we at last distinctly understand why Andrew Johnson, immediately after Mr. Seward rose from his bloody bed, with his wicked philosophy duly arranged, began to turn his back upon his pledges to the loyal people of the United States. We can now understand why, before and after the Autumn elections of last year, he refused to decide in favor of Hartranft in Pennsylvania, Barlow in New-York, and Ward in New-Jersey—why he privately pledged himself to the friends of all these men and yet declined a public declaration of his preference. We can now understand why Montgomery Blair traveled through Pennsylvania and New-York, and declared that Johnson was against the Union candidates and in favor of the Copperheads. Now we really know that this crafty and cold-blooded politician, with written credentials from Johnson in his pocket, had authority for what he said when he attempted to demoralize the Union men of Maryland and Pennsylvania. The glittering generalities of Johnson's annual message are now proved to have been the deceitious coloring of the Dead Sea fruit, gathered in almost all of his succeeding acts. The plottings of the Copperheads; the secret interviews between Johnson and his slanderer, Reuben Clymer; the incoherent speech to the South Carolina aristocrats in the Summer of 1865; the offensive admission to his confidence of the notorious sympathizers with treason; and the no less offensive exclusion of the tried defenders of the Republic; the cold and callous speeches to the colored regiments of Washington after they had returned covered with laurels from our hard-fought fields; the attack upon Congress; the proscription of the white Union men of the South; the veto of the Freedmen's Bureau bill; the 22d of February speech; the veto of the Civil Rights bill; the removal of patriotic Republicans; the resignation of Postmaster-General Dennison and Secretary Halligan and the whole course of proceedings by which the friends who voted for him in 1864 were transformed into his determined and disgusted antagonists, and the men who had covered him with inconceivable calumny and shame taken to his hearts and intrusted with his *supposed* to be the fullest comprehension. The 14th of August Convention was the grand objective point of the tricks, trimmers and treachers. And now that it is over let us regard it with due candor and consideration. I said that one of the chief characteristics of the *inside* managers was their fear of the truth, and their horror of discussion. But what was the effect upon the people *outside*? There was no violence and no attempt at violence—nothing but almost universal derision and contempt. The result Philadelphia sought to be put upon the people of Philadelphia by Andrew Johnson in sending these traitors and parasites among them seemed to awaken a proud and lofty consciousness of the supreme power which, while refraining to punish a misguided generously condescends to laugh at his aimless malignity. Their bearing was that of the lion playing with a hissing and stingless reptile. Far more severe than turbulence and abuse and blows was the loud and irrepressible scorn of this great Republic when these traitors and Copperheads sought to declare and "My Policy" in the streets of Philadelphia, to declaim against negro suffrage, to denounce the the Radicals, and once more promise a thousand times violated obedience. It may well be imagined that a movement thus manned by the managers inside the Convention, and laughed down by the people outside can produce no lasting and wholesome effect upon the country.

One result it has certainly achieved. It has newly awakened the Union men of the nation to a sense of their own duty and the general danger. Never before have I known the courage of Philadelphia to be more thoroughly aroused than during the scenes and sittings of this Convention. If freedom of speech was denied to the delegates, it was enjoyed by the masses who watched their operations. In every workshop and counting-house, in every private residence and public resort, in the byways and the highways, American citizens were brought to a closer consciousness and a nearer consideration of the purposes of the men who assembled there to cheat them out of their rights and to reestablish, in spite of the verdict of arms, the oligarchy that was supposed to have been totally destroyed. In this respect, the Philadelphia Convention has performed a signal service to the country. The address and resolutions that were adopted cannot conceal from an inquiring and jealous people the whole end and aim of this dark conspiracy. I hold this address and resolutions in my hand. It is sufficient to say that the address is the production of that unprincipled adventurer, Henry J. Raymond of New-York. It may be remarked here that Raymond, like nearly all his associates pretending to be Republicans, held a seat and acted as a delegate without a constituency. Indeed, the only persons that were chosen to seats, and that reflected the sympathy of any portion of the people were the traitors and the Copperheads. Behind these two classes were the twin organizations that plotted the Rebellion and fought and acted together throughout the war. The so-called Republicans represented nobody but Andrew Johnson and William H. Seward, or the ends held by themselves respectively or ardently anticipated. The invitation to be applied to every county in the free States that professed to send Republican delegates to this assemblage. When we recollect that men like Henry J. Raymond willingly consorted with traitors and Copperheads and coolly assisted in waging a proscriptive warfare upon the only men in the South, black and white—the only classes innocent of this inhuman insurrection—the only element upon which even now the Government can repose in the hour of danger—and also that he and his associates have never had the nerve to stay the warfare of Andrew Johnson upon the suffering loyalists of the South, we may appreciate his stupendous turpitude.

