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SPIRIT OF THE PRESS.

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EDITORIAL OPINIONS OF THE LEADING JOURNAL UPON CURBENT TOPICS-COMPILED EVERY DAY FOR THE EVENING TELEGRAPH.

POLITICAL PRECEDENTS. From the A. Y. Nation.

An article which recently appeared in the Buffalo Express draws an elaborate comparison between the Fugitive Slave Law and the so-called Ku-klux bill, and justifies the latter statute by the precedent set in the former. The Fugitive Slave Law, it says, was an extreme measure in the direction of centralization; it recognized no limit to the power of the United States Government; it overrode the sovereignty of the States; it authorized the use of the military arm; it extinguished the writ of habeas corpusand all to protect the slave-holder in his rights of property. The Kuklux bill, it urges, adopts the same measures, and calls into action the same forces, but with a far different object. It also acknowledges no limit to the power of the United States Government, and overrides the sovereignty of the States, but only to protect citizens in their lives, in their freedom of action and opinion, and in all their privileges and immunities. We shall not discuss the position thus briefly sketched, but simply use it as the text for a few observations which it plainly suggests upon the danger of political precedents.

The writer in the Express is so carried away by the comparison he has made between the atrocious design of the earlier statute and the beneficial object of the present law, that he fails to perceive the double nature and retroactive force of his own argument, which is, indeed, a two-edged weapon, wounding friend and foe alike. This argument, in a nutshell, is as follows:-Twenty-one years ago the party in power violated the spirit of the Constitution in order to protect property in slaves; therefore we, who are the special champions of liberty and equal rights. may in like manner and by like means violate the spirit of the Constitution in order to protect life and personal security. Two precedents have thus been established in favor of the same measures of violation, although with very different designs. Do not the Express, and all other advocates of this legislation. perceive that, when the party which was in power twenty-one years ago, or its legitimate political descendants, shall again control the Government, it will find in this identical example and in this reasoning ample authority for some future fugitive slave law-ample authority by which to defend any usurpations of power for purposes as unlawful and wicked as those sought to be accomplished by the Force bill are proper and just? The doctrine that evil may be done that good may come has always found subtle apologists. It has often been invoked by statesmen in the administration of public affairs, but invariably with disastrous consequences. Bad political precedents are dangerous in any form of government, but are emphatically so in a government which is restrained by an organic law, whose observance must be to a great extent voluntary, or compelled more by the moral force of public opinion than by material sanctions. A bad political precedent, set up for a worthy, desirable, and beneficial end, is, in the long run, more dangerous than a similar precedent power, it is certainly within the range of posestablished for an improper, unjust, and immoral end. Thus the Force bill which Congress has just passed carries with it the possibilities of more and greater evil consequences than were involved in the provisions of the Fagitive Slave law. A legislation which not only violates the organic law and the elementary principles of political science, but also aims at a final result which is in itself iniquitous, finds few supporters beyond the ranks of those whose immediate interests are subserved. The common sense of justice is outraged, and an opposition at once springs up which continually gathers strength until it finally becomes successful. On the other hand, a legislation which violates the organic law and the elementary principles of political science, but for a worthy, desirable, and beneficial end, at once finds supporters among large classes of good citizens, who, in their anxiety to reach the final result, shut their eyes to the improper nature of the way and the means. The people gradually grow ac-customed to the principle embodied in the unlawful exercise of authority; their opinions are reflected by the Legislature and by the Courts, until in time the measure becomes a part of the settled administrative policy of the country, and may be used as the base of a new departure. This process is illustrated by the history of the legal-tender enactment. Prior to the war, no lawyer, nor even an intelligent citizen, would have hesitated a moment in prononneing against the validity of such a statute. It was adopted as an experiment under the supposition that it was absolutely necessary. The people have acquiesced and the courts have sustained it, and for aught that appears it may remain a permanent feature of our financial system. But it contains the assertion of a power in Congress to break up and destroy all private contracts and personal obligations, and leaves no safeguard against the exercise of such a power. In this very process lies the great danger which must always accompany the kind of legislation we are describing. When, in the course of time, other measures identical in principle, but seeking to effect some unworthy and immoral objects, are proposed and passed by those who confessedly base their action upon the precedent already set, the better citizens will find themselves estopped from making any opposition; their months will be shut, or at least all the force will be taken from their arguments, and their remonstrances will be unbaeded. In public as well as in private life, with political communities as well as with individuals, bad practices to accomplish good results must inevitably end in total demoralization, in an entire destruction of the practical distinctions between right and wrong. It ought not to be necessary to remind any one that the good and wise and virtuous will not always control the administration of public affairs: there must be changes and vast oscillations. We may be sure that when the evil-disposed, the dishonest, and the wicked obtain power, they will successfully push to a terrible extremity the precedents which their predecessors have established for them. The very central idea of a constitutional form of government, and the final reason for the adoption of a written organic law, certain and fixed in all its features, is that restraints may be placed upon the acts of good and bad rulers alike, so that the unwise measures done by the former for a worthy end may not be adopted by the latter and perverted to an evil purpose. Were the wise and good always to be in power, there might be little danger that the rights and liberties of individual citizens would ever be infringed. The Government might be pa-

