A REPUBLICAN FORM OF GOVERNMENT.

The Prison Association of this State—an admirable body, whose labors are amongst the greatest of the State glories—drew up a memorial to the Legislature, in January last, in favor of an amendment to the Constitution providing for the government of the prisons by a board appointed by the Governor and Senate, to hold office for ten years, in place of the present system of inspectors elected by the people for short terms, which has been productive of perhaps as revolting abuses as were ever witnessed in a Christian community. The memorial, after giving a sketch of the history of prison discipline in this State, tells how the Association was founded in 1844, taking for its principle “the supremacy of the moral part of man over the animal,” and after three years’ hard work obtained from the Legislature of 1847 an act abolishing corporal punishment, and providing for the erection of solitary cells for the confinement of the incorrigibly disobedient. Then follows this remarkable passage, which we earnestly commend to the attention of all reformers:

“But a speedy disappointment of the more sanguine of those hopes was near at hand. The new constitution went into effect in 1847, and thenceforth the office of inspector became more than ever a political one, elective by the people and with a large and extending party patronage; the solitary cells provided for in the act were never built; those erected for the male prison at Sing Sing were removed to make way for a railroad; and though the whip was no longer used, ether and even more cruel modes of inflicting bodily pain were resorted to, and the domination of force was again triumphant.”

Of the state of things which now exists in the prisons, we do not intend to speak here, nor indeed to discuss the prison question at all. We quote the above passage simply for the purpose of enforcing what we are about to say on a very different subject. The constitution which went into operation in 1847 was framed in strict accordance with the theories of democracy which were then rampant all over the country, and had taken possession of some of the wisest heads, although they were utterly opposed not only to the lessons of history, but to every man’s individual experience of human nature. It was not intended to corrupt the judiciary and debauch the country, and all wrong in the street and the court-room, and all whips which the state can bring to enforce the public confidence, but had made splendid and important contributions to the literature of jurisprudence. Massachusetts narrowly escaped from the theorists; New York fell a victim to them, and is now heaping curses not loud but deep on their heads, and has acquired through twenty years of degradation a dread of à priori politics which, it is to be hoped, she will never lose.

Now this furnishes an illustration, and a very striking one, of the way in which things may sometimes be, and very often are, all right in the convention and the closet, and all wrong in the street and the court-room, and it is an illustration which comes up to our minds every time we read Mr. Drake’s orations on the Georgia question, and which, now that the Fifteenth Amendment is passed, the Republican leaders would do well to take to heart in such further dealings with the South as are still open to it. About the Georgia question we do not propose to say anything further. We are happily saved the necessity of doing so by the course of events. Greater confusion than that in which it is now plunged the firmest opponents of the course Congress has pursued towards the State could not possibly desire to see. Everything has gone wrong; the State is in the hands of political sharers, and the Senate is plunged in a muddle from which it confesses that it is impossible to extricate itself logically, or indeed in any way except by allowing by-gones to be by-gones. All that now remains for the sane portion of the Republican press to do is to utter, in the light of this example, a word of warning against the fantastic notions of the duty of Congress in the matter of guaranteeing each State a republican form of government which have taken possession of a good many minds in both Houses and are now threatening to keep the work of reconstruction for ever undone. By dint of brooding over this phrase of the Constitution, and raving and hearing raving about it, several members have almost worked themselves up into the belief that the term “a republican form of government,” as used by the framers of the Constitution, is synonymous with a perfect state of society, and that consequently, if any State is the scene of many disorders which have their root in the sentiment of inequality, “a republican form of government” does not exist in it, and Congress is bound to go down there, sword in hand, and set one up. If, for instance, negroes and difficulty in exercising the elective franchise, or getting justice from the courts, or protection from the police, or are denied admission to hotels or railroad cars on the same terms as whites, or if crimes of violence are very numerous and go unwhipped of justice, forthwith a deputation of the local radicals hurries to Washington and presents Senator Drake or Mr. Butler with a list of “outrages,” and up jump these gentlemen and demand an enquiry with the view of overturning the State government and either establishing martial law or putting the local minority in possession of the political power. By a republican form of government they evidently mean a democratic government carried on by a community entirely divested of prejudices and especially of prejudices on the subject of color—that is, one of the strongest and most deep-seated of all prejudices—of very industrious habits and very peaceable disposition, and entertaining a profound sense of its own wickedness in bearing on a war which they waged with a vigor which men never show except as the result of extraordinary fervor both of passion and conviction. In short, the state of society which Messrs. Sumner and Drake seem to ask for at the South as a condition of letting the South alone hereafter and leaving it to work out its own salvation, is one which, considering what the South was in 1860 and what has happened in it since then, could not possibly be produced—we say it in all seriousness—except as the result of a special and miraculous interposition on the part of the Almighty. No rational man, possessing any acquaintance with human nature, and with the experience of the human race, could, if he found Southerners in the state of mind Mr. Drake asks for, rest the conclusion that agencies had been at work amongst them totally different from those by which the moral government of the world is usually carried on. No community has ever changed within five years as the South is by some expected to change, and no community could, under similar conditions, possibly do so, we are warranted in believing, without the application of remedies unknown to the human understanding and invisible to the mortal eye. The “repealance,” for instance, for which Mr. Drake looks—that is, not only a sense of the folly of the war but a sense of its guilt and shame—of course God Almighty could have produced in the hearts of the Southern community since 1865, but, if he had done so, it would have had all the characteristics of a miracle.