The resolutions, like the address, are intended to hide the chief and single purpose of Andrew Johnson and his agents, namely, the *restoration of the Rebels to more power than they possessed before they began the Rebellion.* In vain do these men thank Almighty God for the end of the war and the return of peace; in vain do they prate of their attachment to the Constitution and the laws; in vain do they declare that no State or combination of States has the right to withdraw from the Union; in vain do they asseverate that Slavery is abolished and forever prohibited; in vain do they pronounce the debt of the nation to be sacred and inviolable; in vain do they recognize the services of the "federal" soldiers and sailors in the contest just closed—these being the general declarations of the resolutions; more elaborately set forth in the address)—all these are but mockeries and lures, as long as their purpose of forgiving and restoring traitors to greater power is admitted and demanded. The very fact that they declare that no amendment of the Constitution of the United States can be made "until all the States of the Union have an equal and an indefeasible right to a voice and to a vote therein," shows that their pledges, no matter how solemn and definite, depending as they do upon this condition precedent, were never intended to be fulfilled. For if the Constitution of the United States is not to be adapted so as to prevent the authors of the Rebellion from reappearing in the public councils shorn of the full and fatal power which they exercised almost to the destruction of the Republic—if, in other words, the new amendment of the National Constitution shall be defeated through the conspiracy set on foot by this Convention, helped by the money and the offices and the almost despotic power of the General Government—then, undoubtedly, we revert to a condition worse than that we occupied in the midst of the Rebellion, and are henceforth and for unnumbered years held in the vice of the pro-Slavery politicians of the South and their sympathizing confederates of the North. Let me prove this assertion by a few simple illustrations. When the 4,000,000 of black men in the South were made free by the proclamation of the President and the successful progress of our armies, the three-fifths rule of your Constitution was annulled, and the whole body of the Southern population were, under the present ratio, to be counted in the basis of representation; and without such an amendment of the Constitution as we are contending for, these 4,000,000 would be represented in the Congress of the United States by the very men who began the war and would confer upon them largely increased power. You will perceive by the resolutions of the Copper-Johnson Convention that no such amendment shall be attempted or perfected until all the States are in the Union; and you know that it is the main purpose of the President and Mr. Seward to bring back the Southern States as they were before the war and as they are now. Take South Carolina to show the scandalous working of this policy. There are 440,000 free black men to day in that State still excluded from all political rights. These black men according to President Johnson and Mr. Seward and the Philadelphia Convention, are now to be counted, every one, man for man, in the basis of representation, precisely as the freemen of Pennsylvania are. But the 400,000 blacks incorporated in the basis of South Carolina representation are represented by two hundred thousand white men in South Carolina, and thus these two hundred thousand white men are enabled to elect as many Representatives in Congress as six hundred thousand white men in Pennsylvania. And what we contend for is that if South Carolina ignores her black population entirely as voters, she should not count them on the floor of Congress any more than she should count her horned cattle. Where this system will eventually leave us a very few words will explain. If Andrew Johnson can prevent the adoption by three-fourths of the States of the new article amending the National Constitution, all the Freedmen being counted in the representative basis until 1870—the present Southern, including the recent seceded States, will have at least 26 Senators and 84 Representatives in Congress and 110 votes in the Electoral College. Supposing the entire population of the United States to be thirty-five millions of white people, the five millions of white people in the South will be just one-seventh of the whole population, and yet they will have more than one-third in both Houses of Congress and more than one-third of the Electoral College; and this startling exhibit, exclusive of the other additions that will be made to this Southern column by Copperhead Senators, Representatives and electors from the free States—many more than enough to make up for an exceptional Radical from such Southern commonwealths as Missouri, Tennessee, West Virginia, and possibly Maryland and Delaware. What is Andrew Johnson contending for now? Not to pay the National debt nor to reduce it; not to economize the public expenditures; not to do justice to the loyal men of the South, nor to pay the brave men of the North, the bounties to the living and the pensions to the dead; not to extend our great internal and international thoroughfares, but to defeat the new amendment of the National Constitution by a prostitution of his high office. This was the sole object of the Philadelphia Convention. Now, if the sophisms of Mr. Raymond's address and the cunning sentences of Mr. Cowan's resolutions are boiled down, the residuum will be found to be the defeat of this amendment, for the purpose of bringing the traitors more than full-handed into the national councils. They are boasting now that the South will be a unit against the amendment. The cotton States will be consolidated into a new despotism against the people that defeated their bloody revolt.

