

NEW YORK HERALD.

JAMES GORDON BENNETT, EDITOR AND PROPRIETOR.

TERMS: Cash in advance. Money sent by mail will be at the risk of the sender. News sent by mail will be at the risk of the sender.

THE DAILY HERALD, published every day in the year. Four cents per copy. Annual subscription price, \$12.

THE WEEKLY HERALD, every Saturday, at FIVE cents per copy. Annual subscription price, \$25.

One Copy..... 5 Cents Three Copies..... 15 Five Copies..... 35 Ten Copies..... 75

Advertisements, to a limited number, will be inserted in the WEEKLY HERALD, the European and California Editions.

VOLUME XXXI. No. 49.

AMUSEMENTS TO-MORROW EVENING.

BROADWAY THEATRE, Broadway, near Broome street.—BOLAN STRAHLER—LIVE INDIAN.

LUCY HISHAM'S NEW YORK THEATRE, No. 78 and 79 Broadway.—THE BLACK DOG—Between No. 78 and 79 Broadway.—THE BLACK DOG—Between No. 78 and 79 Broadway.

WOOD'S THEATRE, Broadway, opposite the St. Nicholas Hotel.—STONER, or, THE GOLD STRAHLER.

SAN FRANCISCO MINSTRELS, 85 Broadway, opposite Metropolitan Hotel.—STONER, or, THE GOLD STRAHLER.

TONY PARTON'S OPERA HOUSE, 21 Bowery.—SINGING, DANCING, BURLESQUE, &c.—ADVENTURES OF A NEW YORK DETECTIVE.

GEORGE CHRISTY'S OLD SCHOOL OF MINSTRELS, BALLS, MEDICAL OPERA, &c. FIFTH AVENUE OPERA HOUSE, Nos. 3 and 4 West Twenty-Ninth Street.—THE KING OF THE COLORED PEOPLE.

BRYANT MINSTRELS, Metropolitan Hall, 473 Broadway.—DAYS OF BYGONE.—THE GREAT AMERICAN COMEDY, BURLESQUE, &c.—THE BARRISTER'S JUBILEE.

MOORE'S OPERA HOUSE, Brooklyn.—ETIOPIAN MINSTRELS—BALLS, BURLESQUE AND PANTOMIME.

NEW YORK MUSEUM OF ANATOMY, 618 Broadway.—Open from 10 A. M. till 10 P. M.

New York, Sunday, February 18, 1866.

NEWSPAPER CIRCULATION.

Receipts of Sales of the New York Daily Newspapers.

OFFICIAL.

Table with columns: Name of Paper, Year Ending May 1, 1865, and Year Ending May 1, 1866. Includes Herald, Times, Tribune, Evening Post, World, Sun, Express, and New York Herald.

THE NEWS.

DISLOYAL JOURNALISM.

General Grant yesterday issued a circular letter to department commanders, directing them to give him information regarding such newspapers in their departments as are in the habit of publishing articles disloyal to the government and calculated to create hostility to it and stir up sectional hatred among the people.

REBELLION.

The Insan steamship City of London, from Liverpool on January 31, via Queenstown February 1, arrived at this port yesterday, bringing European advices one day late.

The reported appearance of two Chinese privateers off Cuba is confirmed, and the Spanish war frigate Isabella had been sent in pursuit of them.

MEXICO.

Another very interesting collection of Mexican news is contained in our city of Mexico and Vera Cruz letters, dated to the 21 and 26th inst. respectively, published to-day.

THE FRENCH.

Depression, with a tendency to panic, prevailed in the London money market. United States five-twenty, however, advanced from 65 1/2 to 66 1/2 at which point they stood on the previous day, to 66 1/2 to 67 1/2.

THE FRENCH.

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THE FRENCH.

Further particulars are furnished in our correspondence of the recent reported imperial successes at Tabasco and in the capture of Pampala, and of the progress of the republicans in the Pacific States, regarding all of which considerable has appeared in the Herald within the past few days.

CONGRESS.

