2

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ENTORIAL OFINIONS OF THE LEADING JOURNAL UPON CURRENT TOPICS-COMPILED EVERY DAY FOR THE EVENING TELEGRAPH.

THE DEMAND FOR BEPARATION FOR SPANISH OUTRAGES. From the N. Y. Herald.

Our telegraphic advices from Washington inform us that the Government is disposed to take a proper and national view of the outrages recently committed on the American fag in the case of the brig Mary Lowell and the boarding of the schooner Lizzie Majors on the high seas. The case of the first-named vessel was an outrage of the most barefaced character. It is not denied that this vessel was in possession of the customs officer of the British Government, in British waters, and with the seal of the Crown upon her hatches. Yet she was taken possession of by a Spanish war steamer, carried to Havana, and there condemaned as a legal prize. It is not asserted that she had infringed any law, nor was she engaged in any hostile act. Reparation is due to the British Government for the disrespect to its territory and flag; but not the less should our Government protect the rights and pro-

perty of American citizens in this case. The affair of the Lizzie Majors is an equally palpable case of wrong on the part of the Spanish cruisers. She was boarded on the high sess, and two passengers taken from her and carried back to Cuba, where, from aught we yet know, they may have been already shot, as were those taken from the British sobooner Jeff Davis. No orime was alleged against them, and the utmost they could be charged with was that they were fleeing to this country to escape from the tyranny of the Government and the murderous zeal of the mad Spanish volunteers. One of them was even a minor, a young lad, and the pretext for their seizure was that their names did not appear upon the ship's manifest. It is due to our own honor and the cause of humanity and civilization that we demand the immediate liberation of these persons, that they be safely placed again on their voyage to the United States, and that due reparation be made to our flag. We rejoice that Secretary Fish is beginning to awake to the fact that fear is not the proper guardian of American honor. It is well that the Government has taken

steps to increase our naval force in Southern waters. The proclamation issued by General Dulce on the 24th of last month openly assumes the right to search and seize vessels on the high seas, and to try and condemn them if it please his Excellency so to do. Had we assumed this right during our late civil war the Havana nest of blockade-runners would have been broken up, and it is not impossible that the Spanish rule in Cuba might have been broken up with it. But we respected the freedom of the seas in one of the most flagrant cases which could be presented-that of Mason and Slidell-and shall not consent that Spain, in the defense of an unjust cause and an odious tyranny, shall do less. The fact that the persons seized may be private citizens and not public officers, only makes such out-rages the more flagrant. If Spain persists in them there is but one remedy-the annihilation of the remnant of Spanish power in the New World.

CAN A NEGRO HOLD OFFICE IN GEORGIA From the N. Y. Tribune.

Mr. Justice Schley, pronounced sly, is the Don Quixote of Georgia-a knight who re-veres the dark ages, but cannot endure a black skin. His hatred to the colored people is so implacable as to mislead his judgment and betray his conscience. He accordingly seizes upon the first opportunity to show his hostility and violate the trust reposed in him as a Justice of the Superior Court. But he does one thing at least that is admirable. He boldly

take to mean, according to our liberal way of translating the Latin of Fouthern Jndges, "from the end of a olub," and everybody knows that the bludgeon has been and still is a favorite way, down South, of conferring a favorite way, down South, of conferring rights and immunities upon the negroes. Jadge Sohley would no doubt be pleased to continue this method with those whom he calls "the lowest class of natural persons." This lowest class of natural persons, he tells us, "rested under every disability before the Constitution was adopted," and hence he is averse to con-ferring upon them now "all the immunities and privileges of citizens of the United States." and privileges of citizens of the United States." He appears to have visions of "a Congo, an Ebo, a Hottentot fresh from his jungles" taking a place by his side on the bench or at the polls, and it is Schley and not the nigger that writhes.

OFFICIAL DISHONESTY NO BAR TO PRO-MOTION IN OFFICE.

From the N. Y. Times.

A good many curious and questionable things have been done in the matter of appointments to office during the last five weeks; but the most curious and the most questionable of them all is the appointment by the President, with the advice and consent of the Senate, of James M. Ashley to be Governor of Montana. We do not refer to his action on impeachment, to his repeated public assertions that he was in possession of proof that Andrew Johnson was an accomplice in Lincoln's assassination, assertions which he sought to sustain by subornation of perjury, but which proved to be utterly false; or to any of his political acts concerning which there can be doubt or honest difference of opinion.