Does the bad man in the Presidential chair honestly believe that God will prosper his matchless and cunless treachery? That his desertion of the loyal whites and friendless blacks of the South will go unpunished in the final account? There is something sublime in the villainy of Slavery. Here is a man who made the Continent ring with his execration of Jefferson Davis, and yet, at the end of four years, has outbidden and surpassed that prince of traitors. How patriotic millions fed at last, as the cold steel of ingratitude sinks to pierce their vitals, that the malignities in Andrew Johnson's character, that survived oceans of blood and myriads of dead, and the malignities born of Slavery against the free States of America. "I had hoped," said a distinguished Southern Unionist, the other day, "that when the traitors persecuted and hounded him during four bitter years, he would hate them sufficiently to be true to liberty, but he was disappointed." And this man invokes the blessings of Providence upon the last and most wicked of his contrivances! As I go back to the beginning of December, 1860, and trace his career down to the present time, and remember all the enthusiasm and generosity and confidence lavished upon him only to be requited by unexampled cruelty to his benefactors, I ponder whether there will not be a day of reckoning for him and for all who have likewise offended. The Scripture is filled with warnings, one of which may be cited here as an inspired sentiment and rebuke upon his hypocrisy and perfidy. It is taken from the eighth chapter of Daniel, in which the vision of the prophet is described as interpreted by the angel Gabriel, and is as follows:

DANIEL, VIIITH, CHAPTER 23d, 24th, 25th VERSES.

"And in the latter time of their kingdom, when the transgressors are come to the full, a king of fierce countenance, and understanding dark sentences, shall stand up.

"And his power shall be mighty, but not by his own power; and he shall destroy wonderfully, and shall prosper, and practice, and shall destroy the mighty and the holy people.

"And through his policy also he shall cause craft to prosper in his hand, and he shall magnify himself in his heart and by peace shall destroy many: he shall also stand up against the Prince of princes, but he shall be broken without hand."

Frequently as this significant passage has been quoted I question whether it ever was more appositely applied than to Andrew Johnson. There is a curious accuracy in the phrases, and a still more striking fidelity in the predicted end of a wicked tyrant's reign.

But this is no hour for despair. God has been too forgiving, too generous, and to constant a friend to desert us now. He bore us too strongly, and too steadily through oceans of blood, and tempests of fire, and along the long, dark valley of death, to forsake us in this new tribulation.

Speech of Judge Shellabarger of Ohio.

Judge Shellabarger, one of the ablest Members of Congress, has opened the campaign in the VIIth Ohio District with a remarkable speech, from which we extract as follows:

ARE ORGANIZED REBELLIONS REPUBLICAN GOVERNMENTS?

I have said that the issue we are about to try is, whether this Government has, under the Constitution, any control over the reorganization of loyal and republican governments in the late Rebel States, and to demand, from them any evidences of loyalty and guarantees against another rebellion before they shall resume controlling power in the Government of the Republic.

For Congress to assert the right to demand such evidence and guarantees is denounced by the President and his new admirers as a "rebellion at the other end of the line."

HOW OFTEN THE PRESIDENT HAS ASSERTED ALL THESE POWERS.

But do you tell me that this North Carolina proclamation was but one act, done when the President's knowledge and views were immature, and is therefore an act by which I am unjust to hold him bound? I reply to you, no. Seven times over this act was repeated. Seven times under the guidance of his Secretary of State. Seven times making these proclamations the basis of most momentous official acts. At No States of North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi and Texas, he did and proclaim the same identical things.

