Matchman & Oth Horth State. BY HANES & BRUNER. SALISBURY, AUG. 21, 1868.



FOR PRESIDENT: HON. HORATIO SEYMOUR OF NEW TORK. FOR VICE PRESIDENT: GEN. FRANK P. BLAIR. OF MISSOURT.

DOONONY IN THE ADMINISTRATION OF THE GOVERNMENT: THE REDUCTION OF THE SPANDING ARMY AND NAVY : THE ADO-CT.

SEEK. WE ARE TRYING TO SAVE OUR used to designate federal jud cial dis State ha ADENTET FROM THE DANGERS WHICH O. tricts. We say that the distinguished all the rights of a State, as if nothing had VERNANG IT.

THE ELECTION WOLLD SERVE TO CHECK THOSE EXTREME MEA. Jav, Marshall, Kent, Story, Webster SCHES WHICH HAVE BEEN DEPLORID BY THE BEST WES OF BOTH POLITICAL ORGANIZATIONS THE REPULT WOULD MOST CERTAINLY LEAD TO A State could not commit treason, and DONSHIP WHICH THE COUNTRY DESIGNS. Gov. Seymour's Letter of Acceptance

EDITORIAL CORRESPONDENCE. Sparkling Cataroba Springs, ( Arorst 17th, 1868.

CHIEF JUSTICE PEARSON'S LETTER. Last week we promised our read-

The Chief Justice sets out in the let

from his earliest youth been a mem-ber of that political organization contend it was, can the government which maintained that our form of by refusing to proclaim the fact press litical power had been taken notice of and by Congress 1. Certainly not by anything glad to know that the argument which we government was not wholly federal vent that from being a state of peace followed by the courts," were not "uncon- which is contained in its platform. While made at that time, and is which we ex- danger to the line stational, but only "extra constitution- the platform firmly proclaims, as the opin- pressed the very opinions, the emocia- the prospers of a in its character, but that it was a com which according to all the authoripound government in which the na- ties on the subject constitutes a state tional and federal features were come of peace I And peace being restored. bined. He has always, denied the and with it the Constitution and laws sovereignty of the States in the sense in existence at the commencement of contended for by Mr. Calho .n and the war, what else is wanting to rethe great leaders of the secession store the States of the South, and the movement. He has always maintain people of the South, to their ante beled that the government of the Unit- lum status? A general amnesty ed States was established by the peo All of these being had what remainple of the States, and that in the act ed to be done after the re-organiza of ratifying the Constitution of the tion of the State governments of the United States the people of the sev South in 1865, and the recognition of eral States did "thereby embody the validity of those governments by themselves into one people, nation or Congress in submitting to the legislasovereignty for certain purposes and tures elected under them constitutionnot so for other purposes" He has al amendments for their ratification or

always maintained that as the laws rejection? of the United States op rate not up- Near the close of his letter the dis on the States, but directly upon the tinguished Judge recurs to the ques citizen, the government of the Units tion of the power of the general goved States a n government of the peo- ernment in the premises and save : ple of the United States, to which " "In regard to restoring the Constituti they owe their allegiance directly. and State rights, no one pretends that the re-construction measures of the President, or of He leas always maintained that in the the general government. (for an act passed SFANDING ABAY AND NAVY: THE ADD. LITION OF THE FREEDMEN'S BULKAU, & execution of its haws the federal gov over the veto is an act of the government) are ELL POLITICAL INSTRUMENTALITIES ernment was entirely independent o' stitution. It is also clear that they are not wa-DESIGNED TO SECURE NEGRO SUPREMA- the State governments in every par. constitutional, but ertra constitutional : that Descention of its acts were done to nices an early the foreseen by the framers of that its acts were done to meet an emergency, not aws it used its own officers and knew Such is the decision of our Supreme Court. IT IS NOT A MERE PARTY TRIUMPH WE no State lines further than they were So the suggestion of restoring the constitu-

