

SPIRIT OF THE PRESS.

EDITORIAL OPINIONS OF THE LEADING JOURNALS UPON CURRENT TOPICS—COMPILED EVERY DAY FOR THE EVENING TELEGRAPH.

Grant and the Civil Service.

From the N. Y. Nation.

There are rumors afloat already that the Jencks Civil Service bill begins to find unexpected favor in the eyes of politicians at Washington, and we have little doubt that the number of its supporters will, now that it is plain that Grant does not intend to work under the old system, grow every day, and that the measure will, early in the Forty-first Congress, become a law. Not that we should have despaired of success even if Grant had not been elected, and his place during the coming four years were to be filled by one of the regular party hacks. It would have taken more time to bring about the desired result, but the result would still have been certain; the outrageous misconduct and incompetency of the present tribe of office-holders would have made the necessity of the reform plain to the public, even without the aid of set expositions from its friends or the active support of the new President. But without the aid of the President the task of "educating" the regular politicians "up" to the change would, we admit, have been difficult. They themselves enjoy, mightily, "educating" the people "up" to the level of their own crazes, but they are extremely chary about receiving ideas that seem likely to lessen their importance to the State. There is probably nothing in the whole political field more provoking, and at the same time more annoying, than the air of drunken doubt and disapproval with which "the men inside politics," as they call themselves, look down from the stump on all reformatory labors out of which no "capital" is to be made. Any change which seems likely to lessen the number of things they can promise—and therefore their weight with their followers—or the support of which involves the denial of something to somebody, or the utterance of unpleasant speeches about the machinery of their own party, they endeavor to treat as visionary, and laugh over it as long as they can. But the main thing is that it is to be, that there are influences working for it against which they cannot make head, their conversion becomes so rapid that the difficulty is to baptize them fast enough. Had they succeeded in putting one of their own number in the Presidential chair, they would, owing to the enormous amount and value of the patronage now in the hands of the Government, have offered a resistance to any change which nothing but an overwhelming outbreak of popular indignation could have overcome, and we should probably have witnessed four years of corruption in every possible form, which would compare with the corruption of the last eight years as the finished work of a man compares with the tentative efforts of a boy.

It must be remembered that "the whiskey thieves," which now seems to be the generic name of the vast and growing class who devote themselves to plundering the Government as to a profession, have been, until now, comparatively unskilled in their work. It took some years to discover the various devices by which the Government could be cheated, officials bribed, evidence destroyed or covered up, and to draw into the business the leading rogues of the country and the vast body of capital which is now literally invested in the robbery, just as it has taken ten years for the rogues of this city to find out the use for their purposes that might be made of an active judiciary. It is no exaggeration to say—as those who know most about it assure us most earnestly—that there is no "interest" in the United States so strong, so compact, so well organized, with so much money and so much skill and ingenuity at its command at this moment, as the body of persons who are engaged in defrauding the public Treasury. Their creatures swarm in every department of the public service, except the army and navy, and do their bidding without hesitation. Their "lobby" is so powerful that they find no difficulty in arresting and delaying any piece of legislation that seems likely to diminish their profits. Nay, they are strong enough, as we have recently seen, to stay proceedings in the courts, close the lips of the public prosecutor in the very midst of a process, and hurry him away to become himself a culprit elsewhere. Moreover, there is no chance whatever of bringing the party machinery into play against them, because they take care, we need hardly say, to commit no breach of the party canons. They are all, or nearly all, "sound on the main question;" in fact, in the matter of orthodoxy, they usually outdo everybody else, and are as intolerant of heresy as the grand inquisitor himself. With one of themselves in the Presidential chair, or with any man in it who was thoroughly broken to the party yoke, they would have proved for the present formidable enough to ward off the opening of the new term, have gone to work with all the advantages of eight years' training and experience.

Grant comes, therefore, into the civil service of the country as he came into command-in-chief of the army, after three years of blundering and disaster, literally as a savior; and, in the former as in the latter case, he comes to meet a crisis for which his career and training seem to have especially prepared him. Had he reached his present elevation, as most of his more recent predecessors have reached it, after having "filled every office in the gift of the people, from village alderman, etc., or a later having begun his political education in the ward caucus, and worked up into State or national prominence through the hidden and crooked ways in which so many so-called statesmen lay the foundation of their fame and earn their reputation for wisdom, he would have learned, as most of them have learned, to look on party usages, the most debasing as well as the most useful, as part of the organic law of American society. He would have learned to regard the best places in the public service as the "inalienable right" of those who do the work of the canvass, and the party managers as the heaven-born dispensers of the public patronage, and resistance to their will or disregard of their advice as at least a sort of mild lunacy, if not downright treachery. Luckily he has learned his duty to the country in a school in which truth and courage are still the highest virtues, in which the public money is held sacred, and in which the habit of looking on the sacrifices of life for the country as an obvious duty makes defrauding the country seem one of the meanest of vices, and in which the political art as practised in caucuses excites only disgust. Although the political tone of the American army is not, owing to the social influences by which military circles were governed before the war, perhaps all that could be desired, it is permeated by a morality which we shall have to infuse into the civil service if we are to save the Government.

