SPIRIT OF THE PRESS.

Editorial Opinions of the Leading Journals Upon Carrent Topics-Compiled Every Day for the Evening Telegraph.

FOSTER ON REPRESENTATION.

From the N. Y. Tribune. There are men who are nothing if not paradoxical, and of their manner is Mr. Stephen S. Foster, who would seem to prefer, at any time, rather to astonish than persuade his audiences. He likes to startle his hearers into a surrender, and to convince them by a sort of galvanic moral battery. Long experience has perfected him in this method of warfare, which-fatal as it is to good judgment, to careful thinking, and to sound and logical conclusions-may have its uses when the main purpose is to awaken apathy or to stir up a mob. It is Mr. Foster's idea that, to be at all right, one must reject what all others receive, and disbelieve whatever is accepted by the rest of mankind. Thus he tried on Tuesday to bully the women at Worcester into declaring that men were tyrants, when the dear creatures persisted in saying that they didn't think anything of the kind. Thus, a little farther back, he took occasion, in the recent Woman's Convention at Cleveland, to inform the astonished congregation that "he did not believe in 'representative assemblies at all," while the body which he addressed was, if not "a representative assembly," something less than nothing at all. He also avowed his faith in "a pure democracy," by virtue of which every man would be his own member of Congress. were it not that in the sublime and millennial condition for which Mr. Foster's soul yearns there would be no Congress for the man to be a member of. Of course the projection of these theories to their logical conclusions would leave society without any political government whatever; as there could be no legislation without the full and unanimous assent of the whole population, it would follow that there could be no laws binding upon the minority; the doctrine of its theoretical assent, which is the sole safeguard against anarchy, would be discarded; and nothing short of a radical change in human nature-a change which we have no reason to expect—could save us from that brutal domination of the physically strongest which, if it effected nothing else, would make short and sharp work of "female suffrage." Mr. Foster, no doubt, has in his mind's eye (which rolls in a fine frenzy, if a mind's eye, can) an election such as it would be in heave if the angels only voted. The citizens, both sexes, clothed in white and wre ded flowers, to the music of lutes and so recorders, approach the glorified polls, e h with the same ballot in hand, and all of c accordent mind. But under such circustances of complete serenity, and of brot rly and sisterly love over all, what will the use of voting at all? And how stall we be sure, when everybody is will everybody else agreeing, and all the head she citizens are voting as Wordsworth forty cows were feeding, "like one," that he apparition of Mr. S. S. Foster will not go ally appear to denounce the whole proceedings as a covenant with death and an actioned to ears polite? We can imagine possible state of things in this world which could be safe from the Fosterian style of c sexistence makes nemine contraboth sexes, clothed in white and wre ded style of the existence makes nomine contraworld impossible and una roce out of the dicenter. He is like the Hindoo philosopher que when his wife told him that his rice was dy, would cry out:—"What is rice? Is it sitive or negative? Is it entity or dity?"-and so on until the rice was cold. He laughs to scorn the notion that there are only nine parts of a hair. He could himself dis-

criminate and dissect ninety ! It is a peculiarity of Mr. Foster, and of the less distinguished disciples of his school, to bay their say at inappropriate moments and under distinctly inopportune circumstances. It is this which leads them their race, and starts bewildered minds, just as they are about to find a standpoint, once more upon their travels in search of nobler notions. It is the mission of Mr. Foster to bewilder the weaker brethren and sisters, and to transmogrify them into Wandering Jews of a disputatious turn. Here is a convention met to consider the question of suffrage for women; unless its members believe in 'representative assemblies," there is literally no business before the house: but while fair delegates are dreaming of the day when under the dome of the Capitol they will gracefully move to the desk of the Clerk, and with low, sweet voices take the oath of a representative, up rises the form of Mr. Foster, with a negative in every line of his countenance, and denounces all congresses, general courts, legislatures, and assemblies whatever? Here is a wind of doctrine which sets only in one direction, and if it be strong enough can only blow the delegates home to their babies and their pie making. What do they in Cleveland? What do they want? With what are they dissatisfied? Of what earthly use will the ballot be, if they are to be allowed to vote for nobody? If this republic is to get along with the must exquisite smoothness without Presidents, Vice-Presidents, Congressmen, mayors, aldermen, selectmen, and other "representatives," this voluble battle for "female suffrage" is, after all, but a vile waste of breath. There should have been a convention, not to promote the admission of women to political privileges, but to take measures for sweeping politics altogether from the face of the earth. The theory of Mr. Foster, if it is to be accepted, is an irrefragable argument in itself against all voting, whether the voting is to be done by beings in pantaloons, or by beings in petticoats; or by those who reject both styles of costume and walk in anomalous attire. With his peculiar, and. we may say, unique opinions, how was it posaible for Mr. Foster to feel anything but contempt for the convention, and how was it possible for the convention to feel anything but contempt either for Mr. Foster or itself ? The delegates took the blunted horn of the dilemma. The report before us says simply, "Foster was overborne." At any rate, he did not raise his voice very loudly again in that convention. Votes and voting proved alto-gether too much for him; and he contented himself with protesting against the choice of any officers of the Suffrage Association. Nevertheless they were elected, and the "representative assembly" adjourned, every lady being as willing to be elected to Congress as ever. Mr. Foster, however, was not, probably disheartened. He had said his say; he had created quite a little commotion; and he retired, no doubt greatly refreshed.