The House did not meet yesterday, having adjourned over from Friday till Monday.

monstrous was presented from envelope manufacturers of this State against the proposed law to authorize the Postmaster General to sell stamped envelopes at the value of the stamps thereon.

Since it seems to be settled that Congress, under the control of the Jacobin committee, will not admit the delegations from the Southern States, it is quite time to be looking about for some plan by which the objections of the Jacobins may be overcome and the Union restored.

THE LEGISLATURE.

The conference committee on the bill creating a Health Commission for the Metropolitan Police District yesterday reported to both houses of the Legislature that they had agreed upon making the commission consist of the Police Commissioners and the Health Officer of that port, together with three physicians and one layman to be appointed by the Governor, and in that form the measure was passed by both the Senate and Assembly.

A large number of matters besides the Health bill were acted upon in both houses. The majority of them, however, are of only interest to rural localities or private parties.

In the Assembly the annual report of the Emigration Commissioners was presented. Reports were made from committees of the bills, among a number of others, to regulate deposits of money belonging to the city, coming to the national government jurisdiction over certain quarantine lands in our lower bay, giving State funds to the amount of five thousand dollars per mile for the construction of a railroad on the west side of Lake Champlain from Plattsburgh to Whitehall, and incorporating the American Exploring and Mining Company.

It is agreed upon all sides that if the Southern delegations were admitted to Congress the Union would then be restored, the South would assume a legitimate position in the nation, and all minor matters would soon arrange themselves.

MISCELLANEOUS.

The weather continued cold, but not severely so, in this region yesterday. Although, the sky being perfectly cloudless, and the streets dry, it was a most healthful and enjoyable day.

Three children of a woman named Anastasia Sobieski, living in Forty-seventh street, near Broadway, aged respectively about one, two and six years, were last evening found dead from the effects of suffocation, and it is alleged that the mother caused their death, and afterwards attempted to destroy her own life.

Robert Martin, for some time in custody on charge of complicity in the rebel attempt to burn this city, was again yesterday in the United States Circuit Court, when Judge Shipman rendered a decision to the effect that there was nothing in the evidence to justify the full detention of the accused, and that he must therefore be discharged.

The case of a man named George E. Meade, accused of obtaining ten thousand dollars under false pretences, from a mercantile firm in New Orleans, was yesterday before the Court of Oyer and Terminer, on an application for his removal to Louisiana for trial.

During a fight on Friday evening among a party of intoxicated men in a dance house at No. 161 Washington street, one of them fired a pistol, the ball from which struck a man named August Laskie, who was passing at the time, and who had no part in the disturbance, producing a wound which is expected to prove fatal.

A man named Charles Smith was yesterday under examination in the Fourth District Police Court on charge of forging the certification to a check on the Eighth National Bank for seven hundred and ten dollars, and passing said check on a Third Avenue broker in payment for government bonds.

One of our reporters yesterday visited the prisoners Gonzalez and Felicer, now under sentence of death for the murder of Jose Garcia Otero, at the Kings County Jail, in Raymond street, Brooklyn, and the interesting results of his visit are detailed in another column.

The wills of the following persons have been admitted to probate by the Surrogate.—Thomas F. Gibson, William Webb Lawrence, Lunon, Ebenezer Seely, John Bell, Ann Barrett, Catherine Delta, Ann B. Griswold, Euphemia Ogden and W. W. D. Forest.

The Fantasia of this city and Brooklyn have determined to take part in the procession on the approaching St. Patrick's Day, and it is expected that at least twenty thousand of them will be in line.

The report by our Albany correspondent of the recent execution of a novel and a smiling style of printing, the execution consisted of three machines, driven by the wind, but running on the top surface of the river, and their trip was a very successful one.

An express messenger was robbed in St. Louis yesterday of a package containing forty thousand dollars. The stock market was strong yesterday. Governments were dull. Gold closed at 127 1/2.

