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SENATOR CONKLING'S

Great Speech at the New York Academy, Friday Night, September 17th, 1880.

[The Academy of Music in New York was crowded to overflowing, on the occasion of the Republican Mass Meeting. Thousands went away, unable to gain admittance. A letter was read from Gen. Grant expressing regret at being unable to be present. Hon. Hamilton Fish was chosen chairman, and introduced Senator Conkling who spoke at great length, and was loudly applauded. We give below some of the salient points of his address:]

INTRODUCTION.

Whoever is given greeting and audience in such a presence, ought indeed to have something worthy—something fit and wise to say. Inadequate in all, save only grateful and respectful appreciation must be my return. We are citizens of a Republic. We govern ourselves. Here no pomp of eager array in chambers of royalty awaits the birth of boy or girl to wield an hereditary sceptre whenever death or revolution pours on the oil of coronation. We know no sceptre save a majority's constitutional will. To wield that sceptre in equal share is the duty and the right, nay, the birthright, of every citizen. The supreme, the final, the only peaceful arbiter here is the ballot-box; and in that urn should be gathered, and from it should be sacredly recorded the conscience, the judgment, the intelligence of all. The right of free self-government has been in all ages the bright dream of oppressed humanity—the sighed-for privilege to which thrones, dynasties and power have so long blocked the way. France seeks it by forced marches and daring strides. Mr. Forster, Secretary for Ireland, tells the peerage of England it must take heed lest it fall; and Westminster and England ring with dread echoes of applause. But in the fullness of freedom the Republic of America is alone in the earth; alone in its grandeur; alone in its blessings; alone in its promises and posibilities, and therefore alone in the devotion due from its citizens. The time has come when law, duty and interest require the nation to determine for at least four years its policy in many things. Two parties exist; parties should always exist in a government of majorities, and to support and strength en the party which most nearly holds his views is among the most laudable, meritorious acts of an American citizen; and this whether he be in official or in private station. Two parties contend for the management of national affairs. One or the other of these two contestants is sure to manage the nation's concerns for some time to come. The question is, Which of the two is it safer and wiser to trust. It is not a question of candidates. A candidate, if he be an honest, genuine man, will not seek and accept a party nomination to the Presidency, Vice Presidency or Congress and after he is elected become a law unto himself. Few things are more despicable than first to secure elevation at the hands of a party, and then, in hopes of winning pretentious nonpartisan applause, to affect superior sanctity, and meanly to imply that those whose support and confidence were eagerly and deferentially sought are wanting in purity, patriotism or some other title to respect. The higher obligations among men are not set down in writing and signed and sealed—they reside in honor and good faith. The fidelity of a nominee belongs to this exalted class, and, therefore, a candidate of a party is but the exponent of a party. The object of political discussion and action is to settle principles, policies and issues. It is a paltry incident of an election affecting fifty million people that it decides for an occasion the aspirations of individual men. The Democratic party is the Democratic candidate, and I am against the ticket and all its works.

THE GENERAL ISSUE A SECTIONAL ONE.

The general issue confronting us is in itself and its bearings sectional. I would, and you would, it were not so, but it is so. If in one portion of the country one party outnumbers the other even by overwhelming odds, the fact need not be blamable nor proof of sectional aggression. But if in any section a party gains and keeps control, not by numbers, but by honesty and law, and then, stifling free discussion and action, attempts to grasp the Government of the whole country, the proceeding is sectional, guilty and monstrous. In twelve States of the Union the approaching election is to be no more than a farce, unless, as has sometimes happened, it be turned into a tragedy. There is to be no free debate, no equal rights, no true expression in these States; and in several States the clear majority is to have no deciding power—not even a chance in a raffle such as that in which lots were cast and the booty divided the other day between Tammany Hall and the upper-air and solar-walk Democracy. Senator Hampton largely promises forty thousand Democratic majority in South Carolina, where the actual majority is forty thousand the other way. In several Southern States there is a large, well-known, often ascertained Republican majority, but all Southern States alike, without exception or doubt, are relied upon to count on the Democratic side, and to score 138 Electoral votes—lacking but 47 of a majority of all. The causes of such a condition, and the consequences, if it succeeds, are matters which no sane, intelligent man put out of view, and yet he who discusses them must be told in the coarse parlance of the day that he waves the "bloody shirt." It is a relief to remember that this phrase and the thing it means is no invention of our politics. It dates back to Scotland three centuries ago. After a massacre in Glenfruin, not so savage as has stained our annals, two hundred and twenty widows rode on white palfreys to Sterling Towers, bearing each on a spear her husband's bloody shirt. The appeal waked Scotland's slumbering sword and outlawry and the block made the name of Glenfruin terrible to the victorious Clan Alpine even to the third and fourth generation. I am not going to recite horrors, nor allude to them, nor the chapter of cruelty they fill, for to retry the issues of the war. My purpose is quite different. It is to show if I can what is actually at stake now, who and what the contending forces are, how much the result may mean, and which way prudence and wisdom point.

GENERAL GRANT'S LETTER A TEXT FOR MANY SERMONS.

