SPIRIT OF THE PRESS.

Editorial Opinions of the Leading Journals Upon Current Topics—Compiled Every Day for the Evening Telegraph.

QUAKERS AND INDIANS.

From the N. Y. Independent.

The association of Friends with Indians has a sweet traditionary fragrance that is likely to last. It looks as if General Grant had done a wise thing in selecting commissioners from that body of Christians whose name suggests kindness, and whose principles pledge them to simplicity, sincerity, honesty, and peace. These good men—whose names are Benjamin Hallowell, of Baltimore Yearly Meeting; Franklin Haines, of New York Yearly Meeting; John Dudley and Joseph Powell, of Philadelphia Yearly Meeting—have made report of their expedition to visit the Indians in the Northern Superintendency in the State of Nebraska. There are six reservations in the State. The Pawnees came first in order, their reservation lying but about one hundred miles west of Omaha; next came the Iowas, Sacs and Foxes, who occupy ground in the extreme southeastern corner of the State; the Otoes and Missourias lie to the west of these; the Santee Sioux occupy a reservation in the northwestern part of the State; the Winnebagoes are on the Missouri river, but a short distance from Sioux City; the location of the Omahas is adjacent to that of the Winnebagoes. All these six agencies are under the care of Friends, each having an agent who resides on the reservation and who represents the care of the General Government. The superintendent of them all is Samuel M. Janney, who lives at Omaha. These men, Mr. Janney included, were appointed on the recommendation of the Indian committee of the Friends. They went to work last May.

Evidence outside of the report goes to show that these agencies work well. Mr. Janney has made two visits to all the reservations since his appointment. The influence of the new agents is already seen in the greater content of the Indians on the reservations, their increasing willingness to work, and the disposition to adopt more and more the habits of civilized life. Drunkenness is diminishing, industry is becoming systematic; industrial schools for the children have been instituted and are found to succeed promisingly. The peace-making agents encourage the arts of labor, in preference to those of war and the chase; and already the Indians begin to ask for implements of agriculture, in place of the guns, ammunition, and knives they required under the old dispensation.

From the unstudied narrative before us we are confirmed in the impression that maltreatment of every kind and degree on the part of settlers and of Government agents has produced a good deal, perhaps the largest part, of the misery, dissatisfaction, and ferocity of the savages. To the inquiries of the delegates, complaints of knavery, thieving, violence, bad or broken treaties, were the invariable answer. What the red men wanted was an assurance of the good faith of the Government. In some instances, as with the Pawnees, there was an inclination to be stubborn in their demand for something the agents had no authority to give, and were determined, if possible, to withhold; but they yielded at length, on being assured that every reasonable request should be attended to and the influence of the authorities directed towards their satisfaction. It was clear that the agents were gaining power over the simple creatures by their moral virtues. They were winning confidence; and, backed as they were by the General Government, their words were believed. Truthfulness and kindness had been steadily making their mark, and were slowly—not so very slowly either—erasing the lines stamped on the Indian disposition by suspicion and anger.

Thus far the new experiment has worked well. The press and correspondents of Eastern papers from Western cities bear their testimony to the good already effected by the new policy and its missionaries. Some of the anticipations may be too sanguine; the sweet-souled Friends may interpret too generously the moral and spiritual manifestations that were exhibited to them, and build too much on superficial signs of progress. Their faith in human nature seems to be in advance of their knowledge of human character. But it is so delightful to have any honest testimony in regard to the dispositions and capacities of the Indians, it is so pleasant to hear good men speak hopefully of them, that we are inclined to take their accounts literally, and believe that all they prophesy will come to pass. Surely, these fine Gospel methods will bring it to pass, if the salvation of the poor Indians is written in the book of destiny.

DIVORCES IN OTHER STATES.

From the N. Y. Times.

The question of the validity of divorces obtained in another State has been brought prominently before the public by recent circumstances. It may not be without interest to see what have been the rulings of our Courts on the subject.

An early case is Jackson vs. Jackson, decided in 1806. The parties were married in this State in 1800. They lived together here as man and wife till 1802, when the wife went to Vermont, declaring that she went there to obtain a divorce. She obtained it by decree of a Court in February, 1803, and then came back to this State, the husband continuing meanwhile to reside here. The decree of the Vermont Court, besides divorcing the parties, decreed to the wife $1500 alimony, and on this decree she sued her husband for that amount. The Court, Spencer delivering the opinion, said that they were not called upon to pronounce on the legal effect of the Vermont divorce, but they would give the wife no assistance in the matter, because it was a plain effort on her part to evade the force of our laws, and they gave judgment for the defendant.

The next case was Pawling vs. Wilson. The divorce was granted to the wife in this case by the Legislature of Connecticut, the husband, though living here, appearing there and contesting the question. The Court declined to pass on the question whether the divorce was obligatory here, but spoke of the fact that the marriage was originally contracted in Connecticut, as making a marked distinction between that case and Jackson vs. Jackson.

