IS THE PRESIDENT MISTAKEN?

The President, in his message of Tuesday week, assured the nation that in nearly all of the lately rebel States "measures have been adopted, or are now pending, to confer upon the freedmen the privileges which are essential to their comfort, protection, and security." He also testified to the gradual development of systems "under which the freedman will receive the protection to which he is justly entitled, and by means of his labor make himself a useful and independent member of the community in which he has his home." General Howard, on the contrary, informs the Secretary of War that "some guarantees, beyond any existing ordinance in any State he has visited, is essential to secure the actual and continuous protection of life and property to the freedmen."

This rose-colored view from the White House has been applauded and defended by all newspapers and politicians whose business it is to sneeze when the President takes snuff. They have reminded his critics, with a show of indignation, that he knows all the facts, and entertains presumptively the only correct opinion about the condition of the South. Of course, having seconded his plan of reconstruction, they are bound to see nothing but the most admirable results achieved by it. Of course they partake of the confidence with which civil government has been completely restored to Alabama, Georgia, and South Carolina. But men who are not interested in the success of a personal experiment, nor concerned to apologize for every set of the Administration, and are able to balance testimony which is not wholly confined to official channels, will fail to agree with Mr. Johnson in what they will readily admit to be his sincere conviction. The point at issue is not whether progress has not been made in the re-adjustment of society at the South—whether things in that quarter are not better than they were at Johnston's surrender—but whether there exists that laudable desire to be loyal and law-abiding which the President discerns, to a degree which makes it safe for white and black to withdraw the military protection from the States; whether "disorders" there are "occasional" and "local," and due to the demoralizing effects of the war, or whether they belong to the spirit of slavery and rebellion yet exercised amongst any considerable part of the population. Though the President is, in theory, the best-informed man in the country, the public, in deciding this question, will attach greater weight to the conclusions of Generals Howard and Grant, who concur in remonstrating against the proposed withdrawal of troops, if only for the sake of the Southerners themselves. The public will even trust its own intelligence, derived from ten thousand private, yet not therefore despicable, sources, and will prefer it inevitably to the asservements of the score or two of pilgrims to Washington in whom the President may be supposed to confide. Gov. Perry's word, for example, in what relates to the present feeling of his fellow-citizens, will be heeded, deservedly, inferior to that of a commercial travelling agent. Newspaper correspondence excepted, the public is far more likely than the President to receive information that is not "cooked;" and, if they have not all the facts, it is safe to say that they have enough to arrive at a tolerably correct judgment in the premises.

We have only to look at a few of the codes for the freedmen adopted or proposed at the South—codes in themselves odious, because perpetuating an iniquitous civil and social distinction—to differ very materially from the President in his judgment of them. In North Carolina, the Legislature has just adjourned without so much as a bill having been presented for the modification of the State code in favor of the freedmen; and on the same day we were informed by telegraph that two negroes were sentenced to be sold into servitude for larceny, for a period not exceeding seven years! "This sentence," it is naively added, "is agreeable to the laws of the State in relation to freedmen before the war." But it is far from agreeable to the Constitutional Amendment which the State had already ratified, and which was certain to become law in a period abundantly short of seven years. With this instance may be fitly collated two similar cases disposed of in the mayor's court at Wilmington, Delaware, on the 12th of October; and, still more recently, the selling of two colored girls in Maryland for two years within the State, and a colored woman for six months out of it. South Carolina has furnished some of the most atrocious cruelties to the list of those perpetrated upon the freedmen. Her Legislature passed a code for this class by which, when employed, they are to be "stigmatized," and their employers "masters." A master "may moderately correct a servant under eighteen years of age;" but if older, the judge may order the sheriff to perform the whipping. Strict regulations for the daily conduct, polite behavior, and lomocion of servants are enacted. The system of written passes is restored. It shall be an infamous crime to hire or harbor servants without their masters' consent. No person of color shall earn his living at a trade, or keep a store, without a license from the district court. A black man or woman convicted before a justice of failing to support self or children, shall be sold to the procourer on terms agreed upon by the latter and the magistrate.

Similar provisions about entering servants are contained in bills introduced in the Alabama Legislature on the 1st inst. It is also provided that, in cases where white persons lease or rent their lands to freedmen, the lessors shall be liable for taxes assessed upon the freedmen, and in all respects the former be responsible for the latter as a principal for his agent. The same body have passed a very stringent vagrant law, establishing houses of correction in every town, where chain-gangs, "reasonable correction," and solitary confinement on bread and water are in order. In case of a second offence, thirty-nine lashes may be visited by a magistrate on the offender. Vagrants may also be hired out for a month for the benefit of the county treasury. Color is not specified in this statute, but must be inferred.

It is recalled to cite Mississippi, since the President himself has set aside legislation by which, among other provisions, the freedmen were absolutely prohibited from holding real estate. She competes with South Carolina in barbarity to the emancipated blacks, and shares with every other Southern State in refusing to admit them to her courts on even terms with the whites.

Such are some of the open manifestations of the mood of "our Southern brethren" in circumstances when they would have been tempted to make a show at least of complete acquiescence in the will of their magnanimous conqueror. If the President sees in them a ripeness for democratic self-government and a social change conferring "essential privileges" upon colored natives, with "protection" to them and to white immigrants, whether capitalists or laborers, we do not. If these disgraceful statutes were more specious than they are—say, for instance, that they had been passed by a body of law-makers who prevailing in honest intent we should still be incredulous. There would still remain, as Gen. Howard has pointed out, the "danger of the statute law being in advance of public sentiment," and we should still insist on delay in political rehabilitation.

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MR. SUMNER ON "WHITENASHING."

No explanation that can be found in any dictionary, or offered by Mr. Sumner himself, would render the accusation of "whitewashing," which he brought against the President anything but a charge of moral turpitude. To "whitewash" anything is to cover up dark and dirty places with a thin covering of white, and anybody who does this is unquestionably guilty of a certain kind of deceit, the prosaic nature of which, however, is to be determined by the result. Ordinary whitewashing of walls, though it undoubtedly involves making things seem clean which are not clean in reality, still wards off disease and delights the eye. But when one "whitewashes" a man, or a cause, or a state of things, he simply endeavors by falsehood or misrepresentation to make impurity seem pure, dishonesty seem honest, violence seem peaceful. Anybody who does this does an essentially base thing, and the result of his baseless is not confined to the particular case in which it is displayed, but are felt through the whole field of morals by confusing men's notions of right and wrong. And yet this is the very thing Mr. Sumner has accused Mr. Johnson of doing. He has asserted,