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Daily National Republican.

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[OFFICIAL.]

ANDREW JOHNSON,
President of the United States of America.

To all whom it may concern:

Satisfactory evidence having been exhibited to me that ROBERT BARTH has been appointed Consul of the Kingdom of Bavaria, at St. Louis, Missouri, I do hereby recognize him as such, and declare him free to exercise and enjoy such functions, powers, and privileges, as are allowed to Consuls by the law of nations, or by the laws of the United States.

In testimony whereof I have caused these letters to be made patent, and the seal of the United States to be hereunto affixed.

Given under my hand at the City of Washington, the eighteenth day of April, in the year of our Lord one thousand eight hundred and sixty-five, and of the Independence of the United States of America the eighty-ninth.

(L. S.)

ANDREW JOHNSON.

By the President:
W. HUNTER,
Acting Secretary of State.

ANDREW JOHNSON,
President of the United States of America.

To all whom it may concern:

Satisfactory evidence having been exhibited to me that ROBERT BARTH, of St. Louis, has been appointed Consul of the Duchy of Brunswick and Luneburg, for the State of Missouri, I do hereby recognize him as such, and declare him free to exercise and enjoy such functions, powers, and privileges, as are allowed to consuls by the law of nations, or by the laws of the United States.

In testimony whereof, I have caused these letters to be made patent, and the Seal of the United States to be hereunto affixed.

Given under my hand at the city of Washington, the eighteenth day of April, in the year of our Lord one thousand eight hundred and sixty-five, and of the Independence of the United States of America the eighty-ninth.

(L. S.)

ANDREW JOHNSON.

By the President:
W. HUNTER,
Acting Secretary of State.

ANDREW JOHNSON,
President of the United States of America.

To all whom it may concern:

Satisfactory evidence having been exhibited to me that ROBERT BARTH, of St. Louis, has been appointed Consul of the Duchy of Nassau, for the State of Missouri, I do hereby recognize him as such, and declare him free to exercise and enjoy such functions, powers, and privileges, as are allowed to Consuls by the law of nations or by the laws of the United States.

In testimony whereof, I have caused these letters to be made patent, and the seal of the United States to be hereunto affixed.

Given under my hand at the city of Washington, the eighteenth day of April, in the year of our Lord one thousand eight hundred and sixty-five, and of the Independence of the United States of America, the eighty-ninth.

(L. S.)

ANDREW JOHNSON.

By the President:
W. HUNTER,
Acting Secretary of State.

[OFFICIAL.]

WAR DEPARTMENT,
ADJUTANT GENERAL'S OFFICE,
WASHINGTON, April 24, 1865.

General Orders No. 72.

The attention of all commanders of military divisions, departments, districts, detachments and posts is drawn to the annexed opinion of the Attorney General, which they will observe, and regulate their action in accordance therewith.

ATTORNEY GENERAL'S OFFICE,
April 22, 1865.

Hon. Edwin M. Stanton, Secretary of War:

SIR: I have the honor to acknowledge the receipt of your letter of the 22d of April. In it you ask me three questions, growing out of the capitulation made between General Grant, of the United States army, and General Lee, of the rebel army.

You ask—first, whether the rebel officers who once resided in the city of Washington, and went to Virginia or elsewhere in the South, and took service, can return to the city under the stipulations of the capitulation and reside here, at their homes?

Second. Whether persons who resided in Washington about the time the rebellion broke out, left the city and went to Richmond, where they have adhered to the rebel cause, entered into the civil service, or otherwise given it their support, comfort, and aid, can return to Washington since the capitulation of General Lee's army and the capture of Richmond, and reside here under the terms of the capitulation?

Third. You state that, since the capitulation of General Lee's army, rebel officers have appeared in public in the loyal States, wearing the rebel uniform; and you ask whether such conduct is not a fresh act of hostility, on their part, to the United States, subjecting them to be dealt with as avowed enemies of the Government?

Your letter is accompanied with a copy of the terms of capitulation entered into between Generals Grant and Lee. It is as follows:

"Rolls of all the officers and men to be made in duplicate; one copy to be given to an officer designated by me, the other to be retained by such officer or officers as you may designate. The officers to give their individual parole not to take arms against the Government of the United States until properly exchanged, and each company or regimental commander sign a like parole for the men of their commands. The arms, artillery, and public property to be parked and stacked, and turned over to the officers appointed by me (General Grant) to receive them. This will not embrace the side arms of the officers, nor their private horses or baggage. This done, each officer and man will be allowed to return to their homes, not to be disturbed by the United States authority so long as they observe their parole and the laws in force where they may reside."