ternal and protecting. It is enough to say that our institutions were founded upon no such absurd and impossible assumption. They recognize the certainty of constant changes in society and in those who for the time being control society, and have estab-lished safeguards intended to protect the people from any possible consequences of these social and political revolutions.

The danger from bad political precedents which we are pointing out is not imaginary. It already lifts itself in imposing proportions, and we stand face to face with it. The events of the past two years show beyond a doubt that as fast as the Democratic party has obtained power in the States, it has been quick to apprehend the nature and force of the precedents which a Republican Congress has repeatedly set for its study and imitation. When the same party reaches the position of ascendancy throughout the nation and grasps the reins of the General Government, we may expect a series of legislative measures, terrible perhaps in their results, but each finding an example and a counterpart in some existing statute. The House of Representatives first used the process of impeachment as a means of punishing a political opponent, and with the avowed purpose of achieving a party success. State legislatures have been eager to copy both the act and the motive; and impeachment, which the Constitution designed as the last sanction by which the discretion of executive and judicial officers might be restrained within just limits, may be considered in future as an ordinary and ready instrument in the hands of a party majority to accomplish partisan ends: nay, the acts of the Arkansas Legislature during the past winter have covered this most solemn proceeding with an odium from which it can hardly be rescued. How meek and tame were the Republican protests against the removal of Governor Holden, compared with the thuaders which would have been uttored had it not been for the attempt to get rid of Mr. Johnson. Again, the "previous question," which was invented to cut off a factious opposition and to put an end to a discussion which had already been exhaustive, has for several years been used as a whip to gather in and control a party majority and as a gag to stifle all debate. The retribution has already begun in several of the States, and will some time doubtless be consummated upon the floor of the House. The appeal to the public made during the past winter by Republican members of the Indiana Legislature who had resigned was throughout a curious document, but no portion of it was more curious or more refreshing than that which bitterly complained of the tyranny of the Democratic majority in the use of the previous question, and in the prohibition of debate upon matters of the highest importance to the State. A vision of Thaddeus Stevens ought to have appeared to the writer of this address and to have stayed his hand as he penned the inconsistent complaint. The readiness with which the New York Assembly rejected the claims of Mr. Twombly and seated a Democratic member in his place, finds many a parallel in the acts of recent Congresses, and the process will probably be repeated upon a larger field.