THE DANGER THAT THREATENS OUR COMMON SCHOOLS.

From the N. Y. Times. The discourse of Rev. Mr. Preston, of St. Ann's Church, on Sunday evening, discloses the true danger that threatens our common school system. Able and candid in many respects, and temperate in its treatment of a heated subject, that discourse clearly proclaimed, nevertheless, the aim of the oppo-

nents of this cherished institution of our fathers; and if we are any longer attracted to duty, as it will all marrying for the mere accumulation of families. it is surely our own fault.

What that portion of the Jews, the Protestants and the Catholics who are attacking our common school system object to is, not that the schools are sectarian, but that they are not sectarian. And, in this issue between sectarianism and a broad, national education there can be no doubt which side patriotic citizens will espouse. Mr. Preston tells us that, in his view, "it is impossible to have public schools that are non-sectarian," and again, that "it is impossible there could be schools without religious bias." That is the position taken by all those, whether "free-thinkers," or Catholics, or Protestants, who demand that our common school system shall be shattered to fragments, and its remains divided piecemeal among rival sects.

On the other hand, the people, who know how much of their present prosperity is based on our free school system, and how much of the future is dependent on it, declare that it must be preserved intact; that, as there is no established Church in the country, so there shall be no established Church schools. Rightly considered, then, the present is not a question of Bible or anti-Bible in the schools, "As to the reading of the Bible," says Mr. Preston, "we don't consider that

importance," and he adds:-"We demand that we shall receive our propodon in regard to the number of children instruced, of the fund so raised, and the State is bound #Fecog the fund so raised, and that every school, private organic or nize this, and that every school, private organic denominational, so that it be gratuitons shall re-ceive from the State its proportion of the fund raised for general education, and no more."

There is the whole question is a nutshell; and it is precisely on this gound that Protestant sectarian schools receved \$62,000 out of the last city tax levy, and Catholic secta-rian schools double that amount—thus misappropriating funds the ought to have gone

to the support of our ammon school system. The question, wha put on this ground, ceases to be religies and becomes political.

And having become a question of European policy as agains. American policy, it seems to us that ther can be no ground of compromise. We can respect the conscience of Jew, or Catholi, or Episcopalian, or Universalist, who wish his Church or his family to monopolis the religious education of his children. But when it is proposed to impair or dren But when it is proposed to impair or about the essential national characteristic of our American free public school system, are pride and glory of the nation, and to substitute for it the European system of sectarian schools, supported by a common tax, we, as Americans, and not as religionists, protest. Mr. Preston rests his arguments on the practice of "all the European countries," where, he tells us, denominational schools are supported by taxing the people. That is the very reason that our people will not substitute this system for the one dear to their traditions. and on which they have grown to be what they are. Denominations and sects may establish their own sectarian schools and support them with their own funds; the people will not have sectarianism in schools, and will not be publicly taxed to teach the doctrines of sects either to their own children or to the children of anybody else.