1. In giving construction to these articles of capitulation, we must consider in what capacity General Grant was speaking. He, of course, spoke by the authority of the President of the United States, as Commander-in-Chief of the Armies of the United States. It must be presumed that he had no authority from the President, except such as the Commander-in-Chief could give to a military officer.

The President performs two functions of the Government—one civil, the other military. As President of the United States, and its civil head, he possesses the pardoning power; as President of the United States he is Commander-in-Chief of the Armies of the United States, and is the head of its belligerent power. His power to pardon as a civil magistrate cannot be delegated; it is a personal trust inseparably connected with the office of President. As Commander-in-Chief of the Armies of the United States he has of necessity to delegate a vast amount of power. Regarding General Grant, then, purely as a military officer, and that he was speaking as one possessing no power except belligerent, and considering the fact to be well known to the belligerents with whom he was making the stipulation, let us come to the consideration of the first question which you have propounded.

It must be observed that the question is not as to the extent of the power that the President, as Commander-in-Chief of the armies, possesses; it is not whether he, as Commander-in-Chief of the Armies of the United States, could grant parole by virtue of his military authority, to rebels to go to and reside in loyal communities—communities that had not been in rebellion against the Government of the United States; but the question is whether, by and under the terms of the stipulations, he *has* granted such permission.

In the cases in 2 Black., commonly called the Prize Cases, the Supreme Court of the United States decided that the rebels were belligerents; that this was no loose, unorganized insurrection, without defined boundary, but that it had a boundary, marked by lines of bayonets, which can only be crossed by force; that south of that line is enemy's territory, because claimed and held by an organized hostile and belligerent power, that all persons residing within that territory must be treated as enemies, though not foreigners; and it is well settled that all persons going there without license, pending the hostilities, or remaining there after hostilities commenced, must be regarded and treated as residents of that territory. It follows, as a matter of course, that residents of the territory in rebellion cannot be regarded as having homes in the loyal States. A man's home and his residence cannot be distinct the one from the other. The rebels were dealt with by General Grant as belligerents. As belligerents, their homes were of necessity in the territory belligerent to the Government of the United States. The officers and soldiers of General Lee's army, then, who had homes, prior to the rebellion, in the northern States, took up their residences within the rebel States, and abandoned their homes in the loyal States; and when General Grant gave permission to them, by the stipulation, to return to their homes, it cannot be understood as a permission to return to any part of the loyal States.

That was a capitulation of surrender, and not a truce. Vattel lays it down that (p. 411) "during the truce, especially if made for a long period, it is naturally allowable for enemies to pass and repass to and from each other's country, in the same manner as it is allowed in time of peace, since all hostilities are now suspended. But each of the sovereigns is at liberty, as he would be in time of peace, to adopt every precaution which may be necessary to prevent this intercourse from becoming prejudicial to him. He has just grounds of suspicion against people with whom he is soon to recommence hostilities. He may even declare, at the time of making the truce, that he will admit none of the enemy into any place under his jurisdiction.

"Those who, having entered the enemy's territories during the truce, are detained there by sickness, or any other unsurmountable obstacle, and thus happen to remain in the country after the expiration of the armistice, may, in strict justice, be kept prisoners; it is an incident which they might have foreseen, and to which they have, of their own accord, exposed themselves; but humanity and generosity commonly require that they should be allowed a sufficient term for their departure.

"If the articles of truce contain any conditions either more extensive or more narrowly restrictive than what we have here laid down, the transaction becomes a particular convention. It is obligatory on the contracting parties, who are bound to observe what they have promised in due form; and the obligations thence resulting constitute a conventional right."

Now if the rights of enemies, during a long truce and suspension of hostilities, are thus restricted, it would seem evident that their rights under a capitulation of surrender, without any suspension of hostilities, could not, without express words in the stipulation to that effect, be anything like as large as under a truce and suspension of hostilities.

Regarding General Grant, then, as speaking simply as a soldier, and with the powers of a soldier; regarding this war as a territorial war, and all persons within that territory as residents thereof, and, as such, enemies of the Government, and looking to the language of the stipulation, I am of opinion that the rebel officers who surrendered to General Grant have no homes within the loyal States, and have no right to come to places which were their homes prior to their going into the rebellion.

II. As to your second question—the stipulation of surrender made betwixt Generals Grant and Lee does not embrace any persons other than the officers and soldiers of General Lee's army. Persons in the civil service of the rebellion, or who had otherwise given it support, comfort, and aid, and were residents of the rebel territory, certainly have no right to return to Washington under that stipulation.

III. As to the third question—my answer to the first is a complete answer to this.

Rebel officers certainly have no right to be wearing their uniforms in any of the loyal States. It seems to me that such officers, having done wrong in coming into the loyal States, are but adding insult to injury in wearing their uniforms. They have as much right to bear the traitors' flag through the streets of a loyal city as to wear a traitor's garb. The stipulation of surrender permits no such thing, and the wearing of such a uniform is an act of hostility against the Government.