Business was wonderfully dull yesterday, the con-

stant depression in gold contributing to the inactivity usually incident to the closing day of the week. But little was done either on or off of Change. Forebears were inactive and lower. Cotton was nominally lower. Sugar was a trifle easier. Coffee was steady. On Chicago sugar was active, and common brands were lower. Wheat was easier. Corn was unaltered. Pork and lard were firmer, and whiskey was nominal.

How to Please the Radicals and Restore the Union.

Since it seems to be settled that Congress, under the control of the Jacobin committee, will not admit the delegations from the Southern States, it is quite time to be looking about for some plan by which the objections of the Jacobins may be overcome and the Union restored.

We do not get on together very well at home and we are a laughing stock for all the European Powers. The Southern half of the nation is in the Union but not of it. The Southern people are taxed without representation.

The Southern people are regarded as citizens by one branch of the government and as aliens by another branch of the government. The executive departments consider the South as a part of the country for which they have to provide; but the legislative departments look upon it as more conquered territory.

The inhabitants of that section are esteemed as fellow countrymen by the conservatives, and as bitter enemies by the radicals. Lieutenant General Grant thinks that the war is over, and has therefore disbanded the army; but Lieutenant General Stevens insists that the war is still unfinished and has raised another army in Congress.

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Mr. Sumner's Oration.—Negro Suffrage the Whole Duty of the Nation and the Only Escape from Our Difficulties.

Mr. Sumner, in his Senatorial pleading in the case of the negro, has given to the country an elaborate evidence of the utterly impracticable and visionary character of his political views.

We are assured that the "sole solution of our present troubles and anxieties" is to place the negro on a political level with the white man. And here at the outset is a keynote to all arguments and all theories.

This is the first in magnitude of the many absolutely false statements that we are required to accept, not on any evidence, but on mere assertion. "Yielding to necessity the negroes were armed;" and all the country knows that it was not yielding to necessity, but to radical clamor and machination, and that even the machinery of the government was used to defor the hour of success that this measure might be made to seem necessary, and so be forced upon us.

It is declared that the constitution guarantees negro suffrage, because it guarantees a republic, and that is not a republic where all men are not equal; and it is further declared that the suffrage is an absolute necessity of the times; because without it the abolition of slavery will prove to be a nullity, and the negro cannot be maintained in his freedom; because without it reconstruction cannot go on, and the peace of the country is never safe; because it is the only means to prevent the payment of the rebel debt, and its denial will lead the way to repudiation and directly induce national bankruptcy.

Much of this will sound extravagant; but, as Mr. Sumner's position is not that of one who states with calm impartiality the condition of the country, but that of the advocate who urges passionately the claims of a class, we must expect this fervor. And there is a certain advantage in this; for, as the people wish to do no wrong, it is well that they should have the case of those whose welfare they are to determine put before them with the most forcible statement of which that case is capable.

The arguments which regard the suffrage as a hitherto denied right and that which bases it on the constructive promise of the Fathers of the Republic are of the same class. They are founded on the philosophical notion of natural rights. It was a fine enough fancy which clothed man in some primitive state with a natural right to do without restraint all that man might desire to do, and which then supposed that law came and restrained him in the exercise of his rights, but restrained one man more than another, and that this law was the parent of inequality.

But this was fancy merely, and a fancy of philosophers engaged in a crusade against law; and it was perilous in so far as it made law seem to be the foundation of innumerable wrongs. It, moreover, directly falsified the history of the human race. Law never did take away any rights, but was the first power on the earth that gave men rights and assured the exercise of those rights. All rights rest on law. Law restrains wrong only. It displaced in the world the dominion of irresponsible force, which was the denial of all right except that founded on might. But the philosophical theory was fashionable in the world when the Declaration of Independence was written. It was fashionable with men whom Jefferson admired, and it became part of the preamble of the great document. It was, perhaps, not unnatural that such a revolutionary theory should become part of that noble revolutionary programme. And now Mr. Sumner, resting on it, tells us, "our whole duty now centres in the performance of those sacred promises which are coeval with the national life." But how so? Because the founders of the republic made in their platform an extravagant statement, does that impose on us an insane attempt to carry it out? Is the Declaration of Independence law?