If all this is true, the folly of trying to produce the results we all so much desire to see at the South by the process known as “remaning States to military rule” is easy to be seen; and from it the folly of continuing to threaten States already reconstructed with martial law is a plain corollary. If our “military rule” produced peace and order, it is safe to say it would also be at least a great marvel, for there is nothing military about it except the name. It makes no change whatever in the means of protecting life or property, or of punishing crime. When a “Ku Klux,” who has been out in the night murdering negroes or Union men, gets home in the morning, and learns that the Congress has remanded the State to military rule, and that the State legislature is now “provisional,” he hears the news with perfect indifference. It subjects him to no surveillance or pursuit to which he was not exposed before; renders the commission of no crime more difficult or its chastisement more certain. It is, in short, simply a form of words written on paper, and yet the Drakes and Butlers have, it is charitable to suppose, succeeded in persuading themselves, and try to persuade others, that they can by the utterance of it deliver Southern society suddenly from threes and convulsions which all we know of the law of human progress warrants us in believing are as natural a consequence of
slavery, the war, and emancipation, as light is of sunrise, or the sprinkling of the corn of the fall of the seed.

The attempts to treat peace and good order and the universal diffusion of the sentiment of equality as essential marks of a "republican form of government," and to do for the Southern people, at one stroke, by act of Congress, what nobody but God Almighty has ever done for any other people, and he only by the slow process of individual regeneration, has thus far resulted simply in placing the government of nearly every Southern State in the hands of despotic adventurers, black and white, the continuance of whose rule, were it possible, would, we do not hesitate to say, strike a serious blow at civilization itself. The persistence of the Republican party in threatening to apply this theory to all of them for an indefinite period—or, in other words, to keep an ideal State constantly on hand as a standard, and by it test the claims of the reconstructed States to be let alone—will, of course, result in regarding the material as well as moral development of these States, in still further lowering the political tone of the whole country, and in associating the party in the public mind rather with the abuses which followed the war than with the glories of the war itself.

We do not say that Congress has done anything, but, as the whole, acted with the best intentions, and, in most cases, in the manner the circumstances seemed to call for; but then there is no firm ground in politics but experience. Let us learn as we go. Certain evil results of the reconstruction policy which it was perhaps excusable not to foresee, are now plainly visible, and they have shown themselves, luckily, while there is yet time to profit by the spectacle. The South ought now to be dropped by Congress. All that paper and words can do for it has been done. "The republican form of government." Mr. Drake dreams of thus far never been set up anywhere, and there is every reason to believe that it never will be set up until the establishment of God's kingdom on earth. Some men in Congress—notably Messrs. Trumbull and Schurz in the Senate—have urged all these considerations with a force and clearness which show that the statesmanship of earlier days is not extinct, and that, come what will, the torrent of folly will never find us without strong and manly thinkers to breast it.