It is due solely, we believe, to party machinations that this question has assumed its present gravity. Twenty years ago the principles set forth by Mr. Preston were repudiated, not on religious but on patriotic grounds-the people would have no union of sect and State. But last winter Senator Tweed, as a party stroke, and with a view to make political capital, introduced a bill attacking our public school system. That bill provided that whenever there shall be established, or has been established and maintained, in any city of this State, any free school or schools, in which not less than two hundred children have been or shall be taught and educated gratuitously, it shall become the duty of that city, or of the county, to "provide for the expenses of such school or schools." Other provisions in the bill declared that these "expenses" should be met by "tax on the taxable property of the and that this tax should amount to eight dollars for each pupil. We say that this was a political move and designed for local partisan effect. It was intended to rally all those benefited by it in such cities as New York to the support of the Tammany ring, which Mr. Tweed represents: it was a shameless blow, dealt in the interests of party, at the peculiar pride and boast of American institutions. We need hardly add that the bill received no favor in the Legislature, and that its purposes were only partially carried into effect through that monstrous engine of wrong, the "city tax levy."

Mr. Preston proposes, in effect, to renew the effort begun by Mr. Tweed, with this difference—that what the Tammany leader sought to accomplish covertly, by stealth and the use of false pretenses, the recognised exponent of Catholic aims proposes to urge openly, candidly, and for reasons which leave none in doubt as to the issue involved. We yet hope that a contest so fraught with passion and prejudice-so irritating in its nature, and so dangerous in its tendencies-may be once more averted.

MORMON ACTIVITY.

From the N. Y. Commercial Advertiser. When the Prophet Brigham found his authority contemned and his policy criticized, he first cut off from the Dhurch a few prominent recalcitrants. Then he inaugurated a grand movement for the propagation of the faith, and ordered on the war path more than a hundred Mormon elders and preachers, among whom were many of those whom he suspected of a want of confidence in himself. There is no alternative for the missionaries. Once ordered away, they must go or be put out of the Church. The missionary, be he mechanic, or farmer, or merchant, or teacher, a man of one wife or a man of a dozen, he has no excuse. He goes unpaid. He must earn his own support. He goes where the prophet sends him, to New York or to Nova Zembla, to London or Bengal. This missionary en-terprise is a wonderful instrument in hands so unscrupulous as those of Brigham Young, and he has often used it to put out of the way any reckless and ardent young Mormon who might venture to be in love with one upon whom the prophet has looked with

Elders Godbe and Harrison, the excommunicated editors of the Utah Magazine, now propose to publish, in lieu of that paper, a weekly called the Mormon Tribune. They issue a "Manifesto," in which their views are expounded at length. They are full Mormons, but they crave a more spiritual religion than that which Brigham favors. We have read this "Manifesto," but we see nothing in it beyond a slavish love for the Mormon Church and a certain tolerance of Gentiles which has not characterized Mormonism before. On the polygamy question, the new party makes this declaration:-

"Another point in the movement will be to place the practice of plural marriage on the highest grounds. It will only maintain or encourage it so far as it is practiced within the highest conditions of purity, delicacy, and relinement. It will assert that pure affection on both sides can alone sanctify this

nents of this cherished institution of our or any other kind of marriage. It will, therefore,

and conditions which alone can render this order of life successful, and then leave it, like the question of being called to preach the gospel, to every man's light and intuitions to determine when or whether it will be right in his case or not. Above all things, the movement will strongly assert the necessity of the highest appreciation of woman and of her highest development and culture as the only basis of a high civilization."

How far this modified or eelectic polygamy is in consonance with the "highest appreciation of woman" we leave to the Mormon elders, aided and abetted by the sympathizers that have grown so numerous in this community of late, and who find no stronger bond of marriage than inclination.

But in addition to there religious move

ments in Mormonism, there is also a political movement, and the recent conference in Utah mades demand for admission to the Union, which is to be presented and pushed at this session. The application is in reality a "demand," for it is couched in offensive language, and in terms which resent the past action of Congress. Brigham Young not lorg since told Senator Trumbull he would espel from the territory the Government officers who were objectionable to him, and his action in regard to the elders shows he is

as wilful and impulsive as ever. Upon this action of the Mormon Conference we find an article by Mr. Colfax, in a recent Independent, in which the Vice-President briefly but carefully reviews the history of the Mormons, and then claims that the laws of the Union shall be enforced wherever its flag is recognized. In connection with the discussion, Mr. Colfax shows how England dealt with the Suttee in India, or burning of widows, where they had the power. This horrid rite was more firmly founded in the Hindoo creed than polygamy is in the Mormon. It was fourteen centuries older than Christianity. From 1815 to 1826 there were 7154 cases of Suttee murder. England tried to "regulate" it, but failed. The false religion was too strong. Then Governor Bentinck determined to extirpote it, and he did so, despite of Hindoo complaints of "interference with their religion," and in spite of the appeals and agent and money they sent to England. The Suttee is now prevented where England rules in India The Mormons claim the benefit of the laws they oppose. They repudiate those that are not in accordance with their wishes. The Government has before it the duty of enforcing its laws and protecting its citizens against the old bigot who tyrannizes in Utah. It needs not guns to do this, There is a moral power in the people which will force Mormonism to respect the law, and the Pacific Railroad will soon let in light and example enough to put an end to the hideous features of their faith.

