SPIRIT OF THE PRESS.

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

THE DANGER OF WAR IN UTAH.

From the N. Y. World.

The excitement in Utah over Mr. Cullom's bill for the suppression of polygamy will be greatly intensified when the Mormons discover the actual provisions of the bill, as it has been amended by the Committee on Territories. After describing and declaring polygamy to be a crime, the amended bill provides that, for the enforcement of this law, the President shall send a sufficient body of troops to Utah; and, to this end, he is authorized to employ the regular army, and also to raise twenty-five thousand militia in the Territory. It is further provided that the property of any Mormons who may leave Utah on account of this law, or who may be imprisoned for resistance thereto, shall be taken and used for the benefit of the families of such Mormons.

This bill means war. Its terms and its provisions are in the nature of preparations for war. Its execution will assuredly be followed by war. Not only is the regular army to be ordered to Utah, but volunteers are to be called for; and these forces are to be placed under command of the experienced military officer (General Shaeffer) whom Grant has just appointed Governor of the Territory.

As a preliminary to operations, Utah must, of course, be placed under martial law. No jury that could be found there would ever pronounce any Mormon guilty of the crime of polygamy. No jury, in fact, could be obtained fitted to serve as a body for the enforcement of this law. Either the President or Congress has the power of putting the Territory of Utah under martial law; and if Grant signs this bill there need be no doubt that he will be prepared to exercise that power.

Those who may be declared guilty of polygamy are to be imprisoned, and their property is to be confiscated. We estimate that the enforcement of these provisions would involve the imprisonment of over five thousand persons, and the confiscation of over fifty millions of dollars' worth of property. This confiscation is to be carried out under the pretext of affording support to the wives and families of the polygamic offenders; and it is to be carried out, whether they are incarcerated in prison or fly beyond the authority of the United States. We pronounce it a mere pretext to say that the confiscated property will be used for the benefit of Mormon wives and children. If the polygamic husbands fly from Utah, their families will undoubtedly accompany them; if the polygamic husbands are imprisoned (which is an absurdity), society will be utterly broken up and destroyed. In either case, the confiscated property would fall into the hands of the Gentiles; and this is doubtless the purpose of the bill.

Will the Mormons fight? Will they fly? Will they give up polygamy?

Fifteen years ago, when the Mormons had less than a quarter of their present strength, they showed their entire readiness to fight for their system. They met General Johnston's army in the mountains, harassed his advance on their strongholds, and, though matters soon came to a point at which warlike operations were stopped, they gave proof of their power to offer formidable resistance, as well as of their willingness to confront any enemy. Previous to that time, when in Nauvoo, they frequently displayed a similar spirit and purpose—having their troops always organized, and standing always in the attitude of "saints militant and belligerent." In fact, the Mormon Church and army have been "one and indivisible" from the time that they were both organized by the Prophet Joseph Smith.

We do not believe that any one who comprehends the system and spirit of Brigham Young, as he has kept them up for the last quarter of a century, can doubt that the Mormons are prepared to assume a belligerent attitude if the principles of Cullom's bill are enforced against them by military power. They will not give up polygamy, for they hold it to be as much a matter of divine revelation as any other doctrine of Mormonism. They will not resort to flight in the direction of Mexico or elsewhere—not, at least, until they have made an effort to hold their ground in Utah.

Congress should understand this, and the country should be warned of these things, before the passage of Cullom's bill. There is danger that, after the circumstances of the case are developed, the Government will be compelled either to back down from Cullom's ground or to undertake a "bigger job" than most people have any idea of. If we force them into a hostile attitude, the Mormons can give us a very disagreeable, a very wearisome, and a tremendously expensive war. Cullom's bill provides for the employment of about forty thousand troops, partly regulars and partly volunteers. The Mormons could give such a force two or three years' fighting, at an annual expense to us of not less than two hundred millions of dollars.

The Government should not forcibly interfere with polygamy or Mormonism at all. The pacific forces are now in action that will make it impossible for polygamy to exist any great length of time.

CANADIAN INDEPENDENCE.

From the N. Y. Tribune.

Mr. Huntington, one of the ablest leaders of the Dominion, will, we are advised by telegraph, bring forward the question of Independence in the Parliament which meets at Ottawa on the 12th. With the Hon. John Young and others, Mr. Huntington has labored to represent facts and figures the convictions of that large portion of the people of Canada who are opposed to Confederation. He is identified with the doctrine that Independence with a Zollverein for all North America would be a more natural and rational condition for Canada than Confederation tethered to imperialism, and starved for want of reciprocity. A sharer of his views has even proposed that if the United States will consent to reduce by five per cent. its tariff on manufactured goods imported from other countries than Canada, Canada will conform to the tariff and excise laws of the United States upon the plan of a Customs Union. The Zollverein idea will probably form a part of Mr. Huntington's expected proposition.