Moreover, Grant has not been chosen by the party, in the sense in which candidates for the Presidency are usually said to be chosen; he has been, in a measure, forced upon it; no other nomination was possible without almost the certainty of defeat. He

did not seek the nomination either, and during the canvass refused steadily to contract obligations to anybody for helping to get him elected. Anybody who "worked for Grant," therefore, did so on his own responsibility; so that Grant can now meet all Republican orators, writers, and bill-stickers, drummers, scene-shifters, stage-carpenters, and rollers of thunder-barrels with an unclouded brow and a sense of perfect independence. The result is that there is an extraordinary and almost unprecedented absence of rumors about offices; an almost unprecedented scarcity of office-seekers in Washington. In the course of the next year we confidently expect to see the theory that the present system of appointment to office has anything peculiarly "American" about it, or that any considerable portion of the public is attached to it, proved to be a fallacy and thoroughly exploded. The number of persons who take any real interest in the present system, or would mourn for one hour over its destruction, is in reality exceedingly small, and it forms a class without the least weight in the community, either as regards character or ability. The doctrine, too, that there is something peculiarly democratic in rotation in office—that is, in the periodical dismissal of one set of public servants for the purpose of giving a fresh batch of citizens a share in the profits of politics—is one which has equally little hold on the popular mind, and the success which those who live by it have had in persuading people that the country was attached to it is simply a striking illustration of what may be done by noise and impudence. This success thus far has been due simply to the fact that the exceedingly small amount of work which fell to the share of the Federal Government before the war prevented the abolition of the system from starting people in the face as they do now, though it did not prevent people from considering office-holders and office-seekers as on the whole a shiftless class.

The only argument we have seen anywhere put forward against reform is that it will ruin the Republican party, by leaving them nothing to offer those who do the work of electioneering by way of reward. We believe, on the contrary, that it will simply substitute a good class of workers for a very bad class. It will cause, no doubt, the retirement in disgust of a large number of wire-pullers and orators of the baser sort; but, on the other hand, it will bring into the field a larger and larger number of the men who built up the Republican party and who now keep it alive—those who have faith in its ideas, and who belong to it not as an end but as a means—and a larger and larger number of men devoted to practical legislation, who, like Mr. Jencks, have made a conscientious study of subjects, and want to use the party as a means of putting their conceptions into practice. The men, even now, who do the party most service during a canvass are not men who entertain any expectation of reward in the shape of Federal offices. They are either men who have already won, or who are seeking by honorable acts, such honors as the people can bestow by electing or electing men for office who never have any attraction, and who serve on the stump, for the sake of the famous "old Cause" for which Sydney prayed on the scaffold, and which in our day seems to run as much risk from knives and blatherskites as in other days it ran from kings and priests.

The Retirement of Disraeli.

From the N. Y. Tribune.

Disraeli retires with dignity. He feels that the results of the elections present no honorable alternative. He might have continued in office and made a factious administration, and allowed some of his colleagues to earn pensions, and probably create one or two nobles and bishops. He retires, and, instead of seeking a snug retreat in the Lords, returns to the Commons to fight. In the old House of Commons he was justified in assuming that upon any new question, especially one like the disestablishment of the Irish Church, he was as much in accord with the English people as his opponent. The elections destroyed this. He appealed to the people upon his own issues and was fairly beaten. He made a gallant fight, and achieved a greater success than many close observers of the canvass anticipated. The voice of England is not in accord with Mr. Disraeli, and he bows to it gracefully.

