# THE DAILY EVENIN() TELEGRAPH -PHILADELPHIA, SATURDAY, MARCH 4, 1871.

SPIRIT OF THE PRESS.

# Editorial Opinions of the Leading Journals upon Current Topics-Compiled Every Day for the Evening Telegraph

THE NEW YORK DEMOCRATS AND THE PRESIDENCY.

#### From the N. Y. Sun.

The New York Democracy ought to exert a powerful influence in the next National Convention of their party. This is due to the number of the electoral votes which the State is pretty sure to cast for the Democratic candidate, and to the high standing in the party of some of the leading statesmen, and to the not less important fact that their supporters can contribute an immense amount money for the expenses of the canvass. Holding this vantage ground, the Democrats of this State may perhaps be able to designate the Presidential standard-bearer.

It has been too hastily assumed in some quarters that the Democracy of New York have no candidates of their own whom they intend to press for the nomination in 1872; that they favor the selection of a Western man; and that the great mass of them second the aspirations of Mr. Hendricks. We think this is a mistake. The party in this State. taken as a whole, have at least three candidates, and we will name them in the order of their sectority. They are Horatio Seymonr, Sanford E. Church, and John T. Hoffman.

Governor Seymour ranks among the foremost statesmen of the country. Though trained in the conservative school of Van Buren and Marcy, he has kept pretty well up to the ideas of our more progressive times, while he has shown commendable skill in steering clear of the feuds which have of late years distracted the party in this State, not infrequently arraying the rural Democracy against Tammany Hall, with both of which, however, he has always stood well. In 1868 he showed as much courage as tact, when he went to the West on his famous stumping tour after the October elections; courage, because those elections had demonstrated that by no possibility could he escape defeat in November; tact, in ignoring dead issues, and confining his speeches almost wholly to questions of trade, finance, and taxation, which he knew were in a year or two to oc-cupy that place in the public mind so long engrossed by slavery and its adjuncts. As he was beaten in 1868 by General Grant on what will be treated as defunct issues in 1872, Governor Seymour will, if the Republicans are so beside themselves as to renominate Grant, very likely become the Democratic candidate, and would certainly be elected over the man who defeated him four years

previously. Mr. Church is a disciple of Tompkins and Wright, who were so long leaders to the progressive wing of the New York Democracy. He has an excellent war record, is highly popular with the masses, always outruns his associates on the same ticket, has heretofore filled with ability and credit the responsible offices of Comptroller, Lieutenant-Governor, and President of the Canal Board, was the most conspicuous Democrat in our late Constitutional Convention, and is now, with health fully restored, winning distinction as the chief judge of the highest judicial tribunal in the State. A statesman of acknowledged capacity, and standing quite aloof from all factions which have disturbed the harmony of the party both in New York and elsewhere, he would be a powerful candidate for the Presidency. Perhaps we do Governor Hoffman injustice in representing him as a competitor for the nomination next year. Some of his intimate friends say he is not, but on the contrary assert that he is of the opinion that inasmuch as the Democratic candidate in 1864 was from New Jersey, and in 1868 from New York, he ought not now to be selected from the There is much force in this view of the East. situation; for, though New York is almost certain to go for the Democratic nominee next year, undoubtedly the great majority of the electoral votes by which he is elected must come from States lying west of the Alleghenies, and therefore that section of the Union may well claim the candidate. Governor Hoffman, too, may naturally think that if he throws his influence now in favor of a Western candidate, the compliment may be reciprocated in 1876, and he thus enjoy the honor of running for President of the United States in the year when the whole American people will be celebrating the one hundredth anniversary of their Declaration of Independence. However, if the Convention should desire to place Governor Hoffman in the field, we presume he would not emulate the example of Casar and put aside the crown once too often, but rather, like Barkis, might prove to be willing. The fol-lowers of St. Tammany are not wont to deline honors of that description. We advise the Democracy of other parts of the Union to keep a sharp eye on their brethren in this State, and be careful in the selection of delegates to the National Convention. Sbrewd, active, plausible, full of devices, lavish of promises, and overflowing with greenbacks, if the New York magnates set their hearts upon nominating one of their number for the Presidency, the unsophisticated delegates from the rural States may be sure that they will succeed.