The titled managers of Canada will feel in duty bound to denounce Mr. Huntington's motion as an overture to annexation. But let Canadians consider whether any state of affairs can be so favorable to annexation as one which has neither sound federalism nor honest imperialism to recommend it—which is neither a monarchy nor a republic, nor yet a satisfactory union of odds and ends. Nova Scotia denies that confederation is worth what it costs, and votes it down. Newfoundland tells its Government that both confederation and its representative in authority are undeserving of confidence. The people of Prince Edward's Island have discovered that confederation in 1868 would have brought them £93,470 against £98,020 taken from them, and are inclined to declare that it will not pay. British Columbia has petitioned for annexation, because the Canadian scheme fails to supply its needs. Winnipeg is rampant just for want of a certain independence which Hudson Bay owners, ready-made councils, and lordly governors cannot give it.

The gentlemen who come out from England to settle the Red River grievance, to urge confederation and a trans-continental railroad, and to bind up the general looseness of the Dominion, will have much to observe and to learn. We believe that they will find confederation in itself a failure too far gone to be galvanized into activity by counsels or promises from the mother country. Canada must find her genius and her destiny in herself, and begin to consider herself American, and not English. She may send her commissioners to England, or she may send her pioneers to the West; she may cling to the imperial apronstring, or she may cut loose; she may depend on England to build her railroads, to buy her territorities, and export titles for her nobility, or she may find nearer help and more home-made men. In a word, she may go to a great distance to obtain what in the nature of things she ought to obtain for herself or procure near at hand; in short, she may depend on confederation, and if that will not suffice, adopt Governor McDougall's ancient threat, and look to Washington. There can be no disloyalty in looking, and Washington, whether in view of independence or annexation, is much nearer than London.

"ECONOMY" AT WASHINGTON.

From the N. Y. World.

The friends of the administration, in replying to Mr. Dawes' charge of gross extravagance, have made the threefold defense: that in preparing its estimates the Treasury Department perpetrated an error in its figures; that there were large unexpended balances to the credit of the last administration, in its last year, which this administration has not; and that Congress is really to blame if the charge of extravagance can be proved. Mr. Fernando Wood, in the debate which followed the whitewashing remarks of the Massachusetts member of the Ways and Means Committee, made short work of these apologies. Certainly, the very confession that the Treasury Department is capable of such errors as those involved in the difference between $291,090,000 and $321,000,000 convicts the administration of gross incapacity. It is somewhat significant, too, that the blunder was not discovered until after Mr. Dawes had preferred his damaging complaint. This incapacity in subordinates for footing up totals can hardly be regarded as a matter of surprise, if, as Mr. Dawes charges, the President himself admits that he knows nothing of any of the departments except one. There never before was a President of the United States who had been in office a whole year without becoming familiar with the various branches of the Government. The department coming within the comprehension of President Grant is said to be the War Office, and for its estimates he is willing to be considered responsible. So much the worse, then, for his reputation as an economist. Some of the most glaring excrescences exist there. For instance, the President maintains a staff of military officials at the White House utterly unwarranted by law or necessity. He keeps five brigadier-generals about his person, at an expense to the Treasury of $4000 each, and the only apparent duty they perform is attending the doors, delivering cards, and dancing attendance on visitors. Why does he not lop off this useless expenditure, if he is so earnest, as his friends claim, for frugality?

As to the second defense, it is only necessary to remark that Mr. Butler, in charging to the account of the Johnson administration large unexpended balances, exhibits his usual disingenuousness in omitting to state that there were provisions of law which took nearly every dollar of them to execute contracts.

The attempt to transfer the blame of extravagance from the shoulders of the administration to those of Congress does not help the radical party. That party has complete control of the Senate and House of Representatives, and, if measures not warranted by the real wants of the country have their origin there, the responsibility rests with their authors and promoters. Mr. Wood remarks that up to the time of his speech nine hundred and eighty-five bills, embracing all kinds of schemes and jobs for governmental favors, had been introduced in the House, and almost as many into the Senate. This fact does not look like economy, and surely is sufficient in itself to refute all claim that the radicals may make to be the champions of retrenchment and reform.

THE LEGAL-TENDER ACT INOPERATIVE IN PRE-EXISTING CONTRACTS.

From the N. Y. Times.