The retirement of Mr. Disraeli is an event of the century. His party has been beaten before, and under his own generalship. The issues then were auxiliary, and his opponents were in many cases men whose Liberalism was assumed, who believed in the Whig doctrines because Whiggery meant power, and whose real interests were as much with the Tories as those of the Earl of Derby. Disraeli defeated Palmerston and Lord Russell was a conservative Tory jostled out of place by a servative Whig. It was one class of aristocrats succeeding another. But Disraeli beaten by Gladstone has a grave significance. Gladstone is a champion of the popular will of England. He is successful in spite of a Tory Reform bill. He triumphs over the generally successful appeal of "No Popery." It has always been a cry of more than usual meaning to the English masses. The Englishman believes in his church with a coarse fanaticism that has withstood all temptation. He thinks that Catholicism means superstition, fraud, and tyranny—Bloody Mary returning with faggot and quartering-block. The conservatives appealed to this prejudice very much as the Democrats, during the last election, when they insisted that to vote for Grant and Colfax was to give the negroes all the land and to compel white men to give their daughters in marriage. We presume that if the Irish Church question had not been controlling the canvass, and Disraeli had not had an opportunity of flouting the poor old Pope before the eyes of terrified English Churchmen, the triumph of Gladstone would have been overwhelming.

Prejudices and all have failed. England is willing to trust her Church in the hands of a man who certainly has no higher fame than that of being among the purest and noblest champions of Episcopacy. The Englishman sees that the salvation of the Episcopal Church does not depend upon the perpetuation of a corrupt and useless hierarchy in Ireland. The anomaly of compelling a people to accept and sustain a church establishment in which but one man in eight believes is hideous. This, however, is but one issue in many. When Mr. Lincoln triumphed in 1860, the main point in the canvass was that the Southerners should not be allowed to carry their slaves into the Territories. None but extreme Republicans contended for anything more, and the orator who spoke of emancipation was looked upon as a dreamer and an enthusiast—as one who spoke long before his time. But this concession was the surrender of everything. The North was not content with placing a barrier to the advance of slavery; it compelled its destruction. We do not think that England will be content with a victory over the Irish Church. The grave mistake of defeating the candidates of the laboring party is already producing its results. We have seen Russell hurrying to the front to propitiate with an insincere letter the men whom he should have frankly accepted as allies and clothed with power. The newly-enfranchised Englishman sees that, notwithstanding the new Reform bill, the House of Commons is still a Parliament of social position, of wealth, and aristocratic power. He sees a statesman as pure and high-minded as John Stuart Mill driven from his seat by a speculator in periodicals, while young lords like Grosvenor deprive the first thinker of Parliament of the "blue ribbon" of Westminster. The Liberal party is of necessity a party of action and of progress. Disraeli's retirement is merely an obstacle removed. He will be stronger in the opposition than he would have been as Premier. With his wonderful power of scrutiny and attack, his knowledge of Parliamentary management, and a large party behind him, he may be able to assail Gladstone as effectively as when he defeated him on the question of reform. These are vague speculations, however, and merely represent the current of English sentiment as it appeared to us in the last mails. The Liberal party has advanced one step, but its work is unfinished. England will never be free until every man is a citizen and every citizen votes by the ballot. Intellect and labor must reign. Perfect freedom cannot be secured under the present laws. Disraeli retires, Gladstone triumphs; that is one step. To-morrow the Irish Church falls; that is a second step. The cause must advance, and soon we expect to see on the banners of the English Liberals:—"We demand the ballot and manhood suffrage!"

The Freedmen and the Government.

From the N. Y. Times.

General Howard's refusal to be a party to a movement for extending the operations of the Freedmen's Bureau is couched in terms which will commend themselves to the judgment of the country. It is easy to invent excuses for the continuance proposed. As a mere elementary agency, doubtless the Bureau might have ample employment throughout the winter before us. And as a partisan auxiliary, reasons might always be found for prolonging its existence and enlarging its power. From these interpretations of its purpose and work, the Bureau is effectually vindicated by its Commissioner. His ruling object he asserts always to have been "to give relief in each way as to prepare the freedman for his new condition, to aid him during the transition period from slavery to freedom by a United States agency presumed to be free from local prejudice, to protect him in the enjoyment of his natural and acquired rights immediately on his entrance to the field of free labor, and to foster and develop his education." These are aims worthy of a Government alive to the responsibilities incident to emancipation, and the general fidelity with which they have been adhered to in the administration of the Bureau's affairs is the best answer to the aspersions with which its managers have been assailed.

The organization as thus defined was a necessity. Though primarily in the interests of the freedmen, its working has from the first been beneficial to the whole Southern people. Its charities were not circumscribed by color. Suffering whites shared with suffering blacks the succorance it provided. The trying period immediately after the war was marked by a multitude of both races by the liberality and beneficence of its arrangements. Not less prompt nor less efficacious were its measures for reducing to order the industrial chaos produced by the sudden stoppage of slave labor. In this respect the results of the Bureau's operations contrast favorably with the results achieved in a corresponding time under the British policy of emancipation. Amid difficulties far greater than those encountered in the West Indies, we have succeeded in educating colored labor up to the point of steady effort, and in establishing between it and property a relation which promises a renewal of prosperity. The freedman has been taught the necessity of labor, and has got through the initiatory stages of a difficult experiment under a protection which, without imparting self-reliance, has secured him in most cases substantial justice. The wrongs inflicted upon him in some of the States—the refusal to recognize him in law courts, as a suppliant for redress for Rebel outrages—the Bureau has been often unable to overcome. Still, it has in the main secured him fair terms with the planters, has in every State frustrated many efforts to hoodwink and defraud him, and has laid the foundation of an educational system, over whose usefulness General Howard will continue to watch.