THE FIFTEENTH AMENDMENT-PROS-PECT OF AN EARLY PROCLAMATION. From the N. Y. Herald.

It appears from the official report to Conress on the subject from the Secretary of State that twenty-one States have ratified, through their Legislatures respectively, the fifteenth amendment, and that those States are Missouri, Kansas, North Carolina, West Virginia, Massachusetts, Wisconsin, Maine, Louisiana, Michigan, South Carolina, Pennsylvania, Arkansas, Connecticut, Florida, Illinois, Indiana, New York, New Hampshire, Nevada, Vermont, and Virginia, as heretofore given in the Herald. It appears, however, that the ratifications of Missonri and Kansas are defective, the second section being omitted in the one case (the section which gives to Congress the power, by appropriate islation, to enforce the universal suffrage provided for, regardless of race or color), and hat in the other case the phraseology of this section is changed. As, however, these two radical States will each unquestionably soon make the needful correction, they may still be counted in.

Adding, then, to the official list of ratifying States Alabama, which has lately adopted the amendment, and we have twenty-two; but, deducting New York, whose ratification will surely be rescinded by our now Democratic Legislature, the number is reduced again to wenty-one. We shall, therefore, still rejuire seven States to make the needful wenty-eight, or three-fourths of all the States of the Union, which number is thirtyseven. Georgia, in defiance of the reconstruction laws, having in 1868 expelled the negro members elected to her organic Legislature, is to be reconstructed over again. according to the fourteenth amendment. That organic Legislature is to be recalled, negroes and all, and the application of the test oaths will turn the tables upon the over dainty white members by whom the blacks, in the first instance, were turned out. The President in his annual message, having recommended this line of Congressional action, the bill introduced on the subject will be passed, and Georgia will be reconstructed on the basis of the fourteenth amendment and with her adoption of the fifteenth.

Georgia, then, with Mississippi and Texas, will swell the States to twenty-four for this last amendment. Rhode Island, Ohio, Iowa, Minnesota, and Nebraska—all radical States, with administration Legislatures-will complete the ratification and make the total vote one more than is necessary, assuming that the vote of New York will be reseinded immediately after the organization of the new Demoeratic Legislature in January next, and that this action will be recognized at Washington, The whole case is clearly in the hands of General Grant. We think, too, from his recommendations in reference to Georgia, that he desires to have this matter settled without needless loss of time; and, such being the case, we shall probably have this amendment proclaimed as part of the supreme law of the land before the end of the winter. But what

This question is answered from various Democratic sources with the notice that then the amendment will be repudiated by the Democratic party on the ground that its ratification is spurious and void, inasmuch as the ratification by the reconstructed States has been, by Congressional coercion, in violation of the Constitution. But upon this plea, if admitted, the fourteenth amendment falls to the ground, and also the thirteenth, abolish ing slavery, for both were ratified through the coercion of the late Rebel States. The amendment declaring slavery abolished, it is true, was not forced upon those States by Congress, but it was made a condition of restoration by President Johnson, subject to the approval of Congress, which is the same thing. The Democratic ground of hostility, then, to the ratification of the lifteenth amendment, if admitted, will carry us back to the year of our Lord 1861, and to the pe riod just before the deluge, and to "the Constitution as it was," whereby the war will stand as a failure, and the States will be restored to the right of re-establishing slavery in any form they may choose, African or Chi nese, and to the sovereign right of vigilance committees to take a note of incoming strangers, and to tar and feather and "ride on s rail" out of town every obnoxious Abolitionist

We have, then, again to warn the Democratic leaders of the folly of repeating upon the fifteenth amendment their profitless battles of 1868, 1866, 1864, 1863, 1861, and 1860. In 1862, with the aid of John Van Buren, we got Seymour and the Democrats in this State on the right track in support of the war for the Union; but ever since they have been floundering in the dismal swamp of those old Southern abstractions which broke up the Charleston Convention and the party. The true course for the Democracy all over the Union is that adopted those shrewd old time leaders of the party in Virginia in accepting the situation and the negro vote, and in turning it to a good account. On this plan of operations they may speedily regain the Southern balance of power and make the Southern negrous important an element of Democratic strength as was his master in the age before the deluge On the other tack, that of fighting the fifteenth amendment, as they fought the fourteenth and the thirteenth, the result will be the same-still a new lease to the party in power. It is all fair to fight an obnoxious proposition to the last ditch, but when fairly beaten wise men give up the battle.