true of the Napoleonic regime. The war has made terrible wounds in German homes. Almost every family has suffered. The very best of the people, as in our own war, have offered their lives for the country. All busi-ness and production have been interrupted. For a generation to come the masses will dread and abhor war, and the people will seek their natural bent in trade, agriculture, and manufactures. The masses, too, are to have more power in the new empire. The Parliament is to contain 382 members in the lower house, chosen by universal suffrage. Many

of the trades-unions and workingmen's associations are represented among these. It is true that Prussia sonds 236 membors out of this number, but many others in the cities and Western provinces come from democratic constituencies. This portion of the German Parliament will be essentially a popular body, and represent the national aspirations for peace and industrial progress. In the Upper House, which corresponds to our Senate, and represents States and princely families, Prussia has a much smaller proportional representation-only seventeen out of fifty-two, while Bavaria has six, Saxony four, Wurtemberg four, and Baden and Hesse three each. Thus those five States could in that House outvote Prussia, if they so desired, yet Prussia represents 24,039,000 inhabitants, while Bavaria contains but 4,824,000, Saxony 2,423,000 and Wurtemberg 1,778,000. One principality represented by one vote in each House-Schaumburg Lippe-has but the population

of a small town, 31,000. The interest of the future, both for Germany and the world, in the new Parliament, lies in the struggle, inevitable and intense, between the self-will and royal power of the Hohenzollern and the popular aspirations for greater liberty. The present Kaiser is a martinet and believes in "the divine right," and therefore will be determined to have his own way without regard to constitutions. Unfortunately for liberty, he has shown a divine right to command by great efforts and great achievements. Like all his ancestors, he has known how to conduct a large government with rigid economy; he has had the faculty of choosing and retaining the best public servants; he has cast life and crown into the struggle for Prassia's supremacy, and has come forth victorious. Germany will forgive many sins to the brave old martinet, and self-willed but successful emperor. For years to come the principal events in German history will be the struggles between the emperor and the people. With the succession of his son, however, will come a more reasonable and liberal Government. "Our Fritz" is known to all Germany as a liberal-minded ruler, and no mean general. He has been worthily consecrated for the imperial crown on many a battle-field. His English wife gives a promise of reasonable and constitutional influences around him, and of a future reign which shall be worthy of a constitutional king. We cannot but hope that the new German empire foretokens greater peace and liberty to continental Europe.

### FRANCE AND THE BONAPARTES. From the N. Y. World.

"The assembly enthusiastically and unanimously voted by acclamation a resolution offered by M. Targe, decreeing the fall of the empire, and stigma-tizing Napoleon as the author of the misfortunes of France."-From the World's cable despatches of Thursday.

hour of trial. All the money expended on it was wasted. The Emperor's false estimate of its strength seduced him into a blunder which cost him his throne, and brought upon France a train of the most humiliating disasters she ever suffered.

The stupendous drain for military expenses which was the essence of Bonapartism both under the first and under the second empire. was a calamity to all Europe as well as to France. A nation with a great army is a terror to its neighbors, who are also compelled to maintain great armies as a precan tion against sudden or wanton attacks. The result has been to make Europe a vast camp, each government squandbring the fruits of industry on great military establishments rendered necessary by mutual jealousy and distrust. This tremendous waste of resources is the curse which Bonapartism brought upon France and upon all Europe: and we trust that France at least begins to realize its destructive folly.

No French statesman is so responsible for the second disastrous experiment of Bonapartist rule as Thiers. He was, without intending it, the author of the second empire. He made himself prime minister of France for the second time by catering to Bonapartist prepossessions. This was the means by which he effected the coalition of parties in the Chamber of Deputies which overthrew the ministry of Marshal Soult in 1840. As soon as he was fairly in power he applied to Lord Palmerston for permission to remove the body of Napoleon Bonaparte from St. Helena to the banks of the Seine. Nothing has ever occurred which had so much influence in reviving and intensifying the old admiration for that great warrior. The funeral pomp and parade of the final obsequies electrified and intoxicated the French people, and smoothed the way for the second empire. Months before the remains had reached France, Louis Napoleon was encouraged to make his famous Boulogue expedition, and it is a christen circumstance that in the proclamation which he published at that place, he appointed M. Thiers as "President of the Provisional Government"-a recognition of the service he had rendered to the Bonapartist cause. A few years later Thiers commenced the publication of his greatest work, "The Consulate and Empire," the most magnificent monument ever erected to the memory of a here. Without the powerful stimulus which Thiers gave to Bonapartist sentiment in France, the second empire could not have been inaugurated. And now he is President of the Provisional Government which sets the seal upon its final overthrow.