never been out of the Union. she. Gov. Sarmors's ADDRESS. Judge has always maintained these happened is a fallacy. - Your son rebe views for the reason that they were is still your son, but is he entitled to the rights and privileges of a child until he atones, A MAJORITY OF REPARENTATIVES WOULD NOT GIVE party to which he belonged, and by ing of State rights is out of the question." TO THAT PARTY OBGANIZATION THE POWER TO the great leaders whom he professed In what Judge Pearson says about the MARE SUDDEN OR VIOLENT CHANGES ; BUT IT to follow -- Washington Hamilton, reconstruction measures of President Johnson not being in accordance with the express provisions of the Constitution we and Clay. According to this theory concur. But the President never claimed THE RESULT WOULD MOST CERTAINLY LEAD TO a State could not commit freason, and the power to re-organize governments in THAT PEACEFUL RESTORATION OF THE UNION of it could not, of course t could not the Southern States, as is contended AND RE-ESTABLISHMENT OF PRATERNAL RELA- permanently forfeit any of its rights. by some. He never proclaimed the According to this theory the late wat Constitution and laws in force in North

was the result of a rebellion against Carolina on the 20th of May 1861, were the government and authority of the abrogated or destroyed by the war, bu United States by the citizeus thereof, only the laws enacted by the de facto Every citizen who willingly engaged governments of the State during the war. in the same committed treason, and On the contrary he expressly recognized was liable to punishment as a traitor the validity of the Constitution in exisers that from this place we would, apon conviction, after a fair trial by tence at the commencement of the war this week, furnish them with a re a jury of his peers. A large majori His proclamation appointing a Provisional view of Judge Pearson's letter advo ty of the people of the State may Governor for the State was issued by him cating the election of Grant and Col- have forfeited their rights and privi. in his military capacity, and in it he profax to the Presidency and vice Presi- leges as citizens upon the fa lare of claimed that all civil government was at

deduced was the true one. He has power were not the power to make a the governments thus established by the proceed at once to nullify these govern- Such decisi admitting the Judges premises, and giv-ty, that those ante are pheoustitutional now so much alarms Judge Pearson, was tinnance of military rel ing him the full force of "the point on and void, does it proclaim that its opinion regarded by him as conclusive against the other, but in the event of which his opinion turns,"-that the "South is to be the law of Government should it power of one Congress to usarp power to tion we may exp has been subjugated,"-we would still be acquire power 1 . Or does it recognize the undo what had been done under the sup- withd 

"Arguments that prove too much prove function is to decide just such questions ? from our view the "extra constitutional" We think we have shown that nothing at all." Did it never occur to the Did not that very convention endorse An- power of Congress which Judge Pearson Judge's fears ab mind of the Judge that in the argument drew Johnson, who executed these very has brought into view, and justified upon entirely groundless. We also think which he has made in defence of the "ex- laws because they had not been declared the ground of "an emergency." We were have shown that his foars have led tra-Constitutional" power of Congress to unconstitutional by the Supreme Court, obliged to exclude it to reach our conclu- late some errors in his views of the conpass the Reconstruction acts, be has made not withstanding his own opinion that sions, and we expect to see the learned stitutional, or rather the "ertra con an argument which may be used to justify they were so ! We say, upou what must Chief Justice yet modify or change his tional" powers of Con what he so much deprecates-another re- be very high anthority with the distin- views on the subject, construction of these State Governments. guished Judge, that the language of the His arguments on this point are two- New York platform is "perfectly consti exclaims the Chief Justice, and we most Constitutional law that the South was "subjugated "-that tutional language." The authority we reverently respond, Amen ! We ferent- speet for the Chief Justice, whom we have we are a sublugated people, and that " an adduce is no less an authority than Dan-emergency" had arisen "not forescen by iel Webster himself, whose opinions on but if it should come history will attribute leave of him. And as he has been assall. the framers of the Constitution." In an- constitutional law have always weighed it to the succenstitutional and partiana leg- of for publishing his letter in the column swer to the first argument we would ask, very greatly with all men of the political islation of Congress for the Southern of a radical paper, we deem it hat an when will we cease to be a subjugated school to which the Judge and ourself be- States. But, mays the Chief Justice, it is justice to him to state that he twice m people ! If we are a subjugated people long,