A large part of the work assigned to the Bureau has, then, been completed. It has carried the freedmen through the critical era of sudden and untutored freedom. It has fulfilled the reasonable promptings of philanthropy by caring for the negro in his condition of comparative helplessness, and has laid the foundation of an industry before which the pride and prejudice begotten of slavery will gradually disappear. Except as an educational agency, therefore, the Bureau may be dispensed with, as the law provides, after the 1st of January; and General Howard, in opposing its extension, is at once kind to the negro and just to the country. For the primary purposes of the organization having been fulfilled, its further continuance would be calculated to create a feeling of dependence on the part of freedmen, to take from the States the motive to action properly belonging to themselves, and to make possible that perversion to partisan uses which the true friends of the freedman and of the South would above all things avoid.

The military authority which rules in Virginia, Mississippi, and Texas is, as General Howard contends, quite equal to the service heretofore rendered by the Bureau, as well in watching over destitution as in exacting justice from the ordinary tribunals. Indeed, the efficiency of the Bureau in the latter respect has always been contingent upon the support of the District Commander or his subordinates; and these may now be safely entrusted with the entire responsibility. "All that is needed is a good set of officers with the right man in command," declares General Howard; and his testimony should be conclusive. The qualifying condition with which he justifies the withdrawal of the Bureau from States not yet restored will surely be fulfilled under the coming Administration of General Grant.

The Confederate Government not De Facto.

From the N. Y. World.

In the Circuit Court of the United States for the District of Virginia, Chief Justice Chase has just delivered an opinion, in the case of the administrators of Catharine C. Keppell vs. the Petersburg Railroad Company, which establishes, so far as a circuit court judgment can establish—there being an appeal to the Supreme Court—the principle that stockholders in "loyal" States have a right to dividends declared during the war on stock held by them in Southern railroads, notwithstanding the confiscation of such stock and dividends by the Confederate Government. The opinion the reader may peruse for himself. It is a two-pager which demands attention. The first is that the Chief Justice of the United States sees fit, in his official capacity, to ignore the name and style of this Government as established by that Constitution he is sworn to support. Speaking of the Confederate government he says:—"It never held the national capital. It never asserted any authority to represent the nation." It would be

instructive to know what the Chief Justice means by "the nation," and where "the national capital" is to be found. Authority for this nomenclature is nowhere to be had in the Constitution. The preamble to that instrument says:—"We, the people of the United States, etc., do ordain and establish this Constitution for the United States of America." This, then, is the official designation of the republic, and we have a right to expect that the Chief Justice will pay that much respect to his country as not to call it out of its name. Surely he would not have a case entered on his docket as "The Nation vs. A. B.," and wherefore, then, employ a misnomer at the termination of a suit that he would not admit at its beginning? As to "the national capital" and "the national authority" and "the national government," the same objection holds. The official designation of all these matters is set forth in the Constitution, and the Chief Justice is not above the duty of regard thereto, as "the seat of government of the United States" (Art. I, sec. 8, par. 1); Art. III, Amendments, par. 1), and not the national capital; "the authority of the United States" (Art. I, sec. 6, par. 2; Art. VI, par. 2) not the national authority; and "the Government of the United States" (Art. I, sec. 8, par. 16, ib. par. 17), not the National Government—all of which latter are bold, and, while exceedingly unbecoming in the mouth of the Chief Justice at any time, are most especially so when, in this case of Keppell vs. The Petersburg Railroad Company, the gift of his opinion turns upon legal hermeneutics. He is discussing the nature of a *de facto* government, and how impertinent, legally speaking, in such connection this use of unwarranted colloquialisms!