Let a candid world now tell me, does it seem as if these acts, either de jure and that the President be impeached as usurper or claimed his adherents to admit the Government of the United States to have all the powers over those Rebel States which it had over the Union party for their country?

But I go on to other proofs.

Notice now the conclusive reply the next clause of the President's charge, that Congress by its call of "rebellion at the other end of the line," in asking for an amendment to the Constitution, as a guaranty of safety, lodges these Rebel States shall assume the powers of government.

On the 6th of November, 1865, to Gov. Perry of South Carolina, by his Secretary of State, touching the ratification of the amendment abolishing Slavery, he orders as follows:

"The President considers the acceptance of the amendment by South Carolina as *indispensable* to a restoration of her relations with the other States of the Union." "*The President considers*" This amendment was proposed by a Congress (XXXVIIIth) where no Rebel State was represented—by a Congress from which Senators applying to sit had been excluded because Reverdy Johnson and the Judiciary Committee had reported *aye* had induced the Senate to resolve, that an act of Congress was required to receive a Rebel State into relations with other States. And yet the President considers the acceptance of this amendment "*indispensable*" to the restoration of South Carolina to her relations with the other States. The President may "consider" it, but she will Congress consider the same thing, then Congress is in practical rebellion, and the King will consider it an act in Congress disowning the Union and turning Congress into a rump!

But in his first Message to Congress, a paper in which by the Constitution, it was made his sworn duty to give to Congress information of the state of the Union and recommend to their consideration such measures as he shall consider just and expedient, he declares that "it is not too much to ask in the name of the whole people that" * * * "the evidence of the sincerity in the future maintenance of the Union, shall be yet beyond any doubt by the ratification of the proposed amendment to the Constitution." * * * "Indeed it is not too much to ask of the States which are now assuming their places in the family of the Union, that they give this pledge of perpetual loyalty and peace." The amendment to the Constitution being accepted, it would remain for the States whose powers have been so long suspended, to resume their places in the two branches of the National Legislature and thereby complete the work of restoration."

Here again, in his messages to Congress—the first he ever sent—on his high and solemn oath he swears that it is "just and expedient," and that "it was not too much to ask, in the name of the whole people, that each late Rebel State should, before they resumed their places in the family of the Union and sit in the two branches of the National legislature," give "evidence," and "pledges" of the sincerity and loyalty which should put beyond any doubt their purpose to maintain the Union and to remain perpetually loyal. And to the end of exacting such evidence and pledges, he demands that they shall be required to adopt a certain amendment to the Constitution before it would "remain for them to resume their places in the two branches of the National legislature." When the Congress demands these "evidences and pledges of sincerity in the future maintenance of the Union," and these "pledges of perpetual loyalty and peace," before these Rebels "resume their places in the two branches of the National legislature," then it is "a rebellion at the other end of the line," and the Congress becomes a "rump" insusceptible of moving laws. When the President demands it, then it is "not too much to ask."

Look, Americans, at these, and then tell me in what execration must he be held in history, who is capable of perpetrating apostacy from the companionship of that patriotic army memorious to be garnered and preserved for valor, the sufferings, the which belong to the patriotic dead, who preserved the Union from the endurance and the shame of Rebellion, and who goes to the companionship and embrace of treason; and, having urged upon his Congress to demand such "pledges" and "evidences" as these which the President urged; who vindicates his apostacy upon the ground that they whom he leaves demanded some evidence of sincere loyalty, before they would consent to *surrender the control of the Government of Washington into the hands of men whose statute signed by Washington would have relentlessly hanged for their disloyalty.*

WHO DECIDES WHAT IS "EVIDENCE BEYOND A DOUBT."

But then to all this it is replied that it is the President, and not the United States, not the "whole people," not their Congress, upon whom the Constitution devolves the duty of guaranteeing republican governments to the States, and who must, therefore, decide when a republican government has been reorganized in a State which the rebellion has deprived of all civil government, and what evidences, pledges, and guarantees of perpetual loyalty and peace it is not too much to ask such reorganized Government to give before they shall "resume their places in the two branches of the national legislature?" With boundless condescension each House will be fire." permitted to look at a Rebel's certificate of election, to find out whether it is "regular," may count up to see who got the most votes; may even inquire whether the man elected has committed treason, provided the President should not (as he has) decide that the test oath is mere "amplification," and improper to be required!