of course we have no rights, and never Judge Pearson will remember, if our political rights without producing a civil umas, before he sent his letter to the can have any except such as our conquer- other readers do not, that Mr. Hayne, in war ! "History," he says, "furnishes un Store ors choose to confer upon us, and they the celebrated discussion between Mr. instances of four millions of people, back- did this, not from any want of respect for may be revoked at pleasure. And what Webster and himself, in the Senato in ed as they are in our State by a clear ma- the Chief Justice, but because as a supemergency had arisen that justified 1829, attempted to fasten the charge of jority of 20,000 voters, being deprived of porter of Gov. Seymour, wh Congress in exercising powers not con- nullification and disunion upon New Eng- political rights which they have enjoyed we most ardently desire, we did not feel ferred upon it by the Constitution ? None, land in justification of the position which for years. It cannot be done without a willing to allow the use of our columns to save that it was dissatisfied with the State South Carolina then occupied. Among civil war. It is sgainet the order of na- any person who wiehed to use then Governments in the Southern States and others he arraigned a venerable Ex-Sens- ture."

wished to create other for party purposes. tor from Connecticut who happened to be In the first place we think the Chief As the fact that the South was "subjuga- present on the occasion. He read from a Justice is mistaken-very greatly mistated," if such is the fact, will never cease speech of the venerable Ex-Senator, James ken, in saying that in this State the colored to be a fact, and as Congress itself must always necessarily be the judge of "emer-gencies," is it not clear from the Judge's 'reasoning" that any inture Congress may therefore, null and void. "That," said ond place we think the Judge has overstitutional" power as did the 39th and stitutional language Such was the Sen-in the history of his own country, and the reader for further particulars in regard 40th Congresser? But the Judge is mis-tor's opinion and he feeely expressed it. which came immediately under his own to the Convention to the telegraphic requite as properly exercise the "extra Con- Mr. Webster in reply, " is perfectly con- looked some very remarkable "instances" 40th Congresser? But the Judge is mis- tor's opinion and he feely expressed it. which came immediately under his own taken. The Reconstruction Acts of Con- Such was the opinion of New England, observation. He certainly does not con- port of them to the Wilmington gress are not only "extra Constitutional, and New England boldly proclaimed it, sider the negro the superior race. Yet be but they are outrageously unconstitution. But who did New England say must de has seen eight millions of white people in eide I Who did the venerable Senator the South submit, without a straggle, to bring the glorious intelligence that the

But we are more surprised at the say must decide! Did he claim the right much more than the freedmen would have State O avention is a trian Judge's illustration in the case of the reb- of Connecticut to decide the question for to submit to in being merely deprived of It surpasses our most sa el sou than in any thing else which he herself ? Did he contend that New Eng- political rights and privileges. Yes, he senting seventy-one counties, are has said. We cannot see the slightest hand might decide it for he self ? No such has seen eight millions of Caucasians, the tendane famong them seventy colored analogy in the cases. Is there no differ- expression ever escaped his lips ! He was descendants of the Cavaliers of England delegates. New Hanover sends the Banence between "the rights and privileges far too sound a Constitutional lawyer to and the Huguenots of France-the proud. ner delegation, and our own gifted Cowar of a child," as such, which are derived, give any such an opinion as that. New est and the hanghtiest, of a proud and bedy as he has not met in Raleigh sho and the rights of a sover-ign State which England never gave any such an opinion haughty race - submit, without even an the days of Harrison, he are inherent and reserved ? "So restoring as that. It was the opinion both of New effort at resistance, to indignities comparof State rights is " not "out of the ques- England and the venerable and distin- ed with which the mere depriving of the eigh, tion," as Judge Pearson supposes. And guished Senator, that after all, the ques- freedmen of political privileges might be dency of the United States. That the rebellion, but the Constitution an end-that is, that the machinery had the rebellion but the constitution an end-that is, that the machinery had the second the s promise we shall now attempt to re and laws of the State in existence at constitution or and the proper of. the case of the son rebelling and the South- Court. So is the old fashioned way of He has seen them submit to the subverficers to work it. His proclamation of ern people rebelling, have not the South settling disputes New England went to sion of their governments by the strong