THE FUNDING BILL.

For several days past almost every one of the regular Washington despatches to the daily papers has contained the announcement that the Ways and Means Committee was about to begin, had got ready to begin, or had actually begun the consideration of the Funding Bill. On Saturday, according to the New York Herald, the Committee ended their "general talk" upon the subject, and on Monday, according to the New York Times, took up the bill regularly, with the determination to continue its consideration from day to day until disposed of. We have heretofore refrained from any elaborate consideration of this measure, for the reason that the Honorable chairman of the Ways and Means has repeatedly declared that he would allow no other business to come before the House until the Tariff Bill had been disposed of. Since this, at the rate of recent progress with the tariff, would have brought up the Funding Bill some time in 1871, we feared our remarks might grow stale. But now that even Mr. Schenck has grown sick over the tariff, and the Tribune, in view of the defeat of the iron interest, thinks the whole bill ought to be re-committed and aban doned; now that "the general talk" on the bill has been ended, the bill itself is actually taken up for consideration, and that the spasmodic energy of the Committee may at any moment begin the bill before the House for action, it becomes us to express our opinion or the whole subject.

The object of the Funding Bill would be much better understood if the bill were called a bill to secure the borrowing of money by the United States at a lower rate of interest than that which it is now paying. Of the present debt, we may say in round numbers, 3,000 million pay coin interest, 1,800 millions at the rate of 6 per cent. per annum, and 200 millions at the rate of 5 per cent. per annum. Of the 1,800 millions, the Treasury may at its own option pay off about 1,200 millions at any time that may suit its convenience. It is these 1,200 millions, on which we are now paying 6 per cent. interest per annum, which the Funding Bill proposes to get off at once, obtaining the money for the purpose by borrowing a similar amount at 4 or 5 per cent. per annum; or, what is practically the same thing, the Funding Bill proposes to induce the present holders of our bonds paying 6 per cent. interest to exchange them for a fresh issue of bonds paying 4 per cent. interest. So palpable is the advantage to be derived by the United States from such an exchange, that it seems almost absurd to question its desirability. Indeed, when the bill was first proposed, it was almost unanimously accepted as eminently desirable, and the principal opposition to it was based upon the belief that the proposed exchange was impracticable, and the proposed method of making it objectionable. It is true that a powerful opposition to the bill was created by the national bank interest, which thought, or pretended to think, itself very unjustly dealt with in one of the sections of the bill. But, as their objection in no way applied to the main principle of the measure, it does not affect our assertion that the measure itself was, and indeed to this moment is, very generally regarded as highly desirable.

The objection to the Funding Bill on the score of its impracticability is this: If we pay off the existing 1,200 millions of 6 per cent. bonds, we must of course pay them in full, one hundred cents on the dollar, as the holders are not obliged to take one cent less. In order to be able to do this we must be well assured that we can sell the new bonds at the same price, at par, or for one hundred cents on the dollar. Unless we are assured of this, we should suffer a loss on the principal of the bond which might more than counterbalance the gain in the interest. Those who maintain the impracticability of the measure point to the fact that the existing 6 per cent. bonds of the United States are now selling in the European markets at a price which, adding the exchange and deducting the accumulated interest, is equal to but little over 92 cents on the dollar; and they say, if our five per cent. bonds will not bring more than 92 cents on the dollar now, why should our four or four and a half per cent. bonds, after the passage of the Funding Bill, suddenly be worth 100 cents on the dollar? This argument we consider totally unanswerable, as far as it goes, but it does not cover the entire ground.