The next case was Borden vs. Fitch. Fitch married in Connecticut in 1784. In 1807 the parties separated, and the wife, in 1808, procured from the Connecticut Legislature a separate maintenance. In 1813 Fitch procured a decree of divorce in Vermont, his wife having no actual notice of the proceedings. In 1814 he married a Miss Borden, in this State, concealing from her the facts as to his divorce. In 1815, the facts being learned, Miss Borden's mother brought suit against him for damages for debauching her daughter, and obtained a verdict for $5000. The Court sustained the verdict, holding that the Vermont divorce was absolutely void, because Fitch's wife was not within the jurisdiction of the Vermont Court.

The next case was Bradshaw vs. Heath, decided in 1835. Mrs. Bradshaw sued for dower as the widow of Thomas Bradshaw, whom she had married in 1813. The defendant proved that in 1784, in Connecticut, she had married Charles McDonald, who was still living. The plaintiff proved a divorce for desertion granted to her by a Connecticut court in 1795. It appeared that McDonald was at that time living in this State, and had no notice of the suit for divorce. The court held the same rule, but with a suggestion that the decree of divorce might perhaps be binding on parties who acquiesced in it.

The next case is Visscher vs. Visscher, decided in 1851. The parties were married in this State in 1844. In 1846 the wife obtained from the Court of Chancery a decree of separation, not a divorce. In 1850 the husband obtained from a court in Michigan a decree of divorce against his wife for desertion, the wife having no actual notice. In 1851 he married again in this State, and his first wife thereupon brought a suit for divorce for adultery in such marriage, and the court granted it, holding that the Michigan decree was void.

The next case was McGiffert vs. McGiffert, decided in 1859. The parties were married here in 1846. In 1852 the husband went to Indiana, leaving his wife here, and in May, 1853, he obtained from a court there a decree of divorce against his wife for desertion, she not appearing in the case. He then married again in Indiana, and in October, 1855, returned to this State with his new wife. The first wife then sued him for divorce, charging that such relation was adulterous, and the Court granted her a divorce.

The most recent case which we have found is the case of Todd vs. Kerr, decided in 1864. Mr. Todd living in this State and his wife in New Jersey, she procured in 1844 an act to be passed by the New Jersey Legislature divorcing her from her husband. He afterwards bought real estate in Brooklyn. He died in 1862 and she claimed her dower in the real estate. The Court held that the act could not affect his interests, and therefore did not affect her's, and decreed in favor of her claim.

The rule deducible from this series of decisions would seem to be that our Courts will treat as void a divorce obtained in another State, unless the divorced party appeared in those proceedings, or was a resident of such other State. It is very doubtful whether the fact that actual notice of the proceeding was given to the divorced party would sustain it without such appearance or residence. If this is the law, is it too much to expect of clergymen and all others who are called upon to marry a person who has been divorced, that they will first satisfy themselves that such appearance was made, or such actual notice given, or at least that the divorced party resided within the jurisdiction where the divorce was obtained, lest they give sanction to a relation which our courts must declare to be adulterous?

THE MODERN DICK TURPIN.

From the N. Y. Tribune.

Gentlemen of the road have become demoralized, we fear, since they betook themselves to city practice. We would suggest to the consideration of our too practical burglars the old stories of the chivalry of Dick Turpin and Gentleman Jack. After those gallant outlaws had robbed a travelling chariot they always restored to the ladies their diamond rings, asking sometimes the privilege of kissing the fair hand as they put them on. Very different is the practice of our modern knights of the itching palm. After the late robbery of the Beneficial Savings Fund in Philadelphia, in their subsequent amicable traffic with the directors and police for the stolen goods, they not only demanded to retain all the cash taken, but twenty per cent. on the bonds and the diamonds. We do not scruple to say boldly that the diamonds should have been returned. The rest was legitimate matter of trade, but—a woman's gear! It was a little matter, but an opportunity for the gentle guild of burglars to show their nobility of soul, which unfortunately they neglected.

Their admission into society of late years, too, renders it doubly incumbent on them to act in these matters with a fine sense of delicacy and honor. Dick Turpin was liable to find a pistol presented to his head by the unappreciative subjects of his light-fingered skill, and if caught was sure of Newgate and the rope. Our modern burglar, having gained his spoil, calmly awaits a summons to a friendly conference with the late owners of the bonds, detectives being present merely as mutual friends. The conference in the late Philadelphia case, we understand, was of the pleasantest description—terrapin and a snug glass of wine not being wanting. The parties separated on the most amicable terms. Indeed, so impressed were our grave Quaker brethren with their new acquaintances, that a meddlesome editor, who gave to the transaction the name of compounding a felony, and censured the Grand Jury for not taking cognizance of it, was threatened with indictment for contempt of court. The same jury, to show their unimpeachable zeal, have just made an expedition into the Philadelphia Five Points to ferret out the keepers of ten cent lodging houses.