the commencement of the war were the fact node the fact so, for the reason ern people made some "atonement?" Did law. Bonds had been given to a large arm of federal power, and the organizain existence unimpaired at its close. the fact made the fact so, for the reason they not lay down their arms and quietly amount under the law; they suffered tion of others for them by an inferior and a rate ordinardy. Hitherto the has interior and they has given Demogratic major

an Aud we are the count al," is beyond our comprehension. Even of the Democratic and Conservative par- tion of which in the New York platform his election we may expect to see a con rely, unless the pro anwa ent some part of it may be no

Honor is far better in the common law.

"God Almighty ! forbid a war of races !" and in real property law, than he is impossible to deprive the freedmen of their application to us for the use of our col

fort his defeat.

## THE STATE CONVENTION.

edard, which was by as refused. Wa

The Democratic State Conve which assembled at Raleigh great political upheavel of the n snother column.

The Morning Star says

"Our special disputches tions. Three thousand delegates, recabins, Read the glad tid eigh, throw up your hats, an times three chores for Seym

THE PRESIDENCY, As.-The HERALD SAVA: Kenincky has de overaller majority in one year, and that is a obtionary fact. Majorities do not that is a gave Lincoln a vote in 1860, and entic canilida th susand-a vote that by the local chroniclers, edly the policy its orators can no los applied a tremendous it down to a worthl

at the condition of the country-his was only because the offices of the fear that we are drifting into another State government had become vacant conclusion that every man who has the true one the ordinances of secesan interest at stake, and who wishes sion were nullities and the States to preserve the peace of the country were always, in legal contemplation, should vote for Grant and Colfax. He States in the Union-were but subtrusts to be held justified, by the jugated and could not be. emergency, for expressing his opin ion, and to be allowed to do so without being drawn into the vortex of politics ; with his views silence would be criminal. We shall grant the dis to show the fallacy of the "reasoning" by which he has arrived at his conclusions.

The learned and distinguished the questionsnow agitating the country in a wholly practical light. He has not thought proper to advise the acceptance of the situation, and leave it to time to annihilate all former their constitutional relations with the federal government, but he has he believes to be the cause of peace, to the Reconstruction Acts. In this con-Lection he save .

. Leannot, as others seem to be able to do. and our condition is one of the bitter fruits without the protection of the conpoint on which my opinion rests."

In taking this course we think the States. But they will also inform Judge has been particularly unfortu- him that immediately upon the renate. He has, as we have, been a life storation of peace the authority of Chief Justice should say that "the suglong disciple of that political school said constitution was restored in all gestion is a pretext."

in this country which not only denied its force. And was not peace pro- And how the learned Judge could an the right of secession to the States, claimed by the proper authority in rive at the conclusion that the Reconstruct but which denied that the theory of May 17651 by an excentive procis- tion Acts of Congress, which were passed our government from which it was mation. And even if the Executive for the express purpose of overthe

government was suspended i tions in obedience to it. The Provision al Government which it established was civil war-his opinion that the "war through the treason of those who held established mainly, if not selely, for the clouds" are as dark now as they were them during or before the war. The purpose of enabling the people to elect in the winter of 1860-61. Then, he people of the State only, being sov- delegates under forms with which they says, we were promised "peaceable ereign within the limits of the powers were familiar, and meet in Convention for second on," now we are promised reserved to them by the Constitution the purpose of "altering and amending "peaceable nullification." Under these of the United States, could reorgan their Constitution," and providing for the circumstances, he says, he feels it to ize their government and provide for election of officers to fill out the newpired be his duty to make known the rea a new election of State officers as terms of those who had abdicated in obe soning by which he has arrived at the they did in 1865. This theory being dience to the proclamation. This they did. The Provisional Government thereupon ceased to exist. Here, allowing the fices to be vacant, which we have shown they were, the rights of the Sovereigu people-the States rights-were respected. Those who were entitled to vote un-