Very respectfully, your obedient servant,
JAMES SPEED, Attorney General.

By order of the Secretary of War:
W. A. NICHOLS,
Assistant Adjutant General.

[OFFICIAL.]

WAR DEPARTMENT,
ADJUTANT GENERAL'S OFFICE,
WASHINGTON, April 24, 1865.

Captain Hancock T. McLean, 8th United States cavalry, heretofore published for absence without leave and conduct prejudicial to good order and military discipline, is exempt from dismissal from the service of the United States, he having appeared before the military commission of which Brigadier General Caldwell, United States volunteers, is President, and made satisfactory defense to the charges against him.

W. A. NICHOLS,
Assistant Adjutant General.

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ELOQUENT EULOGY UPON THE LATE PRESIDENT LINCOLN, BY HON. GEORGE S. BOUTWELL.

On Wednesday, the 19th inst., Hon. GEORGE S. BOUTWELL delivered before his constituents, in Lowell, Massachusetts, the following tribute to ABRAHAM LINCOLN, whose obsequies were being celebrated in this city on the same day:

This nation is bowed down to-day under the weight of a solemn and appalling sorrow such as never before rested upon a great people. It is not the presence of death merely with that we have become familiar. It is not the loss of a leader only that we mourn, nor of a statesman who had exhibited wisdom in great trials, in vast enterprises of war, and in delicate negotiations for the preservation of peace with foreign countries, but of a twice-chosen and twice ordained ruler, in whom these great qualities were found, and to which were added the personal courage of the soldier and the moral heroism of the Christian.

Judged by this generation in other lands, and by other generations in future times, Abraham Lincoln will be esteemed as the wisest of rulers and the most fortunate of men. To him and to his fame the manner of his death is nothing; to the country and to the whole civilized family of man it is the most appalling of tragical events. The rising sun of the day following that night of unexampled crime revealed to the nation's loss; but, stunned by the shock, the people were unable to comprehend the magnitude of the calamity. As the last rays of the setting sun glided into the calm twilight of evening, the continent was stilled into silence by its horror of the crime and its sense of the greatness of the loss sustained.

If we believe reverently that God guided his chosen people in ancient times, that He was with our fathers in their struggle for independence, we are likely also to believe that in the events transpiring in this country the Ruler of all the earth makes his ways known to men in an unusual manner and to an unusual extent. If God rules, then are not all men, even in their imperfections and sins, in some mysterious way and under peculiar circumstances the doers of His will? To the human eye Abraham Lincoln seems to have been specially designated by Divine Providence for the performance of a great work. His origin was humble, his means of education stinted. He was without wealth, and he did not enjoy the support of influential friends. Much the larger part of his life was spent in private pursuits, and he never exhibited even the common human desire for public employment, leadership and fame. His ambition concerning the great office that he held was fully satisfied; and the triumph of his moderate and reasonable expectations was not even marred by the untimely and bloody hand of the assassin. During the canvass of 1864, and with the modesty of a child, he said, "I cannot say that I wish to perform the duties of President for four years more; but I should be gratified by the approval of the people of what I have done." This he received, and however precious it may have been to him, it is a more precious memory to the people themselves.

His public life was embraced in the period of about six years. This statement does not include his brief service in the Legislature of Illinois, nor his service as a subordinate officer in one of the frontier Indian wars, nor his single term of service in the House of Representatives of the United States nearly twenty years ago. In none of these places did he attract the attention of the country, nor did the experiences acquired fit him specially for the great duties to which he was called finally. He was nearly fifty years of age when he entered upon the contest, henceforth historical, for a seat in the Senate from the State of Illinois. This was the commencement of his public life, and from that time forward he gained and grew in the estimation of his countrymen. At the moment of his death he enjoyed the confidence of all loyal men, including those even who did not openly give him their support; and there were many, possibly in them it was a sin, who came at last to regard him as a Divinely appointed leader of the people. The speeches which he delivered in that contest are faithful exponents of his character, his principles, and his capacity. His statements of opinion are clear and unequivocal; his reasoning was logical and harmonious; and his principles, as then expressed, were consonant with the declaration subsequently made, "that each man has the right by nature to be the equal politically of any other man." He was then, as ever, chary of predictions concerning the future, but it was in his opening speech that he declared his conviction, which was, in truth, a prophecy, that this nation could not remain permanently half slave and half free.

