THE LATE RIOTS.

It is impossible to deny that the events of the last fortnight constitute a great national disgrace, and have created a profound sensation throughout the civilized world. They are likely to impress the foreign imagination far more than the outbreak of the Civil War, because the probability that the slavery controversy would end in civil war or the disruption of the Union had been long present to people's minds both at home and abroad. Slavery, too, was well known to be an accident, and by no means a natural product of American institutions, and its horrors and inconsistencies did not really seriously shake the general confidence in the soundness and solidity of American polity, strong and numerous as were the attempts made for that purpose. There has for fifty years been throughout Christendom a growing faith that outside the area of slave-soil the United States had—of course with the help of great natural resources—solved the problem of enabling labor and capital to live together in political harmony, and that this was the one country in which there was no proletariat and no dangerous class, and in which the manners as well as legislation effectually prevented the formation of one. That the occurrences of the last fortnight will do, and have done, much to shake or destroy this faith, and that whatever weakens it weakens also the fustily-cherished hopes of many millions about the future of the race, there is unhappily little question. We have had what appears a widespread rising, not against political oppression or unpopular government, but against society itself. What is most curious about it is that it has probably taken people here nearly as much by surprise as people in Europe. The optimism in which most Americans are carefully trained, and which the experience of life justifies to the industrious, energetic, and provident, combined with the long-settled political habit of considering motions poor as the products of a monarchy and aristocracy, and impossible in the absence of "down-forehead masses," has concealed from most of the well-to-do and intelligent classes of the population the profound changes which have during the last thirty years been wrought in the composition and character of the population, especially in the great cities. Vast additions have been made to it within that period, to whom American political and social ideals appeal but faintly, if at all, and who carry in their very blood traditions which give universal suffrage an air of menace to many of the things which civilized men hold most dear. So complete has this illusion been that up to the day of the outbreak at Martinsburg thousands, even of the most collective class, were gradually ridding themselves of the belief that force would be much longer necessary, or, indeed, was now necessary in the work of government. It is not many weeks since we sought in these columns to combat this hallucination, apropos of the woman-suffrage question and the South Carolina imbroglio; but since our article appeared, one of the most thoughtful politicians in the country, Senator Bayard, of Delaware, delivered an address before the Phi Beta Kappa Society at Cambridge, in which, with an eye, however, to the Southern States, rather than to discontented laborers, he pleaded the possibility of government by moral suasion solely, with great energy and pathos, and he has probably had tens of thousands of readers who rolled the doctrine under their tongues as a sweet moral.

Another illusion which the riots have dispelled is that the means provided by the several States for the protection of life and property, in the shape of police and militia, are at all adequate. Riots on the scale on which they have taken place during the past fortnight put almost as much strain on the nerves and on the discipline of the force called on to suppress them as the operations of regular warfare. A lawful enemy forms an organization which keeps to itself in a defined position, and its attacks are controlled by rules with which men are more or less familiar, and dictated by motives which can be guessed, and the force of which can be weighted. A mob, on the other hand, is essentially irrational, and if it comes has all the suddenness and incomprehensiveness of that of a wild beast, and is just as merciless and destructive. It presence of mind, which are not often called for in actual campaigining. Nothing can supply these things but the habit of obedience not simply intellectual readiness to obey, as part of a contract, the habitual readiness to obey a particular man, produced by obliging him every day on all sorts of small matters, and the familiar with his person and character which results from living under orders. This regular troops have; this even the best militia has and cannot have. The consequence is that a militia regiment, matter how well drilled, when it finds itself acting against a mob and the temper of the men begins to be tried by missiles and man loses very rapidly its sense of organization. The company and regiment and the officers fade from the private's view, and becomes in his own eyes an individual man, at whom a fellow on sidewalk is throwing brickbats, so that gratifies his rage and provi for his personal safety by taking a shot at him. The mob, on side, takes more or less the same view of the force; that is, believes it has got before it a body very much like itself, either armed and uniformed, and does not believe in its discipline; cohesion, and does believe it can dissolve it by vigorous pelt or a series of single combats, or by appeals to the sympathetic men. Regulars, on the other hand, it knows to be a machine the most terrible of all the machines invented by man, by which wills of a thousand are wielded, even unto death, by the will of e and which knows nothing of single shots, which feeds every b through its whole mass, and, when it strikes, strikes like the flat destiny, without remorse, or pity, or misgiving. The consequen is that many of the horrors and aggravations of mob-risings re from the unsteadiness of militia. Killing by militia is apt to rens thirs for vengeance, like the killing in a street-fight, while a vot from regulars has the terrors of legal execution. Of course th are militia regiments which are exceptions to this rule, and even during the late troubles have rendered inestimable service; they are not to be relied on for serious emergencies, such as trust every sensible man now sees are among the contingencies American life.