But the infinitely higher, and to our Government vital question, whether 8,000,000 of Rebels, whose treason is manifest, stupendous, historical, and which had deprived their States of all civil government, have given any pledges or evidences of sincere loyalty, have "organized any republican governments ratified or supported by a loyal people, and fit to resume places in the two branches of the national legislature, are questions to which "the two branches of the Legislature" dare not approach, upon pain of incurring the President's most serene displeasure, and of becoming a central directory, "a rebellion at the other end of the line," a rump, and several other disagreeable things.

Instead of Congress being permitted to look into the question when a republican government has been organized in the States which the Rebellion deprived of all civil government, the Congress is compelled to accept at the hands of the President the States he has organized as good enough to resume their places in the two branches of the National Legislature, and this though his States may be mere organized rebellions. The question whether they are only that, Congress dare not even inquire. This is precisely what the Johnson party claim. Rebel States, deprived of all civil government, "had a right to rule us all through the war. The audacity of this claim of the President's, its contempt for the powers and rights of "the entire people," is unequaled in the history of any free people, and puts to the blush the worst presumption of the infamous house of Stuart. Nay, it is not unequaled. It has been recently exceeded by the claim by this President which succeeded it.

Some months ago, to me and others, the President declared that these Rebel States had, all through the war, the right to be represented in both branches of Congress. This has become a dogma of his party.

The Vice President of the Rebellion, and now the leader at Philadelphia of the Johnson party, laid down this as a leading article of that party's faith in his evidence before a committee of Congress, in these words: "*Georgia will accept no conditions of restoration. She claims to come back with her privileges of representation in Congress unimpaired.*" "All through the war they had the right to come back and assist in the legislation of this country."

Mr. Ewing, of Ohio, has recently echoed this demand of the Vice-President of the Rebellion in these words: "Even in the heat and violence of the Rebellion, the States in which Rebel violence most prevailed, were each and all of them, as States, entitled to their representation in the two Houses of Congress."

CONGRESS DECIDES WHEN A STATE HAS A REPUBLICAN GOVERNMENT.

But let us return to the inquiry whether it is indeed the President and not Congress who decides when a State has a republican State Government, fit to resume its relations to the other States of the Union?

The claim that this power is in the President contradicts the very letter of the Constitution, for that declares that it is the United States, and not the President, that must control this matter, and must guarantee to each State a republican government.

It contradicts the solemn decision of the Supreme Court, for that decided that exact question in Sutherland Borden [7 How. 42], where it was held that Congress and not the President must determine when a republican government is organized in a State, and what is such a government. The Court says: "Under this article of the Constitution it rests with Congress to decide which government" of the two set up in Rhode Island, "is the established one, for as the United States guarantees to each State a republican government, Congress must necessarily determine what government is established in a State before it can decide whether it is republican or not. When the Senators and Representatives of a State are admitted into the Councils of the Union, the authority of the government under which they are appointed is recognized by the proper Constitutional authority. And its decision is binding on every other department of the government."

* * * "Undoubtedly a military government established as the permanent government of the State, would not be a republican government, and it would be the duty of Congress to overthrow it."

It flies in the face of the carefully prepared opinion and report of Reverdy Johnson, whom the President's party in the American Senate conceded the leadership to in all matters of constitutional law. Upon the 18th of February, 1865, the Judiciary Committee, Mr. Johnson uniting in the report reported to the Senate, in the case of the Senators from Louisiana, that no Senators should be admitted from a Rebel State until the Congress, as a Congress, had recognized the reestablishment of a loyal government in the State. This important report was, without any dissent, approved by the Senate in the XXXVIIIth Congress, during Mr. Lincoln's administration. It says:

"The persons in the possession of the local authority of Louisiana having rebelled against the authority of the United States, and her inhabitants having been declared to be in a state of insurrection, in pursuance of a law passed by the two Houses of Congress, your committee deem it proper for this body to admit to seats Senators from Louisiana, till *by some joint action of both Houses*, there shall be some recognition of an existing State government acting in harmony with the Government of the United States, and recognizing its authority."