In that long and arduous contest with one of the foremost men of the country, Mr. Lincoln made no remark which he was unable to defend, nor could he by any force of argument be driven from a position that he had taken. It was then that those who heard or read the debate observed the richness of his nature in mirth and wit which charmed his friends without wounding his opponents, and which he used with wonderful sagacity in illustrating his own arguments, or in weakening, or even at times in overthrowing the arguments of his antagonist. And yet it cannot be doubted that for many years, if not from his youth, Mr. Lincoln was a melancholy man. He seemed to bear about with him the weight of coming cares, and to sit in gloom as though his path of life was darkened by an unwelcome shadow. His fondness for story and love for mirth were the compensation which nature gave.

In the midst of overburdening cares these characteristics were a daily relief; and yet it is but just to say that he often used an appropriate story as a means of foiling a too inquisitive visitor, or of changing or ending a conversation which he did not desire to pursue.

During the first French revolution, when the streets of Paris were stained with human blood, the inhabitants, women and men, flocked to places of amusement. To the mass of mankind, and especially to the inexperienced, this conduct appears frivolous, or as the exhibition of a criminal indifference to the miseries of individuals and the calamities of the public. But such are the horrors of war, the pressure of responsibility, that men often seek refuge and relief in amusements, from which in ordinary times they would turn aside.

In Mr. Lincoln's speeches of 1858 there are passages which suggest to the mind the classic models of ancient days; although they do not in any proper sense rise to an equality with them. His style of writing was as simple as were his own habits and manners; and no person ever excelled him in clearness of expression. Hence he was understood and appreciated by all classes. The proclamation of emancipation, his address at the dedication of the Cemetery at Gettysburg, and his touching letter to the widowed mother, who had given five sons to the country, are memorable as evidences of his intellectual and moral greatness.

His speeches of 1858 are remarkable for the precision with which he stated his own positions, and for the firmness exhibited whenever his opponent endeavored to worry him from his chosen ground, or by artifice, or argument, or persuasion, to induce him to advance a step beyond.

His administration, so far as he himself was concerned, was inaugurated upon the doctrines and principles of the great debate. He recognized the obligation to return fugitives from slavery, and it was no part of his purpose to interfere with slavery in the States where it existed. It must remain for the historian and the biographer, who may have private and personal sources of knowledge, to inform the country and the world how far Mr. Lincoln, when he entered upon his duties as President, comprehended the magnitude of the struggle in which the nation was about to engage.

The circumstance that his first call for volunteers was for seventy-five thousand men only, is not valuable as evidence one way or the other. The number was quite equal to our supply of arms and materials of war, and altogether too vast for the experience of the men then at the head of military affairs. The number was sufficient to show his purpose—the purpose to which he adhered through all the trials and vicissitudes of this eventful contest. His purpose was the suppression of the rebellion, both as a civil organization and as an armed military force, and the re-establishment of the authority of the United States over the territory of the Union.

There yet remain in the minds of men who were acquainted with Mr. Lincoln in the spring and summer of 1861, the recollection of expressions made by him, which indicate that there were then vague thoughts in his mind that it might be his lot under Providence to bring the slaves of the country out of their bondage. But however this may have been, he never deviated from his purpose to suppress the rebellion; and he conscientiously applied the means at his command to the attainment of that end. Thus step by step he advanced until in his own judgment, in the judgment of the country, and of the best portion of mankind in other civilized nations, the emancipation of the slaves was a necessary mean for the successful prosecution of the war. Mr. Lincoln was not insensible to the justice of emancipation; he saw its wisdom as a measure of public policy; but he delayed the proclamation until he was fully convinced that it offered the only chance of averting a foreign war, suppressing the rebellion, and restoring the Union of the States.

In the great struggle of 1862, Mr. Lincoln exhibited a two-fold character. He was personally the enemy of slavery and he ardently desired its abolition; but he also regarded his oath of office, and steadily refused to recognize the existence of any right to proclaim emancipation while other means of saving the republic remained. He sought the path of duty and he walked fearlessly in it. Until he was satisfied of the necessity of emancipation, no earthly power could have induced him to retract or to qualify it. When an effort was made to pursuade him to qualify the proclamation, he said, in reference to the blacks, "My word is out to these people, and I can't take it back."

It has been common in representative Governments for men to be advanced to great positions without any sufficient evidence existing of their ability to perform the corresponding duties, and it has often happened that the occupant has not been elevated while the office has been sadly degraded. It was observed by those who visited Mr. Lincoln on the day following his nomination at Chicago in June, 1860, that he would prove, in the event of his election, either a great success or a great failure.

This prediction was based upon the single fact that he was different from ordinary men, and it did not contain as an element of the opinion, any knowledge of his peculiar characteristics. History will accept the first branch of the alternative opinion and pronounce his administration a great success. To this success Mr. Lincoln most largely contributed, and this in spite of peculiarities which appeared to amount to defects in a great ruler in troublous times.

