EFFECT OF PARDON.

A person disfranchised as a citizen, by conviction for crime, under the laws of the United States, can be restored to his rights by a pardon issued before or after he has suffered the other penalties incident to his conviction.

ATTORNEY GENERAL'S OFFICE,
September 22, 1860.

Sir: In reply to your note accompanying the letter of W. Dunbar, Esq., commissioner of the United States for the northern district of Ohio, I have to say, that a person convicted of an offence against the laws of the United States, which disfranchises him as a citizen, can be restored to all the rights which he had before conviction by a free and full pardon from the President of the United States. Such pardon may be given after he has suffered the other penalties incident to his conviction, as well as before.

Very respectfully, yours, &c.,

J. S. BLACK.

Hon. Lewis Cass,
Secretary of State.

USE OF THE MAILS BY WEEKLY NEWSPAPERS.

Under the act of August 30, 1852, the publisher of a weekly newspaper has no right to send through the mails free of postage newspapers deliverable to resident subscribers.

ATTORNEY GENERAL'S OFFICE,
October 16, 1860.

Sir: The second section of the act of August 30, 1852, provides that “The publishers of weekly newspapers may send to each actual subscriber, within the county where the papers are printed and published, one copy thereof free of postage.” (10 Stats. at Large, 39.)

This was manifestly intended to give the publisher of a paper the gratuitous use of the mail, in the ordinary way,
within the county, for the benefit of those subscribers who do not reside at the place of publication. It would be a mere evasion of the law to let him deposit his newspapers in the post office and compel the clerks to deliver them to resident subscribers. The evasion is still more palpable when the publisher carries them to another post office within the county, and has them sent back to the town in which they are printed. Both these modes of getting postmasters to do the work which the publishers would otherwise have to pay for, are tricks which you are under no obligation to countenance, nor can they be justified by any authorized rule of interpretation. The postmaster at Woodstock was, therefore, not bound to deliver the papers placed in his office by a publisher, in the same village to subscribers who lived there; and he had a right to charge postage upon the same papers when sent from another post office.

Yours, very respectfully,

J. S. BLACK.

Hon. J. HOLT,

Postmaster General.

CASE OF W. H. DE GROOT.

1. The joint resolution of June 15, 1860, relating to the settlement of the account of W. H. De Groot, makes the Secretary of War a judge between De Groot and the Government, with power to see him paid the money actually expended by him, and to indemnify him for such other losses, liabilities, and damages as he had suffered or incurred.

2. Congress having declared that he should be paid his expenses, the Secretary has no authority to inquire whether he had any legal right to that reimbursement or not, but simply to ascertain the amount.

3. In ascertaining the other losses, the Secretary is confined to the principles of justice and equity, and cannot make an allowance for any thing but an infraction of his legal rights.

4. Justice is law. Equity is law, with that modification of legal strictness which a chancellor administers, but it never includes the recognition of any essential right which the law does not sanction.

5. If De Groot had a valid subsisting contract which the Government repudiated without cause, he is entitled to all the gains he would have made by its completion.

6. The Government having made a contract with certain parties, (Degges