

distinguish themselves in new fields and to punish European intervention in Mexico, and many urged a foreign war as the best means of uniting the North and the South. By taking advantage of that feeling there would have been no difficulty to direct, at pleasure, the destinies of the Republic, and to secure to himself a continuance of his presidential career. He yielded not to dazzling temptations of foreign conquests, and it cannot be said his ambition was of the inordinate kind. His only ambition was to restore the Union, to faithfully execute the office of President and defend the Constitution. He cannot be censured if his efforts were defeated by party faction. The war was a stupendous and deplorable mistake; neither side knew the other. We have experienced the frightful cost of the arbitrament of the sword. Let us cling, in future, closer to the Constitution as the only safeguard.

"Who would have thought," says he, "five years ago, that conscription, confiscation, loss of personal liberty, and the subjection of States to military rule, and disfranchisement with the extension of the suffrage to gratify party ends would have taken place? It has been demonstrated, by recent events, that the President cannot prevent encroachments on the Constitution. The jurisdiction of the Judiciary has been circumscribed and the veto power rendered nugatory by a partisan two-third's majority of Congress." He offers the suggestion, that as the veto power is exercised upon Constitutional grounds, it should, when so applied and returned with the Executive's reasons, and referred to the Supreme Court for its decision. If it decide that the bill is constitutional it should then become law; but if not, it should fail without Congress having power to re-enact it.

He alludes to the history of the majority in Congress thus: "When the rebellion had been suppressed by patriotic soldiers, these men crept, without question, into place and power in the national councils. After all danger had passed, then it was, that these pretended patriots appeared before the nation and began to prate about the thousands of lives and millions of treasure that had been sacrificed in the suppression of the rebellion; and they have since persistently sought to inflame the prejudice engendered between the two sections of the country, to retard the restoration of peace and harmony and by every means to keep open and exposed to the poisonous breath of party passion the terrible wounds inflicted by four years of war. They have prevented a return to peace and the restoration of the union, and in every way rendered delusive the purposes, promises and pledges by which an army, marshalled by treason, rebuked the rebellion; and have crushed and made the liberties of the people and the rights and powers of the President the objects of constant attack. They have wrested from the President the Constitutional power of the supreme command of the army and navy; they have destroyed the strength of the Executive Department, making subordinate officers independent of and able to defy the Chief Magistrate; they have attempted to place the President under the power of a bold, defiant and treacherous Cabinet officer; they have robbed the Executive of the prerogative of pardon and have rendered null and void his acts of clemency granted thousands of persons under the provisions of the Constitution, and have committed gross usurpations by legislative attempts to exercise this power in favor of party adherents; they have conspired to change the system of government, preferring charges against the President in the form of articles of impeachment, contemplating, before hearing or trial, that he should be placed under arrest and held in duress; and, when it became their pleasure, they would have pronounced his sentence and driven him from his place and power in disgrace; they have, in time of peace, increased the national debt by reckless expenditures of the public moneys, and have added to the burdens which already weigh upon the people; they have permitted the nation to suffer the evils of a damaged currency, to the enhancement in price of all the necessities of life: they have maintained a large standing army for the enforcement of their measures of oppression. The people of ten States in the Union have been reduced to a condition more intolerable than that from which the patriots of the Revolution rebelled. Millions of American citizens can now speak of their oppression with more truth than our fathers did of British tyrants; they have forbidden the governments of those States to pass laws of immediate and pressing importance unless suspended till their as-

sent should be obtained; they have refused to pass other laws for the accommodation of large districts of people unless those people would relinquish the right of representation in the legislature—a right inestimable to them and formidable to tyrants only. They have made judges dependent on their will alone for the tenure of their offices and the amount and payment of salaries; they have erected a multitude of new officers, and sent thither swarms of officers to harass the people and to eat their substance; they have affected to render the military independent of and superior to the civil power, and have thus subjected the people of the United States to a jurisdiction foreign to the Constitution and unacknowledged by the laws; they have quartered large bodies of armed troops among us, and have protected them by mock trials, from punishment for murders which they have committed on the inhabitants; they have imposed taxes on us without our consent, and have deprived us, in many cases, of trial by jury; they have taken away our charters, excited domestic insurrection among us, abolished our most valuable laws, altered the fundamental forms of our government, suspended legislatures, and have declared themselves invested with power to legislate for us in all cases whatsoever.