Never were words uttered which contained less truth than those which fell from the lips of the assassin, *sic semper tyrannis*, as he passed, in the presence of an excited and bewildered crowd, from the spot where he had committed the foulest of murders to the stage of the theatre from whence he made his escape.

Mr. Lincoln exercised power with positive reluctance and unfeigned distaste. He shrunk from the exhibition of any authority that was oppressive, harsh, or even disagreeable to a human being. He passed an entire night in anxious thought and prayerful deliberation before he could sanction the execution of Gordon, the slave-dealer, although he had been tried, found guilty, and sentenced to death. There is but little doubt, such was the kindness of Mr. Lincoln's nature, that he desired to close the war and restore the Union without exacting the forfeit of a single life as a punishment for the great crime of which the leaders in this rebellion are guilty.

Could this liberal policy have been carried out, it would have been the theme of perpetual eulogy, and its author would have received the acclamation of all races and classes of men.

Mr. Lincoln had not in his nature, or in the habits of his life, any element or feature of tyranny. He had no love of power for the sake of power. He preferred that every man should act as might seem to himself best; and when in the discharge of his duties he was called to enforce penalties, or even to remove men from place, he suffered more usually than did the subjects of his authority. It is easy to understand that this peculiarity was sometimes an obstacle to the vigorous administration of affairs. But on the other hand it must have happened occasionally that these delays led to a better judgment in the end.

Mr. Lincoln was, in the best sense of the expression, an industrious man. Whatever he examined, he examined carefully and thoroughly. His patience was unlimited. He listened attentively to advice, though it is probable that he seldom asked it. For nearly fifty years before he entered upon his duties of President he had relied upon himself, and it is said that in the practice of his profession he never sought opinions or suggestions from his brethren except as they were associated with him in particular causes. He had the acuteness of the lawyer and the fairness of the judge. The case must be intricate indeed which he did not easily analyze so to distinguish and estimate whatever was meritorious or otherwise in it. He saw also through the motives of men. He easily fathomed those around him, and acted in the end as though he understood their dispositions towards himself.

He appeared to possess an intuitive knowledge of the opinions and purposes of the people. His sense of justice was exact, and if he ever failed to be guided by it, the departure was due to the kindness of his nature, which always prompted him to look with the compassion of a parent upon the unfortunate—the guilty as well as the innocent. He was cautious in forming opinions, and disinclined to disclose his purpose until the moment of action arrived. He examined every subject of importance with conscientious care; his conclusions were formed under a solemn sense of duty; and while that sense of duty remained he was firm in resisting all counter influences. In unimportant matters, not involving principles or the character of his public policy, he yielded readily to the wishes of those around him, and thus they who knew him or heard of him in these relations only were misled as to his true character.

No magistrate or ruler ever labored more zealously to place his measures and policy upon the sure foundation of right; and no magistrate or ruler ever adhered to his measures and policy with more firmness so long as he felt sure of the foundation. His last public address is a memorable illustration of these traits of character.

The charmed cord by which he attached all to him who enjoyed his acquaintance even in the slightest degree, was the absence of all pretension in manners, conversation or personal appearance. This was not humility, either real or assumed, but it was due to an innate and ever present consciousness of the equality of men. He accorded to every one who approached him, whatever his business or station in life, such bearing and attention as circumstances permitted. For himself he asked nothing of the nature of personal consideration. In the multiplicity of his cares, in his daily attention to cases touching the reputation and rights of humble and unknown men, in the patience with which he listened to the narratives of heart-broken women, whose husbands, or sons, or brothers had fallen under arrest or into disgrace in the military or naval service of the country, he was indeed the servant and the friend of all.

The inexorable rules of military discipline were sometimes disregarded by him; he sought to make an open way for justice through the forms and technicalities of courts martial, bureaus, and departments; and it is not unlikely that the public service may have received detriment occasionally by the too free use of the power to pardon and to restore. But the nation could well afford the indulgence of his over-kind nature in these particulars, for by this kindness of nature he drew the people to him, and thus opinions were harmonized, the republic was strengthened, and the power of its enemies sensibly diminished.

Mr. Lincoln never despaired of the republic. During the dark days of July, August, and September, 1862, he was not dismayed by the disasters which befel our arms. His confidence was not in our military strength alone; he looked to the Lord of Hosts for the final delivery of the people.

Following this attempt to analyze Mr. Lincoln's intellectual and moral character, it remains to be said, that neither this analysis nor the statements with which it is connected, furnish any just idea of the man. He was more, he was greater, he was wiser, he was better than the ideal man which we should be authorized to create from the qualities disclosed by the analysis. And so possibly there will ever remain an apparent disaffiliation between the appreciable individual qualities of the man and the man himself.