We have already said that the Ku-klux bill itself may perhaps be made the precedent for some future fugitive slave law, or for some other statute which shall equally violate the Constitution, political science, and good morals. The suggestion was reasonable, and its accomplishment is not at all improbable. If the Democratic party should come into sibilities that it should endeavor to uphold and sustain the liquor interest by Congressional legislation directed against State prohibitory and license laws. Such a measure could be easily patterned after the present Force bill; the State laws could be declared void; the States enacting and sustaining them could be described as "abridging the privileges and immunities of citizens of the United States," and as "denying to persons the equal protection of the laws;" interference with the free manufacture and sale of liquors could be pronounced a crime punishable by the national courts, and resistance could be overawed and put down by the military. In favor of the legality of all this an argument might easily be made, plausible enough at least for all those who should desire to be convinced. The United States is bound and has full authority to protect its citizens in all their rights and privileges; the right to acquire, use, and dispose of pro-perty is as sacred as the right to life or liberty, and, equally with the latter, demands protection from the General Government; intoxicating liquors are the subjects of property, which draws after it all the incidents of complete ownership; the fourteenth amendment has made the way clear for Congress to interfere; and the State laws which wholly prohibit or partially restrain the free use and traffic in this species of property, are directly opposed to the wholesome provisions of that amendment. This principle has already received the judicial sanction and support of one of the advanced members of the United Statos Supreme Court. Mr. Justice Bradley has declared a statute of Louisiana null and woid which incorporated a company for receiving and slaughtering animals, and gave it certain privileges and immunities which were denied to all others engaged in the same business. According to that learned Judge, the fourteenth amendment was aimed at all State laws which abridge the rights and privileges of citizens as such, and under its benign protection are included not only the rights to life, liberty, and property, but also what he magnificently called "the sacred right of lebor. If we should object, as we certainly should. that the whole matter of the manufacture, use, and sale of intoxicating liquors was within the purview of police regulation, and that the subject of internal police was committed exclusively to the State authorities, we should be met by the ready answer that all this might once have been true, but that the Fourteenth Amendment, as construed by a preceding Congress, had swept within the domain of national legislation the function of personal protection, and that such protection could not stop at life, liberty, and opinion, but must be extended to property. Such would be the logical result-not to say the reduction ad obsurdum-of a "centralism of liberty," an "imperialism of equal rights." The Democratic party has long been the champion of the liquor interests; it derives a large portion of its support from those engaged in the traffic; it has uniformly opposed all prohibitory laws; and if it should ever come into power, what is more natural than to expect that the influence which has been so prominent in its councils should be equally controlling in its legislation?

socialistic agitators for female suffrage. Ably reconded by Mrs. Admiral Dahlgran and Miss Catharine Beecher, she has made a vigorous ozalaught upon the works of the agitators worthy of Old Tecumseh himself at Atlanta. By her addresses and petitions to Congress upon the subject she has cut a swath in the enemy's ranks paralleled only by the flery swaths that Sherman cut in his march down to the sea. While continuing her good work through petitions and remonstrances, she does not fail to call in the aid of the press, and now publishes a new paper called the Irue Woman, devoted mainly to the advocacy of the anti-woman suffrage movement. Thus she brings up her heavy reinforcements at the critical moment and fills up the gap in the line as Sherman filled it with his 15th Corps at Vicksburg; and doubtless we shall soon hear of her cornering the enemy, compelling his surrender and then offering him generous terms, as Sherman did with Joe Johnston in North Carolina. She has entered on a heavy campaign, and bids fair to conduct it with the relentless vigor that belongs to the name of Sherman.

Some time ago we discoursed to the women's rights women on the true right of suffrage, which they already possess, and which they seem anxious to barter for the meretricious right of casting the actual ballot. We instanced the commendable action of Mis. General Logan in securing the election of her husband to the United States Senate merely in showing, by her genial hospitality, her excellent manners, and the brightness of her home, how much credit she would reflect upon the honest and sagacious Illinois farmers who chose her to represent them in the social Senatorial circle in Washington. We instanced Blanche Butler, who guided father's great influence, and her Vinnie Ream, who moved a Congress to sympathy and an appropriation. Mrs. General Sherman now comes forward as even a higher representative of this true womanly principle of woman's suffrage. Her pronunciamento against the American Communists is as great a master stroke of statesmanship as the General's exposure of the Ku-klux myth. She aims to secure peace and tranquillity in the social circle, and he to insure it in our political and commercial highways. She strikes at a social dragon, he at a political bugbear. She is conservative socially: he politically. She would make an excellent lady of the White House; he an excellent President. Thus moving together, hand in band, under the banner of conservatism and on the unalterable principles of opposition to Communist problems and radical encroachments, General Sherman and Mrs. Sherman present themselves-the most available candidates for the White House that the Democratic party can ever hope to enter for the race in 1872.

GERMAN-AMERICANS.