But the records of the House of Representatives contain abundant evidence of his public corruption-of venality, voluntary and con-fessed, in high office; and if there be any pretense of official virtue left in the Government, that we should think should prevent his being appointed to still higher office by an administration which came into power under the most solemn pledges of reforming abuses and making integrity the supreme law of the Government.

Eight years ago Mr. Ashley did all in his power to have a man named Case appointed Surveyor of a Western Territory, and himself made Chairman of the Committee on Territories in the House of Representatives. His obect and purpose in this was to give Case the best possible opportunity to speculate in town lots, promising to aid him in so doing by keeping him advised of whatever the Honse Committee on Territories might do to make such speculation pecuniarily profitable, and exacting in return one-half of all the money which might be made by these joint speculations. He demanded to be made a full partner with Case in his speculations, and for this promised to put in as his share of the capital all the knowledge and all the aid which his official position as Chairman of the Committee on Territories might

give him. These facts were not matters of rumor. They did not rest on hearsay testimony. They were established by Ashley's letters to Case; the propositions were distinctly made, in his own handwriting and under his own signa-ture; and the whole correspondence, which was as clear and definite as words could make it, was drawn out and put before Congress and spread upon its printed records, by a committee of the House of Representatives appointed to investigate the subject. A motion made at the time to punish, or at least censure, Mr. Ashley for his part in this mat-ter, was defeated on the ground that there was no proof that he had ever received any money under the corrupt partnership which he sought to form, and the whole transaction went into the inside history of the practical workings of

but, setting aside all question of punish-ment, why should this man, thus branded, thus officially convicted of the highest crime a

sion of particular States and the acceptance of 1 Congress, become the seat of the Government of the United States; and to exercise like authority over places purchased, by the consent of the Legislatures of the States in which the same arsenals, dock-yards, and other needful build-ings." The recognition of the authority of the States over their own territory in this passage is very complete; but the expediency of the Federal Government having fall control over the place where it is located is recognized with equal clearness. The transfer of the Federal capital from Washington to New York would immediately raise the question whether Con-gress should exclude State authority and banish all State jurisdiction from Manhattan Island. Would the Legislature of New York cede the city to Congress in order that it might be made the national capital ? Would Congress transfer the seat of government without such a cession? Before centralization had made such gigantic strides as it has of late, a removal would not have been consented to without a cession of the city; but in the present temper of Congress, it would probably be regarded as a matter of indifference, since that body would not scruple to assume all the authority which could be rightfully acquired by the voluntary consent of the Legislature. If the Federal Government were once here, it would not ask leave of the State to exercise exclusive jurisdiction. It would rely on the intrinsic propriety of the authority, and treat State remonstrances with contempt. The argument of the Federalist for the necessity of such authority could easily be pressed into the service of the consolidationists. We insert the comments of the Federalist on the passage of the Constitution which we have copied :--

"The indispensable necessity of complete autho-rity at the seat of government carries its own evi-dence with it. It is a power exercised by every legislature in the Union-I might say of the world-by virtue of its general supremacy. Without it, not only the public authority might be insulted and its endence of the members of the General Govern-nent on the State comprehending the seat of government on the state comprehending the seat of govern-ment for protection in the exercise of their duty, might bring on the national councils an imputation of awe or influence equally dishonorable to the Gov-ernment and dissatisfactory to other members of the confederacy. This consideration has of the confederacy. This consideration has the more weight, as the gradual accumulation of public improvements at the stationary residence of the Government would both be too great a pledge to be left in the hands of a single State, and would be left in the nature of a single state, and women create so many obstacles to a removal of the Gov-ernment, as still further to abridge its independence. * * * The necessity of a like authority over forts, magazines, etc., established by the General Government, is not less evident. The public money Government, is not less evident. The public money expended on such places, and the public property deposited in them, require that they should be ex-empt from the authority of the particular State. Nor would it be proper for the places on which the se-curity of the entire Union may depend to be in any egree dependent on a particular member of it.