This catalogue of crimes, long as it is, is not complete. The Constitution vests the judicial power of the United States in one Supreme Court, whose jurisdiction shall extend to all cases arising under the Constitution and laws of the United States. Encouraged by this promise, a refugee from tyranny, a citizen of the United States who by order of a military commander, given under the sanction of a cruel and deliberate edict of Congress, may have been denied his Constitutional rights of liberty and conscience, freedom of the press and freedom of speech and personal freedom from military arrests, and held to answer for a crime, only upon the presentment of an indictment; being thus denied of his right to trial by jury, of the writ of *habeas corpus* and the protection of the civil Constitutional Government, a citizen thus deeply wronged, appeals to the Supreme Court for the protection guaranteed him by the Organic Law of the land, when, at once, a fierce excited majority, by the ruthless hand of legislation, strip the ermine from the Judges, transfer the sword of justice to the General and remove the oppressed citizen to degradation and bondage, worse than death.

It will be recorded as one of the marvels of the times that a party, claiming for itself a monopoly of consistency and patriotism and boasting its unlimited sway, has endeavored by a costly and deliberate trial to impeach one who defended the Constitution and the Union, not only throughout the rebellion but during his whole term of office as Chief Magistrate, but at the same time could find no means at their command to bring to trial even the chief of the rebellion. Indeed the remarkable failures of this case, have been so often repeated that for propriety's sake, if for no other reason, it became at least necessary to extend to him an unconditional pardon, which, more plainly than this, illustrates the extremes of party management engineering on one hand and of faction, vindictiveness and intolerance on the other. Instead of seeking to make treason odious, it would, in truth, seem to have been their purpose rather to make the defence of the Constitution and Union a crime, and to punish fidelity to an oath of office, if counter to party dictation, by all the means at their command.

One of the reserved rights of the States is that each shall declare the qualifications of its electors. It is assumed by Congress that it has the control of this right, which can never be taken from the States without impairing the principles of the government. When deprived of this prerogative the States have no power worth retaining; they will then be subjects to the arbitrary will of Congress. The government will then be centralized. This proves that the people should require these branches of the government to act within the Constitution.

He looks forward to young men, upon whom will devolve the duty of perpetuating the Union and Constitution which should be studied. Young men, not under the control of party, should resist centralization. On reviewing calmly his administration he says he has nothing to regret. He says he defrauded none, oppressed none, received no bribe. His thoughts have been those of peace. Let us return to the first principles of the government. Unfurl the

banner of the country and inscribe thereon the infallible characters—"The Constitution and Union, one and inseparable."

Troy.—A conflagration has destroyed Carpenter's paper mill; loss \$50,000.

Baltimore, 5.—About a hundred Cuban refugees arrived by steamer from Cuba, yesterday.

FOREIGN.

London, 4.—In the Commons, this evening, Goschen, the President of the Poor Law Board, advocated the removal of the restrictions on emigration. It is thought advisable to give facilities and otherwise encourage the emigration of paupers to America.

The strong declarations of peace of the King of Prussia give great satisfaction.

Madrid.—In the Cortes, Sogasta, Minister of the Interior, told Costello that the proclamation of amnesty for political offenses, had been delayed because of the late conspiracies.

Paris.—The bullion in the bank of France increased a million last week.

Rio advises say that Lopez had fortified himself in the interior, and that Caxias had resigned to Suisa the command of the Allies.

Havana.—The government is seeking transportation to Fernando Po, for 315 political prisoners. There is great excitement among their friends, as many of them belong to the best families of the Island. It is believed that their transportation is through kindness, as the volunteers demand their death.

Cienfuegos.—Many insurgents are near, but the news is favorable to the government.

No sugar is coming here. The insurgents are increasing. Prospects are gloomy. The troops and the insurgents fought near Sonienti Espireta; the prisoners were killed by each; nothing decisive.

Madrid.—The Cortes has nominated a commission of fifteen to draft a Constitution to define the rights and liberties of citizens and the form of the new government.

The insurrection at Barcelona was instigated by the Republicans.

Berlin.—The King, in opening the Parliament said the first duty of the Confederation was to maintain friendly relations with the Powers represented at the Paris Conferences, in order to show a common desire for peace. A nation saving its own strength, and respecting the independence of others while maintaining its own, can count upon peace, as other powers will not molest unless they are enemies of order and powerless to trouble it.

Prominent Cubans, recently arrived, state that the reports of atrocities committed by the insurgents are fabrications. They have sixty thousand in the field. They are armed with such weapons as are obtainable. They hold two-thirds of the Island. Its entire centre is impassable. There has been no communication between Neuvieta and Porto Principe for four months. Valmazo lost 800 out of 5000 during the retreat from Bayamo. They say all they want to finish the work are arms and munitions, for which they are ready to pay cash. These once procured, they say the Spanish will be driven from the Island.