And it equally contradicts the repeated official utterances of Mr. Johnson himself, who at one time carefully and explicitly conceded to Congress alone this vital power of deciding what should be deemed to be a loyal and republican government, fit to be intrusted with representation.

On the 24th of July, 1865, he wrote to Governor Sharkey of Mississippi, as follows:

"It must, however, be distinctly understood, that the restoration, to which your proclamation refers, will be subject to the will of Congress."

On the 12th of September, 1865, to Gov. Marvin of Florida, he says:

"The Government of the State shall be provisional only until the State Government is reorganized, and the basis of that organization will be subject to the decision of Congress."

EFFECT OF STATUTES AGAINST TREASON.

But, my fellow-citizens, I fear I do your intelligence no compliment in citing the Constitution and Supreme Court decisions, and reports to the Senate, and official dispatches by the President, to prove that "the United States," and not the President, guarantees republican government to the States, and that commonalties organized only to execute a stupendous rebellion to which they have sworn fealty, were not entitled, all through the war, to assist without condition in the legislation of this Government.

Why, fellow citizens, it is only because this Government has grossly failed or mercifully forborne to execute her own criminal laws, that these men of Georgia who say they will "assist in the legislation of this country," and will accept from Congress no conditions of restoration, have not to-day, every mother's son of them, been hung by the neck till they were dead! dead! dead! for by the first section of the act of Congress of the 30th day of April, 1790, and signed by George Washington, it is solemnly enacted that each one of them should be put to death!

THE APPEAL TO HISTORY.

What nation in history has been found strong enough to endure the crime against the life of having the rulers so far elevate treason toward the excellence of loyalty as to suffer the leading traitors to own, exist? No nation, most—not even yours. Why Americans, what you act to-day in your country was never done before in the world. To parallel the Lees, the Semmes, the Dick Taylors, the Alex. H. Stephens—these chief architects of their country's ruin, to live at ease in the country, be spectacle of folly, almost new in the history of the nation. But when to their folly and wickedness you add—what with shameless impudence is demanded of you—that these grave, sonorous, traitorous and murderers should have, man for man, twice the political power of those sailors who saved to liberty—*that Lee's vote should have double the political power of Chase's—Semmes's double that of Farragut—Dick's, Lee's—double that of Lincoln's his victorious army, suddenly with demobilized across unguarded, and all homes now turn out, from it this loathing world disgust.*

Shades of Lyon and McPherson, and of your three hundred thousand slain comrades, will you come, in the bloody corments in which fame had wrapped you, and be present at the unexpressible shame of this abandonment of the Republic you devoted you had rescued, into the control of the men it sought to destroy? Yes, I know you would, if you thought you had vanquished.

This, verily, is a folly, nay, an unutterable madness—madness to which to compare and not put the blame on the chief of storm and to put into power those you could be crushed and warmed, the deadly snake in the very bosom of a Northern home.

PRESENT LOYALTY OF THE SOUTH.

One of the most illustrious patriots of the South, whom Mr. Johnson once was for, but is not now, and whom he made a Provisional Governor, declared the other day, in speaking of the two Houses of Congress, that in all the South, *he was not one persistent and true Union man who would join the Southern party now following the President.* And he said, however, that there were more men now in the South "faithful to the allegiance to their Government" than there were in 1861. He said that, should chance of success offer, either by joining a foreign enemy or otherwise they would certainly take up arms again against the United States.

Let committees of Congress examined hundreds of witnesses, upon oath, to find out the real loyalty of these people, to probe to the core every class of men in the South, from the Vice-President of the Rebellion up and down, is established so thoroughly that none can deny them each one of the following things found by the report of that Committee. I give the results of the evidence generally in the words and ways in the direct sense and substance of the report:

First: The evidence of an intense hostility to the Federal Union, and an equally intense love for the late Confederacy, nurtured by the War, is decisive.

Second: The ruling motive for their submission, for a time at least, to the Federal authority, is to obtain the advantages of a representation in Congress.

Third: "Without the protection of United States troops, Union men, whether of Northern or Southern origin, would be obliged to abandon their homes; and they are everywhere "bitterly and remorselessly persecuted."