The star of the Bouaparte family has doubtless set forever, and we would fain hope that the expensive delusion that the greatness of a nation depends upon its military establishment may be extinguished in the mindof Frenchmen. With the burden of debt under which the nation must for a long time stagger, there will be no place for its old intoxicating dreams; and as its attention must necessarily be directed chiefly to domestic affairs, let us hope that it may come to perceive that the true glory of a nation consists in industry, commerce, art, civilization, and the mental and moral elevation of its people. If the diminished armaments of France shall remove the jealousy and fears of other countries, and lead to a corresponding reduction of their establishments, the recent disasters will prove an ultimate blessing to her and to all Europe. Let us hope that "Napoleonic ideas" will fall into the same irretrievable discredit as the Bonaparte familyan Italian exotic which has exhausted the soil of France to feed its poisonous growth.

scene of action, as he may judge necessary to repel such invasion, and to issue his orders for that pur-pose to such officer or officers of the militia as he shall think proper. And in case of an insurrection in any State sgainst the government thereof. I shall be lawful for the President of the United States, on application of the Legislature of such State, or of the Executive (when the Legislature cannot be convened), to call forth such number of the militia of any other state or States, as may be applied for, as he may judge sufficient to suppres

such insurrection." Section 2 "That whenever the laws of the United States shall be opposed, or the execution thereof obstructed, in any State, by combinations too powerful to be suppressed by the ordinary course of judicial proceedings, or by the powers vested in the marshals by this act, it shall be lawful for the President of the United States to call forth the militia of such State or of any other State or States, as may be becessary to suppress such combinations, and to cause the laws to be duly executed."

The act of Congress of March 3, 1807, passed during the administration of President Jefferson, prescribed:-

"That in all cases of insurrection or obstruction of the laws, either of the United States or of any individual State or Territory, where it is lawful for the President of the United States to call forth the militia for the purpose of suppressing such insurrection, or of casing the laws to be duly executed, it shall be lawful for him to employ, for the same par-pose, such part of the land or naval force of the United States as shall be judged necessary."

This act of 1795 came before the United States Supreme Court while presided over by Chief Justice Mayshall, in 1820, in the case of Houston agt. Moore (5 Wheaton's Rep., p. 15), and Mr. Justice Washington, in deovering the judgment of the court, said:-"The President's orders may be given to the Chief Executive Magistrate of the State, or to any militia officer he may think proper.' Mr. Justice Johnson, in delivering a concurring opinion in this case, said (page 37): "Historically it is known that the act of 1795 was passed with a view to a state

things then existing in the of of Pennsylvania, when it interior became probable that the President of the United States would have to exert the authority of the General Government immediately on detached portions of the officers of the militia of the Union to aid in the execution of the laws of the United States." Later, in 1827, the United States Supreme Court, in the case of Martin against Mott (12 Wheaton's Rep., p. 19), again ruled that "the act of 1795, which confers power on the President to call forth the militia, in certain exigencies, is a constitutional law, and the President is the exclusive and final judge whether the exigency has arisen." Mr. Justice Story, in delivering the opinion of the Court, said (page 37):-"The act of 1795 is not confined in its operation to cases of refusal to obey the orders of the President in time of public war. On the contrary, that act authorizes the President to call forth the militia to suppress insurrections and to enforce the laws of the United States in times of peace." recently, in 1869, Judge Mason, of the New York State Court of Appeals, while delivering the opinion of that highly respectable court in the case of The People agt. Campbell (40 N. Y. Rep., p. 136), used this

"Congress, by the act of February 28, 1795, gave full power to the President to call forth the militia of the States for the purposes stated, to serve for three months, and by the act of July 11, 1862, the time was extended to nine months. The President is made the sole judge whether the exigency has arisen; and this call may be made by the President upon the State Executive, or by orders to any subordinate officers of militia."