Those who oppose the measure on the score of impracticability say further: so long as the 5 per cent. bonds of European governments like that of Prussia, whose credit is absolutely first-class, like Austria, Russia, sell below par, some of them considerably below par; so long as bank and railroad securities of a character for safety, solvency, and permanence almost exceeding that of any government, and paying higher rates of interest than 5 per cent., sell considerably below par, how can we expect to sell our 4 or 4½ per cent. bonds for a higher price? This question is generally met by triumphantly pointing to the experience of England and France, whose securities, at much lower rates of interest, command much higher prices, the English three per cent. bonds being actually in cash worth more to-day than those of the United States bearing 5 per cent. interest. To the average American citizen that answer is conclusive. He can see no reason why an American bond bearing 4 per cent. interest should not be worth at least as much as an English bond paying only 3½ per cent. He very readily concludes that all that is wanted to induce foreigners to take our 4 per cent. bonds at par is to refuse to pay more; and hence he is easily led to believe that the Funding Bill is the essence of wisdom, and Mr. Boutwell a paragon of financial statesmanship. Now, the truth is, that there can be no exact comparison made whatever between the debt of the United States and the debts of countries like England and France. For the bulk of the debts of those two countries is held, it is true, at home, but it is held in an overwhelming proportion by a comparatively limited number of capitalists, consisting almost entirely of a certain class of society, who hold consols or rentes as an investment for political purposes, certainly from political instincts, and largely from habits arising from both. If, in this country, men like Mr. Astor, Mr. Vanderbilt, and Mr. Stewart believed that their social and political position, importance, and influence depended upon the continuance of a certain form of government, and that the continued existence of that form of government depended largely upon the existence of a national debt, and that the holding of that national debt by them would largely contribute toward its permanent exist-
is any one interest in the country which could be justly, legally, and equitably called on to contribute a larger share of its gains than hitherto to the support of the Government, it is the banking interest. If the Funding Bill, or any other bill, had provided that the national banks should hereafter be taxed a sum equal to one per cent. of the interest on all their bonds deposited in the Treasury, and that the said tax should be deducted from the interest at the time of its payment, not a word could have been said against it. But, in order to ensure a seeming success to Mr. Boutwell’s scheme, the banks were to be compelled to give up their old bonds, and buy new ones, thus enabling the Treasury to the expense of printing and issuing the new bonds, and to some one else the exemption of one per cent. on the exchange. In this manner, the only good suggestion of the Funding Bill was rendered obnoxious by the suspicious method of carrying it out. This whole section has, however, is reported, been stricken out in committee, and it is openly declared that it is stricken out at the bidding of “the national bank men,” who would not otherwise allow the bill to pass. It should be interesting to the people of the United States—and for this reason solely do we refer to this section of the bill—to notice what sort of a force they have called into existence by the National Bank Act, and what they have to expect from this force in future. It seems to be already accepted in Washington as a political axiom that no measure can pass against the opposition of the national bank interest. If on this occasion they have so far opposed a bad measure, they will be all the more likely on the next occasion to defeat a good one.

THE NEW YORK CHARTER, AND WHAT MAY COME OF IT.

The Democratic party, coming unexpectedly into the full possession of the government of this State this year, found itself burdened with a heavy load of unqualified promises to do away with the “odious commissions” in New York City. The result of its action to this end has been awaited with interest by the whole State, and largely by the country, because it was well known that the system which preceded commissions was at once purely Democratic and miserably inefficient, not to say rotten. There was, also, an uneasy feeling in the minds of Republicans that the commission system contained nothing in itself to prevent its yielding to the decay apparently a necessary consequence of Democratic management of it, while not a few regarded with suspicion and alarm the abuses to which some of the commissions, in nominally Republican hands, were rapidly yielding.