It is the fault of men of Mr. Sumner's stamp that they do not properly distinguish between facts and fancies—between the laws that a nation must live to die by—and those vague theories only proper to amuse the elegant retirement of the scholar. Mr. Sumner practically tells us that the preamble to the Declaration of Independence—a revolutionary programme, pure and simple—is of equal or even higher authority than the constitution of the United States. He tells us that he is going to quote the fathers, and he hands us an exploded theory. Mr. Sumner can appreciate a fact, too. He utters the wholesome scorn of common sense against men who disregard the obvious position in which the war has left the South, and waste time in the discussion of constitutional subtleties that are metaphysical at best. Such discussions, he says, are "of form, not substance—of words only, and not of facts." And he speaks truly. But why then does he imitate this conduct? Why does he give the world the opportunity to echo against Sumner the scorn that Sumner utters against others? He applies the same profane species of discussion to another subject. Others employed it on the position of the States; he on the position of the negro. Is there anything more than form and words in the argument that the negroes are despoiled by society of their natural endowments? Has society or the law a matter of fact deprived the negro of any right? Is the assertion that all men are born equal true in any other than a metaphysical sense? Can the entire protest that it ever was, or hope that it ever will be, a shot? If the right is a right to the government, is it a right that has not been taken from the negro by force, or tell us when he obtained it. Let them do this, or otherwise leave all this moonshine out of their constitutional arguments. It is the same with the promise

as with the natural rights. Promises founded on the Declaration of Independence rest on no foundation at all, so far as the law goes; for the declaration was superseded by the constitution, and the parts of the declaration that the country was not disposed to ratify were left out. That promise was one of those parts. Mr. Sumner assumes that not to perform this unperformed promise is "moral and political bankruptcy." And here again we see his failure to distinguish between the real and the ideal. He is led on by this word bankruptcy, and forgetting that he has called it "moral" only, rushes forward to say that it is repudiation, and then that it must lead to "the repudiation of the financial obligations of the country." Here is a climax, and all out of a little metaphor. Bankruptcy that is only moral, political, figurative, is at once made equal with the real bankruptcy that would be a national calamity. Is there no distinction between "words and facts"?

Those parts of the oration which claim suffrage for the negro as a necessary policy of the nation will require but little answer by argument; for the country and the world—all men outside the radical republican party—will completely deny the truth of the points from which they start. "Without emancipation, followed by the arming of the slaves, rebel slaveholders would not have been overcome." Without negro soldiers we would not have put the rebellion down. This is the first in magnitude of the many absolutely false statements that we are required to accept, not on any evidence, but on mere assertion. "Yielding to necessity the negroes were armed;" and all the country knows that it was not yielding to necessity, but to radical clamor and machination, and that even the machinery of the government was used to defor the hour of success that this measure might be made to seem necessary, and so be forced upon us.

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possibly be repaired, and relies upon these misty phrases as an "ordie better than the law and as evidence better than the notorious lifelong practices of the authors of the phrases. He distils from the writings of the fathers that which indeed is the true spirit of a republic, but which never was more than a political dream, except so far as reality went with it; and we, even in the favored North, only reach it in theory, and not at all in the practice of our institutions. But the argument on the constitutional guarantee may be taken from the other point on which Mr. Sumner rests it—the consent of the governed. He impeaches the republican-ism of Tennessee, because it governs one quarter of its people "without their consent," and he straightway proposes to make law for the other three quarters without their consent, and not only without their consent, but against their expressed will and in their absence. He denounces Alabama for disfranchising half her people, and he asks the Senate to imitate what he denounces. But he resists the proposal to govern the States against their will on the absolute necessity, the instinct of self-preservation and the rights of war, "which do not lose their grasp except with the establishment of all needful guarantees;" and the Southern States rest their right to govern a part of the population without their consent on exactly the same principles—the absolute necessity of the preservation of society, the instinct of self-defence, and the rights of war acquired over the slave by those who sold him into slavery, which rights were transferred to the purchaser. Thus there is no great difference between Mr. Sumner's position toward the Southern white man and that white man's position toward the negro.