Fourth: The conciliatory measures of the Government have not been met in a spirit of kindness. On the contrary, the bitterness and defiance exhibited toward the United States under such circumstances are without a parallel in the history of the world. In return for leniency we receive only an insulting display of our authority. The crime was have punished they parade as a virtue, and the principles of republican government which we have vindicated at so terrible a cost are denounced as unjust and oppressive.

Fifth: They would pay no taxes levied by the United States except on compulsion; and they would, if they should see a prospect of success, repudiate the National Debt.

Sixth: Their own Southern press, without any material exceptions, defends the men who led and the principles which inspired the Rebellion, and "calls upon the President to violate his oath of office, overturn the Government by force of arms, and drive the representatives of the people from their seats in Congress."

Seventh: At festivals and in public demonstrations in honor of the Rebellion they openly insult and scoff at the sacred banner.

Eighth: They elect to their seats in Congress, in some instances, those who have engaged in the Rebellion, and in other instances they have elected as chief of their chief murderers has been elected to the Senate of the United States, and refused to allow him to enter even the President at the door.

LAW INTELLIGENCE.

SUPERIOR COURT—SPECIAL TERM—AUGUST 18—DECISIONS.

John B. Borst agt. Joseph B. Lane. Order discharged and motion denied with $10 costs.

Hemlin Babcock agt. William Hermance. Case and amendments settled.

Henry Brier agt. Julius Leopold et al. Motion filed with $5 costs, without prejudice to a renewal.

SURROGATE'S COURT.—AUGUST 18.—Before Surrogate TUCKER.

WILLS PROVED.

During the past week the Surrogate has admitted to probate the wills of the following named persons:

Rebecca E. Nosh, William Smith, A. S. Wellington Abigail Smith.

None of these wills contain any provisions of public importance.

COURT OF SPECIAL SESSIONS—AUG. 18.—Before Justices KELLY and DOWLING.

This Court, which is held in the Tombs twice a week, was commenced on Saturday, and disposed of a calendar of sixty-four cases, embracing petit larceny, assaults and battery, &c. Among those of any interest were the following:

ROBBED BY A WAITER-GIRL.

Martin Miller was the victim of Catherine Allen, pretty waiter-girl in a drinking saloon. He went into house and became considerably intoxicated, which circumstance his female companion improved by robbing him of his watch, vest and pocket-book. Justice Dowling sentenced the guilty to imprisonment in the Penitentiary for 4 months.

A BUTTER THIEF.

Wm. Jones (colored) was sent to the Penitentiary for 4 months, for stealing a tub of butter from David A. Bi.

BRUTAL MURDER IN CHICAGO.—A brutal murder occurred in Chicago on the 13th. A man named Jamieson kicked a dog belonging to the proprietor of the "Cottport House," named Frederick J. Peoins. The latter resented, and quarrelled with Foley, who replied by striking Mr. Peiow. In the scuffle both rolled into the cellar, but Mr. P. fled out Foley out. The latter, however, returned, and, awaiting an opportunity, plunged a dagger into the heart of Mr. Jones, causing instant death. He was shortly afterward arrested. The deceased is reputed to be a peaceable, unoffending man.

SCIENCE.

FIFTEENTH MEETING OF THE AMERICAN ASSOCIATION FOR THE ADVANCEMENT OF SCIENCE—SECOND DAY.

From Our Special Correspondent.

BUFFALO, Aug. 16, 1866.

At the close of the session, last evening, the paper of Col. Charles Whittlesey, "On the Ice Movements of the Glacial Era in the Valley of the St. Lawrence" was under discussion. The propositions of Mr. W. are as follows: From the easterly part of Lake Ontario along the waters of the Upper Lakes, as far as the Lake of the Woods, the drift materials are of fresh water origin. The evidence on this point is all in one direction, without anything to lead to doubts. All the shells hitherto described are of fresh water growth, or are land shells, or amphibious. The formation consists of three members, not always distinct, but traceable on close examination. In many instances only one member exists, but where there are two or more they always occur in the same order. Beginning at the surface of the inclinated rocks, as a base, and reckoning upward they are found as follows:

First: Blue mottled and red, carminated marly clay; thickness sometimes only a few feet, increasing to 500 and 600 feet, filling the Lake basins and rising several hundred feet above their surfaces.