language:-

It is plain from these acts and decisions, (1.) that when the laws of the State are obtructed when there is domestic violance and the State is not, in the judgment of its Legislature or Governor, able to enforce Point. T. P. CROWELL & CO., Agents, Norfolk. THURSDAY LINE FOR CHARLESTON, them with its own power, and applies to the United States for aid, the President is emand all interior points of South Carolina, Georgia, powered to send into it the militia of the ad-Florida, etc. joining Statef, and (2.) that where the ques-The first-class Steamship VIRGINIA, Captain Hunter, will sail on Thursday, March 9, at 12 o'clock, noon, from Pier S, North Wharves, above tion is either one of external danger or of resistance to the laws of the United States, the Arch street. Through bills of lading to all principal points in Governors are but the President's subordi-South Carolina, Georgia, Florida, etc., etc. Rates of ireight as low as by any other route. For freight or passage apply on the Pier, as above. WM. A. COURTNEY, Agent in Charleston, nates, and have no part whatever but such as he may assign them. The President is the commander-in-chief of all the forces of the country, and he can legally and constitutionally exercise his authority as such without the consent or concurrence of any official whatso-

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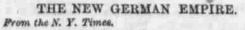
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The new Empire of Germany begins from this time a career of immense importance to the world. Its population is the second of the great States of Europe. Russia leads it with 69,000,000; but, including Alsace and Lorraine, Germany follows with 49, 120,000 of the most industrious and intelligent inhabitants to be found in any community of the world. France, shorn of a large part of her two provinces, comes next, with 36,430,000: and then the Austrian monarchy, with 85,943,000, and Great Britain, with 30,838,000; last of all being Italy, with Rome, counting 26,470,000 inhabitants. Even the preponderating population of the German Empire is no fair measure of its strength. Its position is central, whether for military or moral influence. It is compact and homogeneous. All its vast forces are under the control of one Executive and the Parliament, Its leading State-Prussia-is confessedly the most intelligent, disciplined, and vigorous community in Europe. The administra-tion is everywhere economical and thoroughly well organized. The educational system of Prussia, its economy and thorough discipline, will now he spread through all the empire. Even this tremendous war will leave less debt on the empire than it would on any other civilized State. The Hohenzollerus always made their enemies pay their war expenses, and no army lives at so little money cost as the German.

In our judgment, the "empire will be peace," in a far better sense than was ever

This vote may perhaps have been a need less formality; but the people of the United States are glad to see the condemnation of the empire and of the Bonaparte dynasty put fairly on record. It is the best possible answer to the fallen Emperor's manifesto from Wilhelmshohe on the day of the recent French elections. We rejoice that France has escaped the Bonaparte incubus. The result might have been different if the Germans had chosen to restore Napoleon, and we must give them the credit of having abstained from any undue interference with the internal government of France, and of leaving the opposition to Napoleon to take its free course. His only chance of restoration was in possible German connivance; and the crisis having passed without aid from that quarter, the hopes of the Bonaparte family are buried forever.

That family has been the greatest scourge and curse ever visited upon France, or in recent times upon Europe. It must be conceded that both nephew and uncle were able internal administrators, but the order and system which prevailed in their interior management, was perfection in the art of collecting taxes and conscripting soldiers. Both of the Bonapartes depended upon their foreign policy for influence and consideration at home, and each was prostrated and crushed by the recoil of this favorite engine. The first and the second empire alike ended in convulsion and storm, in the humiliation of France and the fall of its capital. Both of the Bonapartes were overwhelmed by foreign wars begun without necessity upon an egregious miscalculation of results. Each of them, in the hour of final disaster, made a craven surrender of his person to the enemy against whom he had been fighting, and they were alike disappointed in the advantages they expected from a course so inconsistent with elevation of character.

We trust that this terrible repetition of the terrible lesson of 1815 may cure France of foolish attachment to her worst scourge. The chief curse of Bonapartism was its subordination of domestic to foreign policy, and France ought to have learned by this time that nothing could be more ruinous to her true interests. What did she gain by all the unequalled splendor of the first Napoleon's victories and his brilliant career of conquest? Nothing in the end but vain eclat. Every rood of those conquests was wrested away by the disasters which attended his downfall, leaving nothing but the remembrance of barren military laurels. And at what a fearful cost were those laurels purchased! The taxes collected during the eleven years of the first empire were equal to all which were collected during the sixty-three years of the splendid and warlike reign of Louis XIV. Under the first Napoleon France sacrificed five millions of Frenchmen, most of them in the flower of their age. That prodigal squandering of life and treasure was a dear price to pay for the glory of being governed by the most anocessful butcher in the annals of the human race. The second empire did not make such wholesale sacrifices to the Moloch of war, but the policy of the two empires was substantially identical. The main prop of both was a vast army, the support of which entailed grinding taxes upon the people. Under the second empire there was every year a great deficit, owing to the fact that the military establishment was too large for its expenses to be defrayed out of the annual revenues. The public debt of France in 1852, the first year of the second empire, was 5,516,194,600 francs; and in 1868 the public debt had grown to the enormous sum of 13,831,723,110 francs, although the whole

period was one of uninterrupted prosperity.