Such being the case, we regret that der our State Constitution, who had re-Judge Pearson could not find argu ceived the benefit of the general amnesments satisfactory to his own mind ty or a special pardon, and no others were without basing them up on an hype permitted to vote in that election. A genthesis which can have no existence eral sumesty having been granted he tinguished Judge all that he claims upon the principles which he is citizens, and the State having in the exerin this regard, and shall review his known to have held all his life, and cise of her undoubted sovereign powers, letter, not as the letter of a political which can only be supposed to exist reorganized her government the work was opponent, but as the letter of a disin- if the doctrine of secession be true -or should have been complete. Wheth-

terested patriot. Our object shall be For, unless the ordinances of seces er Andrew Johnson possessed the constithe Union of the States which adopt consequence. The validity of the gov-

ernment established in 1865 did not deed them and restoring to them their Judge has not been content to discuss original sovere git and independent pend in the slightest degree upon the powcharacter, we cannot understand how ers of the President, but upon the power character, we cannot understand how of the sovereign people in Concention as-they could have been 'subjugated." sembled. As their act it was universally and we think it would puzzle an acquiesced in by the former officers of the assume that it was a civil war, which fication or rejection, one of which was arm of Gen. Jackson prevented war. we are ready to admit, and that the declared to have been ratified and made a thought proper in his zeal, for what solution of the difficulty must be part of the Constitution of the United States by its act-and according to every sought for among writers on internadefend the power of Congress to pass tional law he will find himself as principle decided in the case of Luther rs. much perplexed as ever. The author | Borden the government then established was a valid and legitimate government, -ities will, indeed, sustain him in say from my mind the fact that the South ing that during the pendency of the And when all this was done, and not "in-

tained him, contend that North Carolina stitution and laws of the United was entitled to be restored to "all the rights of a State," and we cannot refrain from expressing our surprise that the able

of the United States ? Did they not re- were brought. The case was carried to that another reconstruction, backed by new their oaths of allegiance, and have the Supreme Court and it was argued the whole power of the government-for they not kept their oathe? And in cou- there by the ablest lawyer in New Eng- you may rest assured that it will never be eideration of this fact have they not all land-Samuel Degter. He threw all his undertaken unless under a law of Conconciliation" in all this ?

less relies upon to convince the Conserva- question had decided against them, and groundless his fears really are.

JUDGE PRARSON'S LETTER-CONCLUDED. SO IL.

been visited with an act of general pardon powers in the argument, for his opinion greas passed "to meet an emergency," exand amnesty ? And what is the effect of agreed with that of his neighbors, and he ecuted by the President and sustained by like so intensely Der a pardon and amuesty 1 Is it not fully had expressed it freely. His argument the army-in which the freedmen are worthern States generally to restore the party receiving it to the was worthy of the man, the subject and merely to be deprived of political privirights he would have possessed if he had the occasion. His very statement was leges, cannot be effected without producing the people sarrady less than a sta never committed the offence ! In the argument, and seemed to carry conviction a civil war-we must again be permitted gen case of Garland ex parte, the Supreme to the mind. It was delightful to think, to express our surprise. And yet, after Court of the United States say, that where and feel, and act in unison with a mind having said all this we say that we never it is granted before trial and conviction it of such evident superiority. Yet after all expect to see these governments subvertscipes out the offence, and that where it is the court decided adversely to his elients, ed -never expect the principle of impart the Republican tote granted after conviction it makes the re- and New England submitted. Her own tiality between the races, so far as their cipient a new man. And is there no "re- opinion and the opinion of Mr. Hillbouse civil and political rights are concerned,

and Mr. Dexter were not changed. But abolished ; and that we would not deprive In our next we will notice those por- that tribunal which they regarded as hav- the freedman of suffrage altogether if we tions of the letter which the Judge doubt ing been instituted for the decision of such could. We agree with the distinguished Chief tives that they ought to support Grant its decisions was, with them, a part of the Justice that "the idea of four millions of and Colfax, and endeavor to show how supreme law of the land. The question people, not slares, existing in our midst Republican form

citizens to the settlement."