Certain it is, that if the national capital is ever transferred to New York, Congress will claim, and will exercise, full authority and jurisdiction over the city. The practical result will be the same whether the Legislature cedes the city or not; and it is not easy to overrate the effect of such a transfer in hastening the consolidation of all political authority in the Federal Government. It would overshadow the most important of the States-the one most capable of maintaining its separate authority-in the chief seat of its influence. It would associate the Federal Government, in the popular imagination, with that mighty commerce which, having its centre here, spreads its ramifications through every part of the Union. It would convert the vast influence which this city is destined to exert upon the country by its wealth, its intelligence, its civilization, its commerce, its social pre-emi-nence, and its public journals, into a strong ally and supporter of the political authority. At present, the centre of intelligence, civilization, and social influence being different from the centre of politics, the Government acquires no dangerous hold upon men's imaginations; it is credited with no other influence than that which it actually exerts: nothing radiates from Washington but mere naked authority, without that grace of attire and surroundings, and that despotism over dazzled imaginations, which it would have if Washington were the chief seat of the national culture and the great focus of refinement, splendor, and social display. The fact that our national capital has been a small provincial town has saved the country from many illusions. We have been under no temptation to attribute the enormous growth of the Federal authority to anything but the sordid motives and vulgar ambition by which it has been produced. Seeing how powerful and how dangerous the consolidating tendencies already are, no sincere friend of liberty can wish to see them reinforced by such an alliance with the commerce, wealth, and cultivation of the country as would result from a transfer of the seat of government to New York. Up to within a recent period, we have had nothing in this country corresponding, in any respect, to the great capitals of Europe. The intellectual and social cultivation of the country, like its political authority, has been widely distributed; its numerous cities having no marked social pre-eminence or inferiority as compared with one another, any more than the several States have had in respect to political authority. This wide distribution of culture and anthority is one of the favoring circumstances which have contributed to the strength and the rapid development of the country. Whatever there has been of good in the character of our people-self-reliance, en terprise, love of liberty, intellectual cultiva-tion, social refinement-has been equally active in every locality, as there was no temptation powerful enough to drain it away into a central vortex. Our country has, therefore, been like Milton's angels, who,



eets the issue, declaring the question to be "Can a negro hold office in Georgia ?" Not so worthy of our respect, however, are the solemn sophistries of this Georgia Judge, nor the wicked judgment that follows the special pleading of a lawyer who sits an advocate upon the bench. It seems that one Richard W. White, who,

owing to no fault of his own, was born not quite white, was elected or appointed clerk of the Superior Court of Chatham county, in the State of Georgia. Not having the fear of Judge Schley before his eyes, he entered upon the discharge of the duties of his office, and, for aught that appears or is alleged to the contrary, performed those duties to the satisfaction of those whom he served. But William J. Clements, who is presumed to be a shade lighter in complexion than Mr. White, was not pleased. He wanted the office himself, and was agonized in soul because he could not get it. As sly as Judge Schley himself, and more intrepid than office-seekers usually are, he could not be turned aside by the meets fact that another man held the place and was not disposed to leave it. Inspired by the action of the Georgia Legislature he resolved upon deeds as noble, and accordingly made the astounding discovery that a very vulgar fraction of Mr. White's ancestry was included in that class of whom it was said of old, "Cursed be Canaan" -in other words, that he is a nigger, a person of color, having one-eighth of negro "blood in his veins." This fact is brought to the notice of Mr. Justice Schley upon a writ of que warrante, and, without denying the al-legation, Mr. White demurs to the complaint on the ground of its insufficiency in law. But Judge Schley is big with the idea, and goes to work to keep the nigger out of office with almost as much elaboration as we could ex-pect from the accompliabed authoress of "Beulah" and "St. Elmo." Ignoring the proclamation of emancipation, which, at the North at least, is believed to have had some affect in its day, he assumes that up to 1865 the negro in Georgia was a chattel, with no political rights of any imaginable nature, bearing in his name and race every political disability. In that year, he tells us, the State Convention gave freedom to the negro, and even went so far as to enable him to sue and testify in the courts, acquire and hold property, and to marry. This creature with no "imaginable" political rights was even al-lowed, in the deep wisdom of Georgia's legislators, to marry. Fortunate negroes ! wise legislators ! the voice of Georgia says men and women may marry without offense to the lawl