Second: Coarse water-washed sand and gravel, in beds of small extent locally, passing into compact "hard pan," not stratified.

Third: Coarse bowlder drift, frequently in layers of limited extent, and occupying the highest summits of the country.

In all these members there are pebbles, which are transported, but mingled with those belonging to the underlying rock. As we rise in the series, the size of the pebbles increases and also their numbers, and the proportion of fine materials decreases.

Mr. Whittlesey alluded to the fact that throughout the lake country, wherever the rocks are capable of resisting the action of water and the atmosphere, they are worn smooth by some resistless mechanical force on the very impersishable beds like quartz, magnetic iron and trap; the lines are still fresh and sharply cut, some of them very fine like the work of a graver. To account for this phenomena, Mr. W. said he was willing to accept the explanations of Agassiz and Dosor, derived from their observations on the Alps, and of Dr. Hayes and Rinck in Greenland, as sufficient in reference to the fact of movement in all fields of ice and snow. This motion is always toward the point of least resistance. When the fact of a glacial era in North America is established, these observations determine the fact of motion throughout the entire mass. The ice etchings are found to have a southern limit, and this corresponds with the southern limit of the bowlders or errated rocks. This southern boundary of the ice field is somewhat irregular, but its general course in the Mississippi is like that of the boothermal line; north westerly and south-easterly, bearing to the north as one proceeds westward. If the poles of the south then hold the same position as now, the parallel of equal temperature should have been oblique to the meridian, as they are at present.

As the encroachment of the ice, in the commencement of the glacial era, must have been very gradual, so must its disappearance occupied a long period. Both of them may be regarded as geological epochs. There must have been abundant time, during the withdrawal of the universal glacier, for a partial rearrangement of the loose materials. The present wall must have existed prior to and during this era, but much modified at the close. Such animals as did not perish retreated southerly, and when the surface of the earth became habitable they resumed all their own haunts. The disappearance of the horse, mastodon and elephant is due to other causes than the cold of the ice period.

I have made a little fuller abstract of Col. Whittlesey's paper than appeared in my letter of yesterday, on account of the interest which it created, and the spirited discussion which ensue under it.

This morning the Association divided into sections in order to facilitate the disposition of the papers, the number of which has become very large, and yet increasing.

SECTION A—PHYSICAL SCIENCE.

Upon assembling in the room prepared for the Section, it was organized by Prof. Coffin being selected as Chairman, and Prof. Perkins as Secretary.

The President announced that the first paper in order before the Section was that of Prof. J. S. Cook, on the "Cryophilites." The Professor remarked that this was the name which he had given to one of two remarkable micas recently discovered in the vicinity of Cape Ann, in association with several other new mineral species found there. Prof. C. gave the results of a very elaborate study of the chemical, optical and mathematical characteristics of the cryophilites, which he views as having a typical character, forming a distinct boundary of the class of minerals.

Prof. Joy made a few remarks upon the paper of Prof. Cook, saying that the discovery of monoclinic is one of the most important lately made in mineralogy.

"The strength of Steam-boilers" was the title of a most valuable paper by Professor Stoddard of Maine University. In view of the frequent disasters to steam-boilers the investigations and opinions of the eminent Professor may be regarded as peculiarly seasonable and important. I send you the paper entire, satisfied that a careful consideration of it will prove of great advantage to the world.

That the use of steam as a motive power is attended with more than ordinary dangers is a fact. The danger lies in the boiler, of course, as the engine is generally made of the machinery to a single point, but restricted to every other side.

Accurate examination will show that explosions are more frequent in steamboat boilers; indeed, as a general rule, more frequent in proportion than in stationary engines and in steamboats than in locomotives. Science is run, and certainly ought, to point out the sources of danger, and this greatly to her reproach if she does not. No apology, I trust, is needed for introducing the subject of steam boiler explosions here. The popular character which the association gives to the Annual Meeting, the various addresses of its members, make expressions in the popular mind, that the discussions of the Association are intended to be of a practical character, and the popular mind, that the discussions of the Association are intended to be of a practical character, and the popular mind, that the discussions of the Association are intended to be of a practical character, and