Of course we have quoted this passage has, with the memory of man, and never

In our last we replied to the constitu- from Mr. Webster's speech from memory, will exist " for any cousiderable length of tional views taken by this distinguished and cannot pretend to exact accuracy, sion did have the effect, in fact and in law, of severing the connection with practical bearing. He is very much con- take any steps to remove the present State conferred upon them by the Southern cerned at the declaration of the New York governments at the South without further States themselves, and we were much its Convention that the Southern State gov- legislation, which Judge Pearson has un- pleased at the time to have the warm co-of Convention that the Southern State gov-ernments are the mere creation of a usur-pation-that the reconstruction Acts of Congress are "anconstitutional and void" gress to meet "an emergency" of which Congress are "unconstitutional and void " gress to meet "an emergency" of which He seems to be haunted with the idea it must itself be the judge, or without a the passage of the reconstruction acts by ple. The Republican party of the abler constitutional lawyer than the State government and recognized by Const that the word "null" was omitted lest it decision by the Sapreme Court that said which such a bad precedent has been set. abler constitutional lawyer than the State government and recognized by Con- that the word "null" was omitted leat it decision by the Sapreme Court that said when such a one precedent has been set. Vinced from its part that the Chief Justice to explain how it was gress in submitting to its legislature two might call up unpleasant recollections of governments are not legitimate govern. We disagree with Judge Pearson when in standing still. There is, governments and restore the States to done. For even if his Honor should Constitutional amendments for their rati- the days of nullification when the strong ments, and not entitled to the protection he says it is inevitable that the Conservaof the federal government. A decision lives must split into two parties on the er; and this the peop We must own ourself surprised ouce by the Supreme Comt that the Recon. present issues. We see no reason why Co more at the importance which the learned struction Acts of Congress are unconsti. the Conservatives cannot support Gov. Sey- majorities and est and able judge attaches to this declaration tutional and void would not affect the va- mour for the Presidency against Gen. Grant. much less that he should see any similar. lidity of the State governments already or. He is certainly a representative man of the ity in it to the case of the nullification of ganized in pursuance of their provisions, true Conservative sentiment of the country, the tariff laws by South Carolius in 1822. Nor would a repeal of the Law itself af. and we do not believe that the Chief Justice That was a case where a State claimed feet them, but only prevent the organiza- blosself can find a sentiment in his letter a tempted a revolution and was subjugated. conflict the parties in rebellion were stantly after the surrender" did President the right to decide for herself upon the tion of others in states in which such re- of acceptance which does not meet with Johnson, and the Conservatives who ans- | constitutional validity of an act of Con- organization his not yet been consumma, his approval. And such have been his grees, and to sullify it within her borders ted. From such premises we argued, in sentiments uniformly. Before the meeting accordingly. This is a case where a great an article which appeared in the Old North of the New York Convent Win his Coop

party, which is striving to obtain control State on the 30th of June, that there was or Institute speech, Gotting of the national government, expresses ils no constitutional means by which we could the same grounds which here opinion upon the constitutionality of cer- get rid of those governments unless we letter of acceptance, and main acts of Congress-declares that in its could early both Hanaes of the next knows his character doubts the

opinion they are revolutionary, uncoust. Congress, which we cannot do. No deci- act up to his professions. On the other tional and vold. But does this party sion will ever be made by the Supreme hand we cannot suderstand how the Coa. ropose that its Executive, should its can- Court affecting the legitimacy of the ex. servatives can support Grant. Is he not lidate. Gov. Seymour, be elacted, shall isting State governments at the South - the nomines of a party which is lead by

In the North th ins will be very heavy.

blican fury has say was settled, and they submitted as logal without some political rights was out of erto it has the question-that such a condition never forkleady on wherever

will exist" for any cousiderable length of the chance of reminition a time. As early as the 12th of January which it is desperate. the extent of configuation and proyear the gains aga constantly increasing the balance on the as we have seen in Orygon, and ball jorities as Ka total to astun

THE COMING ELECTIONS

Four State elections occur in Sep