From the N. Y. World. The Times says: -

"When the World gives the German-Americans the cry of 'States rights' now, it happily forgets that the watchword of the liberals in Germany is a 'united federal government, with strong powers,' and that the 'reaction have inscribed on their banners 'States rights' and the independence of local communities. No people have felt the evils of local independence, and of the constant oppressions of small States, like the Germans. They have more fear of extreme individualin or separation of community than of an overweening federal power. They see in this country that a terrible civil war like ours, and a grand act of national emancipation, necesarily involve some abnormal and semimilitary measures, for the sake of preserving the peace of the country and protecting the freed slaves. It is not the Ku-klux bill which has separated the New York Germans from the Republican party, but far other matters, not so important, perhaps, but which possess great weight in the view of Germans." But when are the "semi-military measures" to end? The Times misestimates the intelligence of German-Americans when by the proffer of free tobacco and free lager beer it undertakes to divert their attention from the commanding topics their countryman, Carl Schurz, places before their eyes. They know what is really going on in German and here. They see clearly that Bismarch has no thought of prostrating the local rights of Bavaria or Wurtemberg at the feet of Berlin, as Missouri and New York are now at the mercy of Washington. In Germany the sovereigns of the separate confederated States and the States themselves have rights which Prusssia dare not attempt to take away. In the upper house of the legislative department the members are in fact delegates, and in effect they vote as States. The new Constitution of Germany is, like our own, strong for foreign operations-""H pluribus unum" - but in purely community affairs it recognizes the wisdom and necessity of local self-government. It is a sensible combination of State independence and aggregate strength. But what would the fatherland say to a law of the Federal Assembly at Berlin which proposed to authorize Emperor William to punish in Bavaria offenses against the laws of that kingdom, as our Ku-klux law endeavors to enable Grant to apply, by his army and navy, in New York the laws of New York, whenever he sees fit to think the rights of a citizen of the United States are endangered ? German-Americans know full well that the danger now in this country is not from excess of centrifugal force. More than that, they feel that civil liberty, religions liberty, and personal liberty, each and all, are safer in this country with the States powerful in such things, than with a Washington master. They look back to the era of the fugitive slave law, and observe the tendency of national power then while the States moved in an opposite direction. In respect to African-Americans Congress to-day runs wildly in one direction, but in the coming day its current may run as fiercely in another course. German-Americans see that if Know-Nothingism were to spring up again, or religious hate, and get possession of Congress there would be no security for them, with State rights prosas they are by the Ku-klux traled law. They see and hear that it is among the wild schemes of the political reform association, of which the Times is organ and Mr. Evants the decorative orator. to bring the Federal Government from Washington into this city to put down what is called local mismanagement. The property of a citizen of the United States is taken from him by Jim Fisk or some one else in New York-possibly Tweed-without "due process of law," in violation of the fourteenth amendment, and the State courts are unable or unwilling to punish the offenders. Hence Grant enters with his army commanded by Sheridan fresh from the entourage of imperialism! Such is the logic of Mr. Evaris' new political associates! If the State and city of New York venture to take steps looking to a vindication of their rights, then "corruption" is the conservative movement of women against watchword and reply of Republican con-

ETHICS AND ECCLESIASTICS. From Theodore Tilton's Golden Age.

Some of our denominational exchanges condemn Professor Seeley's admirable lectures, recently republished here, for their insidious infidelity. Their heresy is counted all the more dangerous because covered with the garb and semblance of faith. Their polished phrase and professed fealty to religion blind the very elect to the subtle elements of unbelief lurking in and diffused through them. They are as much more fatal than the bold denials of Voysey, Colenso, and Parker as the keen rapier wreathed in roses is more death-dealing than the blunt broadsword brandished high in air. And the ground of this censure is that he makes anything but complimentary strictures upon the Church for neglecting to teach those essential moralities upon which the welfare and happiness of individuals and the world depend.

Professor Seeley's statements relate to ecclesiastical parties in England Those who draw a sharp line between the saved and the unsaved, the Church and the world, religious beliefs and sacraments that are saving, and "mere morality"-which is well enough in church-members, but not essential to salvation and very dangerous for the unconverted to have-of course, take no pains to indoctrinate their congregations with ethical principles and create a sound and healthy moral sentiment in the community. And only the Broad-Church party in the Establishment, with a small body of dissenters, are sufficiently emancipated from the old theology to regard all human beings as equally children of God, and subject to moral laws that are equally binding upon all men. The average Englishman looks to his church for religion merely, and a religion well-nigh destitute of moral elements, and gets his ethical ideas from the press. And this is the reason that the Church is so little of a moral force in the nation, and has already lost its hold upon the best minds.