The second point made by the Chief Justice is, so far as it is possible to discern a cloudy meaning, that the Confederate Government was not a *de facto* government. As it is also his opinion that it was not a *de jure* government, what was it? It is undeniable that, in the words of the Chief Justice himself, in this very case, it was "actually organized as a government, and actually exercising the powers of a government, within a large extent of territory, not merely in hostility to the regular and lawful government, but in complete exclusion of it from the whole territory subject to the insurgent control;" and it would seem that, on this showing, it is, beyond all doubt, *de facto*, but the Chief Justice hesitates a doubt. Perhaps he thinks it a myth, for myth it was unless a *de facto* or a *de jure* government, and he cannot exactly concede that it was either. The point is of importance for this reason. In law, allegiance and protection are reciprocal, and where a government fails or refuses to protect the citizen, such fault or inability works, for its continuance, a solution of allegiance. As the Government of the United States was unable for some years to protect many citizens, those citizens it is contrary to public law to now punish for acts then done in obedience to that Government which, *pro tempore*, prevailed, the presumption being always that each citizen would have been faithful to his allegiance unless therein prevented by what is technically known as the *res major*, or force. This just, sensible, and tender rule—originated in the wars of the Roses, and of force in English law for four centuries—Chief Justice Chase sees fit to trample under foot, and, at a time when peace is the heart's desire, to reopen the keenest sores of the war. *Interest reipublice finis sit illius* is the rule that should receive its weight; but, so far from this, a direct invitation is extended in Keppell vs. The Petersburg Railroad Company to the institution of the most annoying, complicated, and, for the most part, worthless suits.

Before the floodgates open, it is to be hoped the Supreme Court may have the opportunity to review so very remarkable a decision.

The Four Republican Rings.

From the N. Y. Herald.

There are four Republican rings in New York, all anxious to serve their country under the new dispensation, and to control General Grant's administration. Each of these rings has its organ in the city—one headed by Greeley, another by Raymond, a third by Dana, and a fourth by Weed—each has its game to play, the stakes being the comfortable pickings from the brokerage of the Federal patronage, and the rich drippings from whiskey, tobacco, and revenue matters generally. Their first point was to obtain some sort of official recognition from the President elect; and when he was in this city all the rival organs waited upon him at his hotel in the hope of being enabled to make some sort of public announcement indicating that they had gained the inside track in the great race. But they could get nothing but a polite "good morning" and the pleasant whiff of an excellent cigar as he stepped into Bonner's hand-some wagon, to be whirled away on the road inside a two-forly gait. This baffled the heads of the rings next set themselves to work to create the impression that they had been chosen as the selected special organs of the new administration. Two of them caused it to be given out that they were about to become the proprietors of the whiskey ring paper at Washington, which was to be recognized as the official mouthpiece of General Grant; while a third desired it to be understood that his own Washington bureau was all the organ that General Grant needed or desired. All of them got mixed up in an impertinent discussion of the domestic economy of the White House, and entered into a general scramble for the position of chief cook and bottle-washer of Grant's kitchen cabinet. They are now particularly engaged in nominating themselves and their friends for the best offices in the gift of the new Federal administration, and are likely to prove as monopolizing in this direction as were the Blairs in the good old days, or as would be the Washburnes in these modern times.

The first pitched battle between these four rings will be fought in Albany in January next, over the question of the United States Senatorship. This struggle opened some time since with a great contest between Fenton and Morgan, which seems to have had a termination similar to that resulting from the famous combat between the Kilkenny cats. At all events, Fenton has been finally disposed of, with not even the most extreme point of his Morgan still lives in the eye of his valor, and if his vanishing properties of gold-bearing Government bonds. The Greeley ring, originally inclined towards Fenton, have gone back on their favorite in his hour of need, and will concentrate their strength upon Noah Davis, of Orleans, who was pitted against Roscoe Conkling in the last Senatorial struggle, but only served to kill off Ira Harris. The Dana ring and the old Tammany Hall Joint Stock Real Estate and Mutual Admiration Society are prepared to bet their pile on Morgan, win or lose. Raymond and his combination would like for Senator Attorney-General Evans or any other good-headed gentleman who is easily managed, believes in the United States Eastern district for the State of New York, and does not credit all the idle gossip about revenue frauds. Weed is, as usual, beating about the bush, willing to pick up Marshall O. Roberts and his stamps, or any other man, and to claim the candidate as his own special property, whoever he may be. There

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is a rumor floating around that this bunch of patriots actually contemplate doctoring up Secretary Seward, cutting his coars, and entering him for the Senatorial sweepstakes. The struggle between the four rings over the Cabinet appointment which is expected to fall to the share of New York, and for the rich office of Collector of the Port, will be postponed until after the Senatorial contest shall have been decided. The victory in Albany will be half the battle. In the meantime the expectant Secretaries of the Treasury and Postmaster-Generals will have to watch and pray, and the aspirants for the Custom House will be compelled to occupy the anxious seat. It would be curious, after all, if General Grant should discard all these rings as bogus, and should refuse to have anything to do with the gift enterprise speculators who offer them on the market.

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