The session of the Legislature is nearly at an end, and the work of fixing the methods—there would be a spice of irony in speaking of principles in this connection—on which the officials of New York shall proceed is completed. There now remains only the voting of the tax laws—which, by a curious anomaly, are determined at Albany—and the charity bill, which may be regarded, the one solely and the other in part, as merely pay-offs for the Democratic army in possession. It is possible at this time, then, to answer the question: What has this legislature done toward solving the important problem of the government of the largest and most composite of American cities, the problem, it may be added, of which the party has besought the people to give it the solution, and the opportunity to solve which was last fall sized by daring and widespread fraud? The answer, which is to be found in the New York charter, is not encouraging. That charter perpetuates whatever was most to be feared in the system of commissions, and totally omits vote of the corrective, of which there was some possibility under the old system. It gives the administration of city affairs into the hands of a number of independent bureaus, with heads consisting of officials from one to five in number, nominated by the present mayor in the first instance, and retiring from power at the rate of one annually in the case of the boards with several members, and only after a long term in the case of Messrs. Tweed and Bradley. The present mayor has exercised the enormous power placed in his hands in a way plainly the result of an agreement with the legislative authors of the charter, giving the most powerful place in the government—the head of the Department of Public Works—to Senator Tweed; the most lucrative, that of chamberlain,
to Mr. Tweed's silent partner and Mr. Sweeney's relative, Senator Bradley, and placing six assemblymen in the various boards. Here, then, are the elements of the commission system which gave most uneasiness actually realized, namely, the establishment by the Legislature of commissions to create and perpetuate power in the hands of legislators, and the arrangement of terms of office in a manner placing the commissioners beyond the reach of everybody interested in their good behavior, except by the difficult and unreliable agency of the courts, which, in this case, can be called upon only by the mayor, and by him only for the extreme offence of malfeasance. Everybody familiar with the relations of New York courts to New York office-holders knows that, as a preventive or corrective of laziness, inefficiency, perversion of powers to personal and political ends, and all that horde of abuses included in the term "jobbery," this remote interference of the courts is worth nothing. It is obvious that the charter only gives a firmer hold to that class of politicians which has gradually taken possession of each branch of the New York City government, and which has, so to say, acted mainly by the sole determination to enrich itself at the public expense. But it is noteworthy that the victory which ended a long struggle for the spoils between two sections of this class was finally purchased by co-operation with the Republican members of the Legislature. The price of this co-operation was ostensibly the passage of a stringent election law, and really the retention in office of the present Board of Police, and the nomination to place of a certain number of Republican aspirants. This fact, of the existence of which there can be no doubt, is ominous to the immediate future of New York. A politician's bargain, in which the consideration on one side compromises the administration of the police—in whose firmness, independence, and esprit de corps lies, now that the courts are so largely invaded by corruption, almost the sole hope of safety for person and in great part of property—cannot be regarded as other than a calamity to the city. Whatever efficiency may be gained in the departments of the city government concerned with the care of the streets, the public works, the wharves and buildings, consequent on the more intimate and permanent association of really capable, even if corrupt, men with their administration, the Police Department has received what may well be nearly a fatal blow. When we remember that the present Police Board, which under the new charter is continued in office, appointed the election officers and officers of registry guilty of the acknowledged frauds of last autumn, and that, since the Democratic triumph then and there secured, the Board has allowed the excise law, previously enforced to a considerable degree, to become a dead letter, and has further admitted a steadily increasing laxness of discipline in the police force, this last combination with the Ring justifies the gravest apprehension.