But the wisdom of Georgia has found another vent. The fourteenth amendment, in guaranteeing to negroes all the privileges and mmunities of citizens of the United States. Judge Sohley decides, does not convey the right to hold office. The Dred Scot decision is invoked to show that a person may be a citizen-"that is, a member of the community who form the sovereignty"-without the right to vote or hold effice; and other cases of a like character are cited to prove what the Judge says he would otherwise "concede." The point on which this wicked judgment hinges is that citizenship does not include the rights and immunities of all citizens, whereas the grant is of all the immunities and privileges of citizens. It is the conclusion of this learned Judge that officenship, ipso facto or ex vi termini. does not confer the

public man can commit-an attempt to sell his official power for money-convicted of corruption and venality in office-why should he e put into still higher office and given still better opportunities for repeating his offense We can understand how General Grant, knowing nothing of his past history, and yielding to the pressure of the members of Congress and other politicians, who, acting as usual without the slightest sense of responsibility or the slightest regard for the public honor, urged his appointment, should have sent in his nomination. But we cannot understand why, when all the facts were made public, he did not instantly withdraw it; nor why, with the record of these facts before them, the Senate, even by a majority of one, should have given its "advice and consent' to such an appointment. His confirmation was strongly urged by Senator Summer and others, on the ground of Ashley's party ser-vices, and on such base and miserable pretexts the thing was carried through!

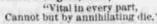
The Senate has thus deliberately sanctioned the doctrine that integrity of character, honesty in office and in the discharge of official duty, is not essential to official position; that it is not necessary in order to receive an appointment by the President "by and with the advice and consent of the Senate." One vote would have averted this disgrace from the Sepate, from the administration, and from the Republican party; but that one vote was not to be had. The old motto that "all is fair in politics" was bad enough, but the new rule established by the Senate, that official orime may be cloaked or atoned for by political service, is a trifle worse.

SHALL THE FEDRRAL CAPITAL BE RE-MOVED TO NEW YORK ?

From the N. Y. World.

We have reprinted a striking article from one of the most enterprising Republican jour-nals in the West-the Cincinnati Commercial-advocating a change in the seat of the Federal Government. We must concede that the reasons urged fer its transfer from Washington to New York are not without force. They could be reinforced by others quite as important, which escaped the notice of the Cincinnati Commercial. But as it is our purpose, in recalling attention to the subject, to point out some of the disadvantages of such a change, it is not incumbent on us to supply the omitted arguments on that side of the question. Our local pride and sense of local benefit would prepossess us in favor of the removal if it were proposed with any prospect of success; but as it is never likely to happen, we can reconcile ourselves to the loss by contemplating the effect of such a transfer upon the public liberty. We are constrained to look at the subject not merely as New Yorkers, but as advocates of free institutions; and we are of opinion that the transfer of the political capital of the country to its commercial metropolis would strengthen the centralizing tendencies of the period.

In the first place, it would give to the con-solidationists (what they have never yet had) a plansible argument for dwarfing and belittling the States, founded on the language of the Constitution. The Constitution expressly re-cognizes the propriety and the desirability of the Federal Government having complete ju-risdiction over the locality which is the seat of the Federal authority. It clothes Congress with power "to exercise exclusive legislation, in all cases whatsoever, over such district, not



When the British took our national capital in our last war with that country, its capture was of little more consequence than would have been the capture of any other city of the same size. There has never been a time, until since New York has grown so large, when the loss of any particular city to foreign enemy or a domestic rebellion would have seriously imperilled our safety, or diminished our resources, or arrested our civilization. But the wenderful growth of New York and the concentration here of our foreign and domestic commerce, are rapidly giving to this city the character of a great social metropolis. People of intellectual cul-ture or social ambition, who have acquired wealth in the other cities of the Union, are more and more drawn hither to enjoy it; and the effect will be a constant advance in metropolitan civilization at the expense of all other parts of the country. Now, if the seat of government were transferred to New York, this inevitable tendency would be stimulated by the addition of a new and powerful attraction. Unquestionably, the concentration of all the best talent and most active social ambitions of the country in one metropolis, and their close alliance with the Government, would be accompanied with advantages; but would it tend to preserve our republican in-stitutions? We think it would not; we think it would tend to make New York the United States, in the same sense that Paris is France. New York would not only perform the exchanges, and shape the opinions, and regulate the fashions of the whole country, but it would be the sole centre of political influence. The Federal Government, reinforced and supported right to hold office. Ez vi termini we exceeding ten miles square, as may, by ces- by all that can dazzle the imagination, domistand total . Generating total and the second state president and