Mr. Lincoln was a wise man, but he had not the wisdom of the ancient philosophers, who declared it to be the knowledge of things both divine and human, together with the causes on which they depend; but he was rather an illustration of the proverb of Solomon: "The fear of the Lord is the instruction of wisdom."

Mr. Lincoln must ever be named among the great personages of history. He will be contrasted rather than compared with those men with whom he is thus associated; and when compared with any he is most likely to be compared with the Father of his Country. If this be so then his rank is already fixed and secure. In many particulars he differs from other great men. When his important public services began he was more than fifty years of age, while Cromwell was only forty years old when called from retirement, and most eminent men in civil and military life have been distinguished at an earlier age. He had no military experience or military fame. He was taken from private life and advanced to the Presidency upon a pure question or declaration of public policy—the non-extension of slavery. He entered upon his great office in the presence of assassins and traitors, and from that day to the day of his death he dwelt in their presence and faithfully performed his duties. He conducted the affairs of the Republic in the most perilous of times. In the short period of four years he called three millions of men into the military service of his country. During his administration a rebellion in which eleven States and six millions of people were involved was effectually overthrown. But the great act which secures to his name all the immortality which earth can bestow, is the proclamation of emancipation. The knowledge of that deed can never die. On this continent it will be associated with the Declaration of Independence, and with that alone. One made a nation independent, the other made a race free.

There are four millions of people in this country who now regard Abraham Lincoln as their deliverer from bondage, and whose posterity through all the coming centuries, will render tribute of praise to his name and memory. But his fame in connection with the proclamation of emancipation will not be left to the care of those who have been the recipients of the boon of freedom. The white people of the South will yet rejoice in the knowledge of their own deliverance through this gift to the new designed colored man. And finally, the people of the United States, of the American continent, together with the whole family of civilized man, shall join in honor to the memory of him who freed a race and saved a nation.

What fame that is human merely can be more secure?

What glory that is of earth can be more enduring?

What deed for good can be more widespread?

The knowledge and influence of the great act of his life will extend to every continent and to all races. It will advance with civilization into Africa; it will shake and finally overthrow slavery in the dominions of Spain and in the Empire of Brazil; and at last, in that it saved a republic and perpetuated a free representative government as an example and model for mankind, it will undermine the monarchical, aristocratic and despotic institutions of Europe and Asia.

What fame that is human merely *can be more secure?*

What glory that is of earth *can be more enduring?*

What deed for good *can be more widespread?*

Yet this great act of his life rested on a foundation on which all may stand. In the place where he was he did that which, in his judgment, duty to his country and to his God required. This is indeed his highest praise and the only eulogy that his life demands.

That he had greater opportunities than other men was his responsibility and burden; that he used his great opportunities for the preservation of his country and the relief of the oppressed is his own glory.

Had Mr. Lincoln been permitted to reach the age attained by Jefferson and Adams, his death would have produced a profound impression upon his country.

Had he now in the opening month of his second administration fallen by accident or yielded to disease, the nation would have been bowed down in inexpressible grief. Every loyal heart would have been burdened with a weight of sorrow, and every loyal household would have felt as though a place had been made vacant at its own hearthstone.

That he has now fallen by the hand of an assassin is in itself a horror to appalling for contemplation. Had the deed been committed in ancient Greece or Rome we could not now read the historian's record without a shudder and a tear. All those qualities in the illustrious victim which we cherish were spurs ever goading the conspirators on to the consummation of the crime.

His love of country and of liberty, his devotion to duty, his firmness and persistency in the right, his kindness of heart and his spirit of mercy were all reasons or inducements influencing the purposes of the conspirators. Neither greatness nor goodness was a shield. Had he been greater and better and wiser than he was his fate would have been the same.

In this hour of calamity let not the thirst for vengeance take possession of our souls. But justice should be done. The circle of conspirators is already broken and entered by the officers of the law, and mankind will finally be permitted to see who were the authors and who the perpetrators of this great crime. For the members of this circle, whether it be small or large, and whomsoever it may include, there should be neither compassion nor mercy, but justice and only justice. Judged as men judge, this crime is too great for pardon. The criminals can find no protection or harbor in any civilized country. Let the Government pursue them with its full power until the last one disappears from earth. Yax every sea, visit every island, traverse every continent, let there be no abiding place for these criminals between the Arctic seas and the Antarctic pole.

This justice demands as she sits in judgment upon this unparalleled crime.

One duty and one consolation remain. He who destroyed slavery was himself by slavery destroyed. Whoever the assassin, and however numerous the conspirators, love of slavery was the evil spirit which had entered into these men and taken possession of them. Slavery is the source and fountain of the crime, and all they who give their support to slavery are in some degree responsible for the awful deed. Let then, the nation purify itself from this foulest of sins. And this is our duty.