There are to be observed, however, in this matter two tendencies of public opinion, one in that of the country, and the other in that of the city, affording some prospect of remedy not only the evils the city has long suffered under, but those threatened by the new arrangement of the politicians' cards. The tendency in the opinion of the country is to leave New York to herself; the tendency in the city is toward a centralization of power in an executive elected for a moderate term, whom, in case the city is left to itself, the voters can call to some intelligible account. The feeling referred to in the country was made very evident by the proposition made by Mr. Littlejohn, of Oswego, and supported by Mr. Alvord, of Syracuse, the two most prominent rural Republicans of the Legislature, that the taxes of New York should no longer be voted in the Legislature, and the same feeling has prevailed in numerous debates this winter. The country members are in despair of ever coping successfully with New York politics or New York politicians, and regard the attempt made by commissions in 1877 as at best only temporarily successful and ripe now for abandonment. They are, moreover, hopeless of contending effectually with the vast means of Influence and corruption the introduction of New York City government gives to the New York leaders, and they desire in pure self-defence to reduce these latter to somewhere near a level with legislators owning responsibility to constituencies, and liable to interference therefrom. In the city, the tendency corresponding to the one observed in the country is evinced in the tone of the discussion of the charter by the New York press—notably by the Post, and in part by the World and the Sun, which have recently treated their readers to some very perspicacious cogent reasoning on the necessity of securing actual responsibility in officials. And though the gentlemen of the Union League Club and those of the Citizens' Association have made a rather confusing official statement of their views of city government, there is a strong sentiment in the community, that with anything like a fair chance it could put down and keep down its own dangerous classes. If the State government should return to the Republicans next year, as is generally expected by Republican managers, we need not be surprised to see an attempt made, in spite of its inconsistency with this year's Republican action, to frame a charter that will give effect to this sentiment. Such an attempt within a few years is almost certain.

GOING TO EUROPE.

This prodigious rate at which the passenger traffic between this country and Europe is increasing, and which seems to afford employment to as many streamers as capitalists choose to run, is doubtless mainly due to the growth of wealth and population. It, however, also indicates, beyond question, increasing restlessness on the part of all that portion of the American population which is not tied to one spot all the year round by business. In this country, of the foreign visitors to Europe, were few and far between, the trip was generally credited with a mysterious influence on the mind and character, and gave those who made it a social and intellectual pre-eminence which lasted the greater part of their lives. The belief in this has, of course, died out before the now multitudinous examples of persons who have gone to Europe without being in the slightest degree improved by it; but the passion for Europe is in no wise abated. In fact, it seems to grow with the growth of the country. There is now no capital in Europe, and indeed no resort of pleasure-seekers, in which the Americans do not either outnumber all other travelers, or are not rapidly gaining on them; a curious illustration of which is to be found in the gradual appearance in European light literature of a variety of American types. When the American first showed himself in European books of travel, "wayside sketches," "wanderings," and "rambles," and in novels with Continental scenery, he was all but invariably Sam Slick himself, with as much retouching as to clothes as might make his appearance among the author's acquaintances not widely improbable. He was shrewd and good-natured, and not unfrequently played a subordinate but still important part in helping the hero out of bad scrapes, and furnished "humor" to the work in slangy comments on what he saw around him, the flavor of which was mainly drawn from his all but savage ignorance of the usages of civilized life. He furnished the materials for a great many amusing anecdotes, too, by his mistakes in churches and pictures galleries, and by his ignorance of foreign languages, French being the tongue in which he did most of his blundering, and the interest of the reader in him was kept up by the suspicion, which the writer generally suggested in a vague way, that he might at any moment commit a murder, if crossed or excited.

Now, however, we find growing evidence of the increased familiarity of Europe with him in the disappearance of Slick and the substitution of three or four varieties, who may be classed as the Cultivated American—who is almost always set down as an Englishman, and only found out by accident or his own confession; the Militia "General," a good sort of man, with his wife and two daughters, whom he is apt to be accused of calling "his gals," and whose behavior in picture galleries and cathedrals is of the most ludicrous description; and the Boastful Yankee, who is usually painted as an impudent and inquisitive monster, and almost invariably follows dry-goods as his calling. Another curious and somewhat comic illustration of the growing strength, if not predominance, of the American in Continental resorts is that, in our literature of travel, such as books and letters to the newspapers, we begin to use against the English the old stories the English used to tell about us. In our accounts of our wanderings nowadays, the man who makes people laugh by his bad French, and never heard of Michael Angelo, and whose ridiculous daughters are the talk of the hotel, is almost invariably an Englishman, while the man who rescues him out of his difficulties, settles the dispute between him and the landlord, or prevents the gendarmes from taking him into custody, who overhears his silly speeches in St. Peter's, and whose charming daughters fascinate the Roman prince, is apt to be an American.

In nine cases out of ten, when people go Europe, it is "for the sake of
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