The same thing is essentially true in this country. If the line between the Church and the world is less broadly marked than in former days, it still exists, and the chief business of the minister is to recruit the former from the territory of the latter. His work is not to teach ethics but to save souls, and to save them by some other means than the morality which is the essence and outcome of genuine religion and an essential element of true manliness. He labors to make converts, not to create a climate so congenial to what is best and noblest in human nature that society will blossom with graces and produce the richest and rarest virtues. In his view, morality has nothing to do with soul-saving. Though well enough in its way, and a convenient thing to have, it is not essential to salvation. According to the most popular preacher in America, it is, at best, a beam too short to bridge the stream that separates earth from heaven. Morality is admirable for the saints, but dangerous for the unconverted, who are constantly tempted to trust to it for salvation. The more moral men are, the more are they satisfied with morality and the less likely to accept the doctrinal and sacramental expedients for the saving of souls, and the better the world the worse for the Church.

The inevitable consequence is that, with a few noble exceptions, the pulpits ring all possible changes on the doctrines and sacraments they regard as essential to salvation after death, and spend their force in recruiting churches and building up denominations, while the great common moralities on which individual sanity as well as sanctity depend, which are the foundation of public welfare and prosperity, are dropped into a secondary and merely incidental place, if not decried as "beggarly elements" and "filthy rags." Doctrines and sacraments sit at the ecclesiastical feast, and ethics are left to pick up the crumbs that fall from the table. The practical result of this policy is that the streets of all our cities are mined with vices and honey-combed with pitfalls: business has become another name for gambling; politics, as represented in "the rings," is an organized conspiracy to rob the people. the domestic life of our country is demoralized; the churches are the hiding-places of extortioners and hypocrites; and a man escorts a woman in the street car after dark at the peril of his life. The majority of ecclesiastics seem to forget that the saving of souls in the next world is God's business, while it is their business to make souls worth the saving. Those who have caught a glimpse of better things do not preach morality because they know so little about it. A knowledge of ethics is not considered a necessary part of the intellectual furniture of a popular minister; he confounds morals with deportment, and, filling his quiver with theological proof-texts, brashes the subject aside. He fails to see, what Kant showed long ago, that the only impregnable ground of faith in God and immortality, as against the subtle speculations and activities of the age, scientific of indestructible moral this ia obligations. If the Church has any meaning and use in modern society, if it stands for any permanent reality and essential element in our new civilization, it is the representative of those moral verities, laws, and obligations that are as indestructible as human nature, and the unalterable conditions of human good. For morality is not that mesgre and pinched affair that ignorant priests have represented it-merely a thing of the hands, a matter of propriety, a set of manners, a sort Lord Chesterfield etiquette with more sanctimony httle in look and severity in tone. It relates to all human relations. It covers all human duties. It reaches to the bottom of the heart and the top of the life. It concerns all human thoughts and feelings as well as actions. It goes wherever the word Ought goes, and covers all that means and reaches to. . Religion and the Church rest at last upon morals. A religion without morality is air without orygen, or a body without bone or blood. One reason of the immense defection from the Church, and that it has lost so much of its former hold on the brain and heart of our people, is because ecclesiastics have ignored othics, taught religion without morality, and tried to build up sacraments, dogmas, and denominations without regard to the interests of mankind, if not at the expense of the world. The only way by which they can recover the ground they have lost, and make the Church the power it might and ought to be in American society, is a fresh and bold inculcation of morality. Sydney Smith suggested that the only way to avoid railroad accidents was to compel the directors to ride in the front car. It is perhaps too much to say that our American ecclesiastics should be held responsible for the vices and crimes of society, and that for every murder a minis-ter should be hung; but the clergy are responsible for the low moral condition of society to a far greater degree than they imagine. They ought to be regarded, they ought to regard themselves, as the teachers of ethics, the ordained expositors of the immutable laws of morality, and look upon the moral welfare of men and society

their special vecation department of service. And in proportion as they do this will the world improve, and will

and

their office win the respect and awaken the enthusiasm of the best minds. Were the forty thousand ministers of America to teach the great principles of morality with all their mind and might, and to take the lead in every movement of social and moral reform, we should have such a renovation as the world never witnessed, and the Church would be transformed from a burden to a beneficence.

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MRS. GENERAL SHERMAN AND THE WOMEN SUFFRAGISTS. Syom the N.Y. Herald.

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