In the Providence of God, Mr. Lincoln was permitted to do more than any other man of this century for his country, for liberty, and for mankind. Mr. Lincoln is dead, but the nation lives, and the Providence of God ever continues. No single life was ever yet essential to the life of a nation. This is our consolation and ground for confidence in the future.

American Art and Freedom.

PICTURES OF THE ROCKY MOUNTAINS. BY ALBERT BIERSTADT.

It is not many years since American art was in its infancy, and the commonly received idea was that American artists went supperless to bed, and got up in the morning waiting for the gentleman from Jerusalem to come in and advance enough on their bits of canvas to get a breakfast. Things are changed now. American art has gained strength and found encouragement in the ratio that our wealth and taste has increased, and has more than held its place in the rapid race our other great developments have made during the last ten years. We have great painters now, as well as great generals; and we exact from them the highest standard of merit, and we get it and are gently proud of it. And what is more, we pay for it, not according to the ordinary standard, for we allow genius to find its own price and select its own portions now.

In Mr. Bierstadt's picture of the "Rocky Mountains," now on exhibition here, we have the highest standard of landscape painting yet reached by our American artists. One of the most remarkable things in the history of the great civil war we have just passed through, and which the people of the great free North will look back to with pride, is the high standard of development the genius of our artists has taken. If war has developed our resources and our strength beyond all precedent, so also has it brought out all the latent genius, literary and artistic. Art, with its refining and elevating influences, has been busily at work spreading its benign effect over Northern society, marking and keeping pace with its strength and the spirit of its civilization.

How different in the South! There the absence of all these humanizing and refining elements during the last four years is a forcible illustration of the darkness that ruled among her people. There have been periods in the history of all true great nations where art and literature were encouraged, and found a plentifully provided home where they flourished most, and, indeed, reached their highest standards, their harmonizing influences acting at the same time as a beautiful counterbalance to the harsh and jarring elements threatening their destruction. And when we look abroad over the fairest portion of our country and see its deep desolation after four years of fierce war, waged because slavery wanted to spread its empire over the whole land, when we contemplate the blighted human lives, the broken human hearts, the tears, the anguish and the sorrow this war has left there in its blanched track, weighing down in humblness a race once so proud and powerful, it is some consolation to us to know that this will mark the period in our history when American art flourished and found its most generous patrons in the great free North.

The Almighty and Merciful Ruler directs all things for the best, and in this manifestation of His great design there is something worthy of our most serious contemplation. Art had no friends, science no devotees in the South during this great struggle for national life. Slavery and war, with all their desolating and corrupting engines, had no need of humanizing influences. The two pictures present distinctive types of our civilization. On the one side we have an Empire, as it were, shrouded in darkness and disappointment, and ready to pass away. On the other, everything is bright, fresh and strong; progress has got into a swifter chariot, civilization has taken upon itself new and more benevolent forms, and our industrious people, educated to think, act and work for themselves, are just made conscious of the greatness of their strength. Art, science, literature and commerce always found a stumbling block in slavery, a friend in freedom.

Bierstadt, while a struggling artist, traveled over Germany and Italy, studying in their schools and in search of subjects for his pencil. Italy was the home of art, and American artists of a sentimental turn were content, were much given to painting those soft and tender Italian scenes, sketched during their travels through that country. The genius of Bierstadt was not content with this. He wanted something bolder, grander; and he sought and found it in American scenery. In 1856 he obtained permission of the Government to accompany Colonel Lander, a sincere friend of art, and an enthusiast in whatever he undertook, on his expedition to the Rocky Mountains. And in this masterpiece of American landscape painting we have the result of his labor.

THE NATIONAL REPUBLICAN

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That high, broken peak in the distance, nestling among the clouds, wrapped in a mantle of perpetual snow, and over which a pale cold mist hangs, is Mount Lander. Atmospheric effects are here handled with great skill and delicacy, while the coloring is so brilliant and yet so true to nature, that you forget that it is only an artificial mountain of ice and snow you are looking at. Huge breaking glaciers, looking as if they had been thrown into piles by some great and sudden upheaving of nature, are found at the foot of the peak, and afford the artist an opportunity of displaying his great skill in correctly depicting space and distance. Below this region of ice and snow a dark mountain ridge runs, broken here and there by deep gorges and ravines, through which you can trace the pass over the mountain. Here we have the deep solitude of the forest, grand, bold, and impressive. Streams of water from the melting ice and snow are tumbling and leaping down the mountain in the centre, and a ray of gilded light plays over it as it mingles with the still waters of the lake below, producing an effect truly wonderful.

The view here is of a western slope of the Wind range of mountains, in Nebraska Territory, an offshoot of the Rocky mountain chain. The lake here formed by the melting ice and snow, is the head waters of the Rio Colorado, which, after traversing a thousand miles, empties into the Gulf of California.