Here and there in this oration we come upon striking, if not quite new, reflections whose truth no reader of history can doubt. One of the finest of these is that "no individual and no people can afford to be unjust." The injustice that we are warned against by this is injustice to the negro; but are we not under equal obligation to be just to the white man? Mr. Sumner seems to suppose that the injustice is greater or less according to the number of persons on whom it falls. Are we then to completely throw down and trample upon the Southern white man for the sake of the Southern negro? Shall we ignore and deny the rights of five millions in order that we may be just to three millions? Have the white people of the Southern States forfeited their humanity and all claim upon our justice by their one grand error of rebellion? The Senator proposes against them what he fears for the negro, and thus his attitude as to injustice to us as keenly one way as the other. In his deliberate proposal to do exactly what he denounces, let him be sure that the world will remember against him and his party his own declaration, that "such an offence will carry with it a curse which sooner or later must drag its perpetrator to the earth."

We quite agree with Mr. Sumner in the grand fact that the constitutional amendment gives Congress full power to settle the position of the negro in the Southern States, and even to give him the suffrage. We are quite sure that this oration has not shown the necessity, the justice or even the expediency of this gift. Still it may be expedient, necessary and just. And since Congress has the power, and the radicals rule in Congress, why do they not do what they tell us must be done? If they sincerely believe that negro suffrage is the one thing needful to make us a happy, tranquil, prosperous people, why do they not frame their bill for the purpose, pass it, and have done with their clamor? Or is there something else behind this great stalking horn of negro suffrage?

Mr. Bancroft and the Diplomatic Corps at Washington.

It appears that the late pointed and pungent discourse of George Bancroft before the two houses of Congress, in memory of Abraham Lincoln, "has excited much indignation among the diplomatic circles at Washington," and that Count Weydenbrock, the Austrian Minister, has formally waited upon the Secretary of State, and protested against the discourse of the orator of the day in calling Maximilian of Mexico, the brother of the Emperor of Austria, an "Austrian adventurer;" this, too, as a celebration to which the offended minister had been invited by both houses and by Mr. Seward himself. It appears, further, that Mr. Seward, "instead of seeking to extenuate the Austrian Minister's right to complain of it, and that because the Cabinet of Vienna had several times declared its intention of remanding aloof from Mexican affairs." Of course this answer was unsatisfactory to Count Weydenbrock; for it did not lessen the insult of calling the brother of his Emperor "an Austrian adventurer." But thus the matter stands. It next appears that the British Minister, Sir Frederick Bruce, has so far been insulted by Bancroft's caustic review of England's part as to decline to be present at a certain dinner at which the offending orator was to be one of the party.

From these suggestive incidents we draw the gratifying conclusion that Bancroft's discourse has indeed made a sensation among the diplomatic circles at Washington. In the familiar expression of the messenger, he has been "stirring them up with a long pole," and has given them a little beautiful excitement. The diplomatic corps, officially invited to "assist" on the solemn occasion referred to, as they had reason to suppose, doubtless expected a fine scholastic eulogy on the character and services of our "martyr President" in the style of the lamented Everett—very smooth, very soporific, void of offence, pleasing to everybody, but very insipid and very flat. But Bancroft had a different story to tell. The diplomatic corps were before him. He saw his opportunity. He might never have such another to give them a piece of his mind. The occasion and the stubborn facts which the presence of these European ambassadors suggested could not be resisted. He felt that it was due to the memory of Abraham Lincoln to run through the history of the war, and the course pursued towards us in our great trial by the leading European Powers. Hence, as honest Jack would say, "he heaved up on his bow, opened his pores, and let his gun, and raked 'em fore and aft."

We grant that this was not the opportunity to which the diplomatic corps were invited. We grant that according to the practice of diplomatic courtesy the treatment to which they were subjected was rather rough. Their indignation, we admit, is perfectly nat-

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