A BILL TO ABOLISH THE CONSTITU-TION. From the N. Y. World.

Senator Drake, with more boldness if not more discretion than Senator Trumbull, has fully unmasked the aim of the Republican

party in its projected legislation for abridging the authority of the Supreme Court. Mr. Drake proposes, by one sweeping act, to forbid every judicial tribunal to entertain the question whether a law of Congress is repugnant to the Constitution. If this bill passes, the Constitution will forthwith be a piece of antiquated parchment totally destitute of any binding force. Mr. Drake's bill is in these words

"A BILL further to define and regulate the jurisdiction and powers of the Courts of the United States.

"Be it enacted by the Senate and House of Representaives of the United States of America in Congress assembled, That no court created by an act of Con-gress, or judge thereof, shall have power in any case to adjudge or hold any act or joint resolution of Congress invalid, in whole or in part, for any sup-posed repugnancy between such act or joint resolu-tion and the Constitution of the United States, or for any supposed want of authority in said Constitution any supposed want of authority in said Constitution for the same; nor shall the appellate jurisdiction of the Supreme Court of the United States be construed to authorize that court, in any case now pending or hereafter brought before it, to affirm any order, judgment, or decree of any inferior United States court, or of any State court, which shall appear to have been based upon any such adjudging or helding; but every such order, judgment, or decree shall for that cause be reversed, vacated, and amended; nor shall any justice of said Supreme and amended; nor shall any justice of said Suprem Court, in furtherance of the exercise of such appel late jurisdiction, make acy order, or authorize or issue any writ or process, or take any proceeding based upon any such adjudging or holding by him or by the said Supreme Court."

We are not sorry that the design, so long cherished and so often acted upon by the Republican party, to annul the Constitution and make the mere acts of Congress the supreme law of the land, is thus disclosed, in all its breadth and nakedness, by a prominent Republican Senator. Instead of attempting to subvert the Constitution by the "piecemealing" methods which have been in vogue for the last eight years. Mr. Drake aims to abolish the whole instrument at one fell swoop. For, if the courts are compelled to enforce every law which party zealots in Congress may choose to enact in defiance of the Constitu tion, any further pretense that the legislative power is limited by that instrument becomes transparent and insulting hoax.

Mr. Trumbull's bill and Mr. Drake's belong in the same category, it being the aim of both to shield the unconstitutional legislation of the Republicans from judicial review. The only difference between them is that Mr Drake's scheme is bolder, broader, and less dishonest. We have been informed, on authority which we deem trustworthy, that Attorney-General Hoar is taking an active interest in Mr. Trumbull's bill, and that he has approached Senators—particularly members of the Judiciary Committee—zealously urging its passage. It is believed that he in-spired Trumbull's bill, and perhaps drafted it, although its reputed author is Mr. Sumner, from whose hands it was received by the Committee on the Judiciary. If Mr. Hoar is expecting to be appointed a Judge of the Supreme Court, it may seem strange that he should be so bitterly eager to retrench the authority of the tribunal of which he expects to be a member; but as he is not yet a judge. this may be his method of recommending himself to the appointing and confirming

It may also seem strange Congress should continue its hostility to the Supreme Court, since the retirement of President Johnson. In the early part of Mr. Johnson's term an act was passed reducing the number of judges, on the occurrence of vacancies, in order to prevent him from making any appointments. President Grant will be able to appoint two new judges this winter; and considering the great age of some of the members of the Supreme Court, there will be at least one more vacancy during his term. The Republicans being thus certain of a majority of the Court, why should they wish to deprive it of the power to decide on the constitutionality of aws? But one explanation can be given. Much of the Republican legislation is so manifestly repugnant to the Constitution, that no impartial man can be trusted to uphold such enactments. The Republicans are so sensible of the unconstitutionality of many of their acts, that they are afraid to have them passed upon even by a court of which they are pertain to have a majority.

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