The kindest thing which can be done for the great multitude of untutored men who have been received on these shores, are daily arriving, and who are torn perhaps even more than in Europe by wild desires and wilder dreams, is to sh them promptly that society as here organized, on individual f donom of thought and action, is impregnable, and can be in chalken than the order of nature. The most cruel thing is to them suppose, even for one week, that if they had only chosen t time better, or had been better led or better armed, they would have succeeded in forcing it to capitulate. In what way better provi in the shape of public force, should be made for its defence we h no space left to discuss, but that it will not do to be caught as the rising at Martinsburg caught us; that it would be fatal private and public credit and security to allow a state of things to exist in which 8,000 or 9,000 day-laborers of the lowest class can suspends, even for a whole day, the traffic and industry of a gr nation, merely as a means of extorting ten or twenty cents a oman wages from their employers, we presume everybody now as Means of prompt and effectual prevention can probably, in effect, it will never need to be resorted to—must be provided, either by increase of the standing army or some change in the organization the militia which will improve its discipline and increase its mobi There are, of course, other means of protection against labor-risk than physical one, which ought not to be neglected, although doubt if they can be made to produce much effect on the press generation. The exercise of greater watchfulness over their urge by philanthropists, in devising schemes of social improvement, in affecting to treat all things as open to discussion, and every que as having two sides, for purposes of legislation as well as purposes of speculation, is one of them. Some of the talk about ly balance and rights that we have listened to in the past few y in literature during the last fifteen years, and of the capacity cv of the most grossly ignorant, such as the South Carolina hod-

The Nation. | Number 6
RESPONSIBILITY FOR THE IDAHO WAR.

How far the Indian insurrection on the Pacific slope is for the present suppressed is not decided, but it was well, while its lesson is fresh, to realize that the Nez-Percés are not to blame for the expensive and sanguinary campaign, unless being goaded into a brief madness by the direct and endless oppression of our Federal authorities be blameworthy. What is remarkable about their case is that the tribe had been faithful and peaceable since it was met by Lewis and Clark in 1805; that official frauds in its management—so often a just ground for complaint—have been alleged; but that the neglect and base fault of the general Government, continued for a quarter of a century, are apparent in the recitals of Congress. There was swindling, not in petty matters and by individuals, requiring detection and proof, but on a grand scale by the United States itself, and set forth in its own printed publications.

It is too late now to revise the policy of regarding Indians as political communities having a right to the lands within the boundaries of which they were found. The rule has been uniform from the earliest discovery of North America, under the royal Government, the colonies, the States, the confederacy, and the present Union, to make treaties with their several tribes and nations. Our Supreme Court has recognized their title by occupancy, and when by treaty they have yielded to the United States for certain considerations the main body of their lands, there has been a solemn guaranty to them of the residue. In many parts of the country the Indian title has been extinguished before the whites have been legally permitted to settle upon or obtain any rights in the land. This precaution, absolutely necessary to prevent collision, was wholly neglected in reference to the district now partly in Oregon but chiefly in Idaho occupied formerly and still by the Nez-Percés, though there was an express provision in the acts of Congress establishing the Territories of Oregon and Idaho, that the land occupied by Indian tribes should not without their consent be included in the limits or jurisdiction of those Territories, but should be excepted out of their boundaries. Section 1829 of the Revised Statutes recognizes similar rights of person and property in tribes embraced within the limits of a State, as well as a Territory, unless the tribe shall consent to be so embraced.