When the Supreme Court affirmed the validity of contracts specifically payable in coin, entered into before the enactment of the Legal-tender law, it was evident that the decision indirectly affected the construction to be put upon all pre-existing contracts. For, prior to the act of February, 1862, gold formed the only legal tender, and promises to pay in "the lawful money of the United States" were as clearly, at the time they were made, promises to pay in coin as though that obligation were explicitly expressed. If specific coin contracts of a date before February, 1862, were not invalidated by the law then enacted, it followed, by a parity of reasoning, that all contracts of the same period were in effect coin contracts, since none else were known or contemplated. Whatever legal technicalities might be found to obstruct the action of this interpretation, logically and morally it appeared clear and decisive.

The judgment pronounced by Chief Justice Chase is therefore not unexpected. An obligation incurred in 1860, but not maturing until after the passage of the Legal-tender law, the debtor proposed to satisfy by payment in greenbacks at their face value. The creditor demanded coin or its equivalent, and a Kentucky court sustained his demand on the ground that the Legal-tender act was unconstitutional. This was the case decided on Monday. A majority of the Supreme Court hold that the act could not affect the tenor of contracts made before its passage—that it was not and could not be retrospective in its operation—and, as a consequence, that an obligation incurred before its enactment must be satisfied in the only money recognized when the covenant was made.

This decision in no manner involves the constitutionality of the law itself. On that point—the sole point relied upon by the Kentucky court—Chief Justice Chase and his colleagues are silent. They deal only with the equity of the case, and with the limitation of the period at which the potency of the Legal-tender law began. Inferentially, indeed, their conclusions, like those arrived at in the previous judgment of the same court, seem to concede its constitutionality. There would be no need for limitations of the scope of the law in respect of time, if its constitutionality in regard to a period subsequent to its enactment were not in effect conceded. Nothing whatever has been said, or can be fairly inferred, which warrants the opinion that the constitutionality of the law itself is impaired by this judgment.

It is not necessary to discuss the probable effect of the judgment upon unpaid obligations of a date previous to 1862. Of course it will disturb some calculations and materially affect many interests. But those who profess to see in it a pretext for repudiation, whether on the part of individuals, corporations or States, assume a position as mischievous as that of those who would produce financial chaos by decreeing the unconstitutionality of the Legal-tender act. There will be hardship, undoubtedly, and, in some instances, injustice. But the judgment of the Court rests upon an intelligible—if not an agreeable or entirely defensible—principle; the promulgation of which constitutes another reason for the restoration, with all convenient speed, of specie payments. When we get back to a hard cash basis, these conflicts of interest and interpretation will cease—and not till then.

THE LIBERAL PARTY IN THE CHURCH.

From the Pall Mall Gazette.

Besides the bishops who are wise in their own generation, there is that Liberal party in the Church which resists the dogma for a different reason. All their sympathies are in the direction in which the spirit of the age moves so strongly outside their Church. Its characteristic is impatience of dogmas altogether, as being chains on the truth and prohibitions of free thought. Its tendency is to throw aside the authority which speaks in creeds and separates men by theoretical distinctions, and to seek for unity by making the bond of interpretation more elastic and the exclusive tests less specific or binding. Strange as it may seem to us that a spirit so essentially Protestant should find an echo within the Roman Church, yet it is so. And those who feel this influence recoil from the prospect of the new dogmatic fetters which Papal infallibility would forge for them. They feel that not only would these be more than they could bear, but that they would set a fatal gulf between their creed and the march of modern intelligence. All the thoughts, all the aspirations, which are just now the strongest motive powers in the world, would be made utterly and obviously irreconcilable with a Church which would speedily come to be built and compacted of the straitest, hardest, most uncompromising theological propositions and the most absolute contradiction to all human reason and its discoveries. The party which we have been speaking of could not remain in the Church under these conditions. They find the effort hard enough now; it would then become impossible. They struggle, therefore, that they may not be driven forth.