The foreground of the picture is framed by the deep, dark lake at the foot of the mountain ridge, and a calm, breezy valley, over which a dreamy atmosphere plays, and adds an enchanting harmony. Here the artist's genius has taken its widest range, and you see in the exactness with which every shrub, moss, plant, and grass, with which the valley is so thickly carpeted, the careful study and immense labor he must have bestowed upon it. To our mind, the foliage here, the fine, crispy, old cotton-wood trees, contain some of the best and most careful painting of the picture. Here, too, we have Indian life in all its picturesqueness.

A tribe of Shoshone Indians are here encamped, and a number of their sturdy braves are just returned from the hunt, their horses laden with the spoils, over which the village is rejoicing. Elk, mountain sheep, an occasional grizzly, birds of various kinds, and fine furs lay about on the grass; the young folks are all a-glee, and you see that the village is soon to be made merry over a feast. There is a clump of fine old cotton-wood trees in the left hand corner, painted with great fidelity to nature, and beneath which are some Indian lodges over which a stream of light plays among curious shadows, opening up the distance between the trees, and forming a fine bit of prospective. In boldness and grandeur of conception, in the power of handling color, and in the careful study of nature, and the truthfulness with which the artist has conveyed it to canvas in its minutest forms, we have seen nothing heretofore in American landscape painting to excel this picture. No writing of ours can convey a correct idea of its color, tone, and grandeur. It must be seen to be appreciated.

Speech of Gen. Banks on the Murder of the President.

In Memphis on Sunday week Gen. Banks made the following remarks at a meeting of citizens gathered to express their grief at the national calamity:

FELLOW-CITIZENS OF THE SOUTH: I grieve with you, you have sustained a greater loss than the people of the North. In the President you have lost a friend, a protector, who, while he vindicated the rights of the nation, was not willing that a hair of your head should be harmed beyond what necessity demanded. (Applause.)

No man more than he has been animated by the feelings of love, love for the whole people of this country. At the very moment when he was stricken down in death, I venture to say, in this presence and before God, I believe there was not a thought of his heart that was not for your welfare. (Applause.) It is true we cannot afford to lose such a man. An unknown man, he had fought his way to the confidence of the people. By the rebel camp, in the rebel council, and through the rebel press, they have reported to us their belief that he was superior to their leaders. We can ill afford to lose him, but we are permitted to thank God that Mr. Lincoln and Mr. Seward live, or did live, to see that great object of their labors accomplished, that the rebellion was overthrown, and the Union of States, as far as power of arms are concerned, fixed now and forever, as it has been in all times. (Applause.)

You have heard or read the declarations of Mr. Lincoln, made only a few days before his death, of his views in regard to the reconstruction of the States. I have been, from the beginning of this war, in the very sea and trough of the rebellion, and I can say that I believe that the only path to political liberty lies in the course indicated by Mr. Lincoln. Let us profit by his example and counsel; let us imitate his love for all the people of this continent, like him, even in the hour of death, cherish no sentiment not akin to that of love identified with the prosperity and liberty of our country; let us sustain those upon whom, by constitutional provision, the power of the Government devolves; never, never for a moment holding them responsible for the calamity that has come upon us, question not their capacity to officiate in the struggle in which we are engaged. God alone rules. He alone is competent to judge the right or the wrong. He alone has power to decree that which shall be, and that which shall not be.

The best we can do is to surmise, and in the presence of such evidences as these, your buildings draped in mourning, your flags at half-mast, shadow forth the best proof, and under heaven we stand up against the unutterable vulgar sin of treason; more than this our people will not ask. (Great applause.)

Southern News.

Late Southern papers have the following: A column of the enemy's cavalry left Bayport to pass through North Mississippi, and towards Demopolis, which is threatened west, north, and east. Its capture would close the Tombigbee. The enemy have got on the south or Atlantic side of the Alabama river, and doubtless now hold control of that river to such an extent as to stop steamboat communication between Mobile and Montgomery. They are thus enabled to break up the Mobile and Montgomery railroad.

A gentleman, who left Selma on Monday, informs us that on Sunday the Yankees attacked the advance of General Forrest in Selma, with an overwhelming force, estimated at 18,000.

The forces opposing this body were General's Roddy's, Armstrong's, and a portion of General Dan. Adams' command, numbering 1,200 or 1,400. General Forrest was there in person, but most of his command was too distant to participate in the engagement. After a severe fight of several hours, our forces were driven out and the place left in possession of the vandals.

Our troops acted nobly, although they were very much scattered.

Generals Roddy, Armstrong and Adams were all slightly wounded with sabres. Gen. Forrest was wounded in the arm by a bayonet thrust.