The first treaty with the Nez-Percés was made June 11, 1855, after a considerable number of winters had settled on the lands acknowledged to be within their bounds. It provided that no white man should be permitted, either before or after its ratification, to reside upon the tract reserved, but in the meantime it should be lawful for the Indians to reside on any lands, either within or out.

immediate cause of the present insurrection, was distinctly include in the reservation, and, unless it had been so, the elder chief Joseph and his band, who claimed and occupied it, would now have been induced to agree to the treaty. Even with that stipulation, their signatures were procured with great difficulty and even persuasion. These facts are not matters of inference, but were formally reported by the Commission which in 1853 investigated all the subjects in controversy. The bands of the tribe owned several tracts of territory, with the full right of treating severally respecting them, there being no organized nation, and the loose confederacy not recognizing any head chief. An English-speaking chief of more rank, A-slu-loc, generally called Lawyer, was appointed head chief by the U.S. Commissioners as a convenient part of the programme, but had no original or accepted authority as such. This treaty was not ratified until April, 1850, without any parental reason for the delay but the mere neglect of the Senate, as during those four years there had raged throughout the region an extensive Indian war, in which the Nez-Percés had proved the on stay and bulwark of the Government. They essorbed the Governors of Oregon through hostile heroes, rescued Col. Steptoe and his who commanded after his defeat on May 17, 1855, and in the campaign the suffered with our Indian allies, yet the non-payment of the annuities and other stipends, which rendered invaluable aid, for which and for man horses furnished they were not paid. They resisted all the attempts of the Mormons, who established a station on the Salmon River expressly to alienate them from the Government, and by their fidelity and courage saved the infant settlements. When, after ungrateful delay, the ratification was at last proclaimed, and Congress added to neglect absolute dishonesty, by withholding appropriations to car out the contract made, the tribe yet remained faithful and patient. Numerous emissaries from the Confederate States in rebellion ran to them with arms and money, representing with strong argument that the United States Government was broken up, and urged as proof of the statement the non-payment of the annuities and other stipends. While they received no help in establishing themselves on the reservation, to which most of them obediently repaired, they continued to assist the Federal authorities in their hour of trial, though the latter markedly, and in every possible manner violated their agreements. Gold was discovered in 1860, and fifteen thousand white men poured into the very land set apart exclusive for the Indian home, not only committing countless individual outrages but also violating the treaty with such system that a lot of 1,200 white inhabitants was laid out in the centre of the reservation without the consent of the tribe and against the protest of agent.

In 1862 the proposition was made by Congress to settle the evils by a new treaty, the debates showing it to be fully and soundly the Indians had faithfully observed all the obligations their part, while the Government had wholly disregarded its own. The idea of beginning to fulfill these honors was not, however, entertained. Accordingly, in June, 1863, Joseph and his son Eagle-from-the-Light, Big Thunder, and other chiefs who did not recognize the supposititious head-chief Lawyer came, in obedience to summons, to a council, and encamped on the west bank of Lapwai, while the Lawyer faction remained on the east bank. The main point of the treaty proposed by the Commissioners was to dispose the reservation to about one-tenth of its actual limits, leaving out of the new boundaries the whole of the Wallowa Valley. This Joseph and his party utterly and expressly refused, deeming the denying any authority in any other part of the tribe to dispose the land not only possessed by him before the treaty of 1855, but also guaranteed by it, and refused from the council. The tribe then became formally divided about equally into "treaties" and "no treaties." the latter never recognizing any treaty later than that of 1855, and never accepting any consideration.

About the year 1871 Joseph died, bequeathing his beloved valley to his son and heir, Young Joseph, as his successor.