Yet, even as the matter stands, the Church is in extreme difficulties. The council has been summoned, and it must do something. If at the last moment the Pope and the Jesuits fall back from the programme, it will be a fiasco which cannot but damage the Church. The failure to affirm the infallibility and the syllabus will seem to the world the denial of both, and the great objects of Pio Nono's life will be made abortive. A certain amount of ridicule, too, will fall upon a Church which has gathered together a council from all the ends of the earth with no practical result except the regulation of some trivial ceremonies. And the spectacle of intestine division thus afforded will be a most serious thorn in the spirit to those who demand submission of schismatics on the ground that the true Church knows no parties and admits no quarrels. But, on the other side, the prospect is still more alarming. France and Austria, the sole surviving pillars of the Church, have plainly declared that Papal infallibility must not trench upon their rights. But can infallibility submit to dictation? The bishops will doubtless profess acceptance if they are beaten; but with what heart can they longer strive for a faith at whose future expositions they tremble? The liberal party in the Church will simply be cast out, either at once or in the course of a very few years, by the pressure of the intolerable conditions to which their intellect will be subjected. A vast schism, in which the necessity of self-preservation will force governments and people, the press and the universities, science and faith, to resist the decrees of the single mouthpiece of the Church, will sooner or later be the consequence of the imputing to it divine powers of enunciating truths. There is no doubt, indeed, that the coming dogma is only the logical development of the doctrine on which all ecclesiastical authority is founded. There is no more intrinsic absurdity in pronouncing the Pope alone infallible than in pronouncing the majority of a council infallible. The inspiration which breathes through the bishops must breathe in a still fuller influence through their spiritual chief. But there are some doctrines which survive and look reasonable so long as they are limited to hypothetical and complicated conditions, and to which logical development to a simple issue is suddenly fatal. And it certainly seems as if Pio Nono, who during his first years in the Vatican was the instrument of stirring up the national movement in Italy which has since cost him so much, has been in his closing years the occasion of a movement which must either cast discredit on the pretensions of his Church, or involve it in internal confusion of which no man can see the end.

VICE-ADMIRAL PORTER'S USURPATIONS.

From the N. Y. Sun.

The accession of Vice-Admiral Porter as chief of the Navy Department has already caused great detriment to the service. Until his voice became powerful at Washington a gratifying *esprit de corps* prevailed among naval officers, whether of the line or staff. Indeed, the distinction between line and staff was scarcely ever mentioned. In the ward-room—the family-circle of a man of war—all was harmony and kindly feeling. Our vessels of war were models of discipline and effectiveness, because the officers worked together to promote the good of the service. Abroad they were regarded by professional judges in other navies as the most efficient ships afloat.

But that is all past. Where once harmony and good-fellowship prevailed, dissension and discontent have crept in, and turned the pleasant ward-rooms into arenas for acrimonious discussion of questions that would never have arisen there had not the Vice-Admiral unwisely opened the long-settled subject of relative rank. His General Order No. 120, reducing the rank of the staff officers, and unjustly discriminating against them in the matter of pay and emoluments, as well as of rank, outraged the sense of justice of a large body of officers. The line was left untouched while the staff was treated with ignominy. Of course, this injustice was not submitted to in silence. The relative merits of the two divisions were investigated and discussed; criminations and recriminations followed, until the line and staff were engaged in open warfare. The families and friends of the parties now join in the quarrel, and their social relations are frequently totally destroyed.

In addition to the wrong done the active officers, Admiral Porter has injured the sick and maimed officers on the retired list by usurping a power that belongs to Congress alone. The effect of his order has been to change the pay of a number of these officers, who unfortunately belong to the staff alone. Fourteen surgeons, who received as captains on the retired list $1600 a year, now receive only $1400. Fourteen paymasters and two chief engineers suffer the same loss by being reduced from the rank of captain to that of commander. Ten surgeons have been reduced from the rank of commander to that of lieutenant, and their pay has been reduced from $1400 to $1000 per year. No line officer is affected by this order.

Where Admiral Porter finds authority for this act we are at a loss to know; for Congress alone has the power to alter the pay of officers and men. While reducing the pay of old and faithful retired officers, he wastes millions on fancy engines and the silly alteration of old vessels, and destroys the spirit and efficiency of the navy. How long is he to be permitted to indulge in these usurpations?

SPECIAL NOTICES.

LEGAL NOTICES.

LETTERS TESTAMENTARY HAVING BEEN granted to the subscribers upon the estate of MARY SIMMONS, deceased, all persons indebted to the same will make payment, and those having claims present them to SAMUEL HOOD,
ROBT. H. McGRATH,
No. 247 S. SIXTH Street,
1 5w6t* Executors.

IN THE COURT OF COMMON PLEAS FOR THE CITY AND COUNTY OF PHILADELPHIA. LUCINDA BENNETT vs. CHARLES BENNETT. June Term, 1869, No. 44. In Divorce. Charles Bennett, Respondent.
Sir:—You will please take notice that a rule has been granted on you in the above case, to show cause, if any you have, why a divorce a vinculo matrimonii should not be decreed therein. Returnable SATURDAY, February 12, 1870, at 10 o'clock A. M.
WM. KNIGHT SHRYOCK,
1 8tuw3t* Attorney for Libellant.