And yet the French army, maintained at such

enormous expense, proved worthless in the

THE MILITARY POWERS OF THE PRESIDENT.

From the N. Y. Tribune.

Has the President, under the Constitution and laws of the United States, as expounded by the proper courts, any right, in time of peace, to use the military forces of the nation in any State without the application or consent of its Legislature or Governor?

The present system of government, under which the republic has existed nearly a contury, should by this time have become, one would think, so well known-certainly in a matter of such primary and vital importance -that its prominent men could never need to ask such a question, or fail to answer it correctly when asked. Yet in the recent debate on the Deficiency bill, and in the latest messages of the Governors of New York and Pennsylvania, we have most abundant evidence to the contrary. In the debate in Congress Mr. Randall said: -

"I am a living witness to the fact that United States marines were brought to the polls in my dis-trict without any authority of law, and without any request of the Governor of the State, as provided by the Constitution of the United States.

In the same debate, General Logan, while asserting he did not believe the President had "used any power in his hands beyond what the law has authorized him to do," stated:-

"And I will say, too, that the way I understand the law it does not give the President any right to send the army or the navy into the States in time of peace, in order to execute the civil law, except upon the request of the Legislature of the State, or of the Governor, in the absence of the Legislature.'

And then we have the Governors of New York and Pennsylvania emulating each other in their condemnation of the action taken by the President in the use of the land and naval forces at the recent elections. Governor Geary says:-

"The employment of United States troops at elections, without the consent of the local and State governments, has recently received considerable attention and reprehension. It is regarded as an interference with the sovereign rights of the States which was not contemplated by the founders of the General Government. \* \* \* \* At the last October election United States troops were stationed in Philadelphia for the avowed purpose of enforcing the election laws. This was done without the consent, or even the knowledge, of the civil authorities of either the city or the State. \*\*\* The proper and only time for United States military forces to intervene will be when the power of the Commonwealth is exhausted, and their aid is lawfully required.

This is said with reference to the enforcement of an act of Congress which the United States Circuit Court has pronounced constitutional. The prevailing idea which underlies the opinions of the statesmen above mentioned is evidently that of the exclusive sovereignty of the State-the right to give or withhold its military at its pleasure. It is, in fact, the old political heresy of the South; the same that caused Fort Sumter to be fired upon, that paralyzed the United States Government under Buchanan, caused Lincoln's proclamation to be scoffed at by the Governor of Kentucky, and the Southern officers to quit the army when their States seconded. Article IV, section 4, of the Constitution Savs:-

"The United States shall guarantee to every State in this Union a republican form of government, and shall protect each of them against invasion; and on application of the Legislature, or of the Executive (when the Legislature c nuot be convened), against

The act of Congress of February 28, 1795, passed during Washington's Administration, Bays:-

Section 1. "That whenever the United States shall be invaded or be in imminent danger of invasion, from any foreign nation or Iudian tribe, it shall be lawful for the President of the United States to call orth such number of the militta of the State or States most convenient to the place of danger or



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PATENTS.

TINITED STATES PATENT OFFICE.

WASBINGTON, D. C., Jan. 21, 18;1. On the petition of DANIEL S. NIPPES, of Upper Merion Township, Pennsylvania, administrator of Albert S. Nippes, deceased, praying for the exten-sion of a patent granted to the said Albert S. Nippes, on the fist day of April, 1857, for an improvement in A rinding Same

Grinding Saws: It is ordered that the testimony in the case be, closed on the 21st day of March next, that the time for filing arguments and the Examiner's report be limited to the first day of March next, and that said petition be heard on the 5th day of April next. Any person may oppose this extension, SAMUEL A. DUNCAN,

2 10 20t	Acting Commissioner of Patenta		
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encumbra	necs, on re	repared to sell 1 asonable term. c of the Company	Purchasers can
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will be cheerfully given. By giving notice at the office, carriages will meet persons desirous of purchasing lots at Tioga Stations on the Germantown Railroad, and convey them to

the Cemetery and return, free of charge. ALFRED C. HARMER, Premdent MARTIN LANDENBERGER, Treas.

MICHARL NISBET, See'y. 10 5 wfm 6m



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