The business is more profitable as well as honorable than in Turpin's times. Twenty per cent. for three weeks' custody of another man's bonds is a satisfactory return for a slight investment of trouble. No money is required, and, as the police eagerly assure them, no danger is incurred. So satisfactory was it to the gentlemen concerned in the venture in Philadelphia, that they have undertaken several others since, with equally pleasant results. The latest, we believe, is that of the Boylston Bank, in Boston, and the directors have already published their invitation to a conference, where twenty per cent. will be offered, and we suppose terrapin and tea, a more æsthetic drink than wine suiting the occasion, the ancient craft of burglary now having been recognized as one of the liberal professions.

Still, we insist if there be any jewelry in the question, let it be returned. Regard to these little delicacies marks the true gentleman. Our friends of the drill and jimmy may find their intercourse with society more profitable and pleasant without attention to such trifles, but their characters will lack a certain desirable chivalric glow. It hangs about the memory of Turpin, although, owing to the dull age in which he lived, he was not paid for robbery, and the man who traded with him would have been branded as compounder of a felony. The people loved him, though the law—with the old-fashioned prejudice against theft—persisted in giving him a rope instead of twenty per cent.

THE RIGHTS OF CHILDREN.

From the N. Y. Nation.

Eighteen years ago Herbert Spencer wrote a chapter on the rights of children. In this chapter, which was considered wild and revolutionary by some, in fact, a *reductio ad absurdum* of his entire social philosophy, the writer maintained that the law, "Every man has freedom to do all that he wills, provided he infringes not the equal freedom of any other man," applied as much to the young as to the mature; that the child had faculties to be exercised; that it needed scope for their exercise; that to obtain such scope it must have complete freedom—freedom coextensive, and, consequently, rights coextensive, with those of the adult. In working out the bearings of this principle Mr. Spencer dealt hard blows at the received doctrines of parental authority, rule, and care. He more than implied that the best thing parents could do for their children was to give them a good letting alone. This chapter has often occurred to us in connection with the reasonings about women's rights. It would seem at first glance as if the extreme advocates of the rights of women to share, and share alike with men, in the business affairs of society, were carrying out Mr. Spencer's doctrine in good earnest. The children are to have a good letting alone. The law of liberty may be trusted to look after their development. The principal right being the right to freedom of growth according to the natural bent of their dispositions, the new order of things will meet this requirement exactly. The parents being both out of the way, the "little individuals" will be allowed to grow in grace undisturbed. A deeper glance at Mr. Spencer's pages, however, discloses the fact that he does not propose to dispense altogether with parental supervision, but only with certain old-fashioned, coarse, and unintelligent forms of it. He says to the parents, "Hands off," but he adds, instead of hands, hearts. In a word, he vastly increases the responsibilities of mothers and fathers by insisting that their influence shall be more subtle and pervasive, and that, to this end, their care shall be more steady, more constant, more intelligent, and tender. That to this end again, their characters must be of finer mould, their culture more perfect, their manners more gracious; all of which is discouraging to the hope of foolish mothers, that they are at last justified by stern philosophy in neglecting their children.

What will the extreme advocates of the rights of women say to this? We are aware that before now critics have raised the objection that the new reforms would, if carried into effect, result in the neglect of children, in their consequent untidiness, unruliness, wilfulness, and ignorance; further on, in their viciousness and general demoralization; and, ultimately, in the defeat of civilization and the blighting of mankind. We are aware, too, of the reply which has been made to such apprehensions, namely, that they are groundless; that the proper care of children does not occupy all the time; that when other duties are done, there is room for those of the nursery; that women have brought up large families of children, and brought them up well, "in the intervals of business," they themselves being physicians, or teachers, or artists, writers of books, editors of papers, or tenders in shops; that, in fact, the mental freshening they got in this way was a help rather than a hindrance to the faithful performance of their domestic duties. To these arguments there are several things to reply, which, to say fully, our space forbids. We may be permitted to entertain a doubt respecting the truth of the last assertion, if laid down as a rule. We take the liberty to demur in regard to the declaration that precedes it, having seen something of the households and of the children belonging to these discursive and enterprising mothers, and seldom envying or desiring the same. We could very properly urge the old saying that, being exceptions, the women who achieve such feats in administration at home and abroad prove the incapacity of women in general to do the same thing. Distinguished ability furnishes no rule for average, far less for under-average, ability. A reform like the one projected implicates all women and all children, as much those who want to get rid of their offspring as those who want to nurture their offspring; the careless as much as the thoughtful, the faithless as much as the faithful, the incompetent as much as the competent, the vast multitude who need to be kept at home and held to their duty by every possible argument and inducement, as much as the exceedingly small number who have faculty and spirit to spare for outside pursuits. Society is interested in the mass of experiences, not in a few special experiments. The special experiments may succeed perfectly, to the satisfaction of the most captious critics, without at all affecting our judgment on the main case. For all that appears thus far, that judgment reads adversely to the belief that the rights of women, as interpreted by the *Revolution*, for instance, are compatible with the rights of children to life, liberty, and the pursuit of happiness.