San Francisco, 5.—Mazatlan advices to Feb., 10th say that two Mexicans, a soldier and a local judge, attacked an American named Holderness and seriously wounded him; the assault was unprovoked. There is great difficulty in procuring the arrest of the parties concerned in the outrage, and no hopes of their conviction, as the killing of a "Gringo" is considered a slight offence. There have been heavy failures at Guadalajara, by which the merchants of Mazatlan lose over \$80,000.

Canto, the assassin, and Guittierrez the bandit, are in prison at Durango awaiting their trial.

Intelligence from the interior is anything but encouraging; troubles in the south are thickening. Escobeda desires to resign the command of the first division; Rocha is spoken of as his successor.

It appears that Tarsara, formerly Spanish Minister at Washington, was recently appointed to London. It is reported probable that a gentleman is coming to the States to settle all questions that may arise in consequence of the Cuban insurrection.

New York.—The announcement on Wall street of the Cabinet appointment of Stewart, occasioned a fall in gold, and the advance of governments, owing to his well known views in favor of contraction, and the resumption of specie payment. The Cabinet otherwise was received with surprise.

Important military orders will shortly be issued from the War Office.

The President has accepted the resignation of Rollins, and expresses his appreciation of the fidelity and integrity with which he has discharged the responsible duties of the position.

An order has been issued from the War Office, revoking the order for retiring Brigadier B. W. Price, Paymaster-General.

New York.—A Washington special says, politicians are disappointed at the Cabinet.

The President has informed gentlemen that he will not tolerate idlers in any department of the government, the people are too poor to pay salaries, as a mere bonus, to professional politicians.

Washington.—Wells, before retiring from office, ordered a general court martial to meet at New York on the 13th.

Chicago.—There was a terrible accident occurred at a fire to-night at a large planing establishment; the firemen on the roof, while managing the hose fell, precipitating one of them into the burning mass below; the rest clung to the edge of the building and were secured. The weather is intensely cold.

The Democratic members of the Indiana legislature have resigned in a body to prevent the ratification of the amendment to the Constitution.

The Governor has issued a proclamation for a special election in the vacant districts on the 23d.

There is a report that Pope's death is discredited.

San Francisco, 5.—Legal tenders 77½.

London.—English and French journals eulogize the Inaugural, and admit that the paragraph on foreign policy indicates peace.

Havana.—On Thursday, of last week, the rebel General Arazo was captured and brought to Sogua; he was shot on the following Saturday.

The insurgents in the Eastern department concentrated their forces at Mayan; troops have left Santiago to attack them. In a fight between colored volunteers and a band of colored insurgents in the neighborhood of Santiago, seventeen of the latter, it is reported, were killed.

The Captain-General has recognized Hall as Consul General for the United States. Arrests continue.

Three hundred and fifty additional troops have arrived. It is believed that Dulce, who replaces Valmazo in command of the troops, will not relieve Dulce as Captain-General.

A revolutionary expedition, it is reported, has landed at the mouth of Saguala Grande; the inhabitants in that vicinity sunk a schooner to prevent the escape of troops sent in pursuit.

London.—Seven Fenians, imprisoned in various parts of the kingdom, have been liberated: Thomas F. Burke, the American Fenian organizer, Charles Chickwell, one of the editors of the *Irish People*, Captain Mackey, and Messrs. O'Connor, Starke, and O'Keefe; the three latter were liberated unconditionally.

Paris.—Vintry has been appointed President of the Senate, *vice* Troplong, deceased. La Raquila succeeds Vintry as President of the Council. Rouher takes the Interior Department provisionally, in addition to the foreign port-folio.

London.—Rumors from the Continent again mention the death of the Pope.

Later advices from Rio Janeiro report the U. S. Steamer *Kansas* aground at Villetta, on the Paraguay river.

Havana.—Jose De Arnos, recently sent as a Commissioner by Dulce to the insurgents, it is alleged, has issued a proclamation at Nassau, impugning the actions of Dulce. Corea, the companion of De Arnos, denounces the proclamation as a forgery, and the statements therein as false.

The revolutionist general, Quesda, is sick of the small pox.

Berlin.—At Bancroft's dinner, given yesterday in honor of Grant's inauguration, Bismarck said that no dispute had ever arisen to disturb friendly relations between America and Germany.

London.—Ten petitions were presented to the Queen at a levee, praying for an amnesty for the Fenian prisoners.

Havana.—Roberts, the Spanish Ambassador at Washington, sailed to-day for New York.

There are rumors of serious engagements near Sancti Spiritu; no particulars. Nobody having appeared to carry the political prisoners to Fernando Po, it is reported that the Government has ordered the War Steamer *Cadiz* to transport them. The small-pox is raging at Consolacion.

Advices from Trinidad, on Tuesday, report that the siege is raised and that there are columns of troops in constant pursuit of the insurgents.