You have listened to a letter from one to whom at least as much as to any other man the nation owes its preservation, prosperity and primacy. This letter, instinct with common sense, hits the nail on the head. Its writer generally does hit nails, rebellions and pretenders on the head. He says:

This meeting should awaken the people to the importance of keeping control of the Government in the hands of the Republican party until we can have two national parties, every member of which can cast his ballot as judgment dictates, without fear of molestation or ostracism, and have it honestly counted; parties not differing as to whether we are a nation, but as to the policy to secure the greatest good to the greatest number of its citizens. Sincerely believing that the Democratic party, as now constituted and controlled, is not a fit party to trust with the control of the General Government, I believe it to the best interest of all sections, South as well as North, that the Republican party should succeed in November. Yours very truly. U. S. GRANT.

Lord Chesterfield said that a letter shows the man it is written to as well as the man it is written by. This letter bears Lord Chesterfield out. It is written to General Arthur, and it reveals the confidence and esteem in which the writer holds him. Informed by many years of intimate acquaintance, the General knew and felt, as we know and feel, that he was writing not only to a friend, but to one of the most genuine, patriotic and honorable of men.

HOW THE DEMOCRATIC PARTY IS CONSTITUTED AND CONTROLLED.

This letter furnishes a text for many sermons. "The Democratic party as now constituted and controlled." How is it constituted, how controlled? There are a vast number of upright, patriotic men in it—a vast number of men who gave all and did all they should have given and done to uphold their Government and their flag in the supreme and dire hour of trial. A vast number who imperiled their lives, as other Democrats laid down their lives for their country. Many Northern Democrats who cast all their weight and sympathy on the nation's side, after the war was over returned to their former party associations; many others never did so return. Were such Democrats to guide and influence a Democratic Congress and a Democratic Administration their party would not be "constituted and controlled" as it were. Because such men and their views and interests will not and cannot control, in the event of Democratic success, much grave peril arises.

As the Democratic party is constituted, not the men of the North, not the men who were for the Union and the Constitution, but the men of the South, who were against the Union and the Constitution, men whose policy and purposes are still hurtful to the country, are bound and predestined to control a Democratic Administration and a Democratic Congress. In the Senate and in the House the South has an overwhelming majority of the Democratic members, and most of them are men who led in the rebellion. Every party measure in Congress is settled in party caucus by a party majority; thus the Southern members hold absolute sway. In possession of the law-making power, of the purse, and and of the power to confirm or reject treaties and appointments, the South is also to furnish all the votes to elect the Democratic candidates, save only the 47 votes which must be raffled or counted, or certified, or produced from the Northern States, particularly not excepting Oregon. Should the election be close, there is no knowing but the two Democratic houses may find ground on which to throw out a part or all of any State's Electors. With much unemployed leisure on their hands, with the danger which the Electoral Commission of 1878 alone overpassed, for that time, staring the country in the face, these Democratic houses have adopted no measure, to insure order and right in ascertaining the result of the Presidential election. Should controversy arise, and the election be thrown into the House, there, the vote being taken by States, the South would cast nearly all the Democratic votes, and in the Senate the vote for Vice-President would come from the same source. In every event of Democratic success, the Southern end of the Democratic Party must be to the Northern end as the locomotive is to the tender, as the horse is to the cart. This is as plain as any truth in gravitation or arithmetic.

SWELLING THE SOUTHERN VOTE.

Perhaps this point will seem to you to challenge some attention. For the population of the Southern States we must go back to the census of 1870. That count of the people was made by enumerators not selected by Southern Senators and members of the House as "non-partisans" and professional reformers. It was made by the regular Marshals and their deputies, and the compensation was so adjusted as to induce thorough visitation, and, at the same time, to guard against exaggeration of numbers. No imputation of fraud was ever cast upon the work. Such a thing as a plot to fabricate a monstrous increase of the population in one section, in order to baffle the course of nature and the logic of events in another—a plot to change the balance of power and population in order to aggrandize one section by establishing a false basis of representation and apportionment, thus robbing other sections of their share in governing the country, in levying taxes, and appropriating money—had not at that time occurred to the conservative foes of radicalism. That particular spoke in the wheel of deviltry had not turned up to the shifty patriot of that day. Now such schemes seem to wax apace. We read of producing false heirs to thrones and estates, but to multiply false heirs without any one to personate them, on a scale so grand as seems now in process, would stupify the integrity of a French novelist, or anybody else, except a thorough-going, non-partisan conservative disciple of the Democratic persuasion, wanting nothing for himself, but ready to do and suffer for a white man's government with "reform" and "change."

The suggestion now is that the census-takers of 1870 under counted their neighbors. Paid by the head and by the mile, not by the day, it is now allowed they cheated themselves; they neither traveled nor counted, nor charged for doing it. There were "carpet-baggers," too many of them in the south; their States were Republican, they had their ambitions and motives for increased political numbers and power; there was not the remotest danger of any direct tax; and yet, with nothing to gain and everything to lose, they wronged and swindled themselves for the sake of being dishonest. This all may be. It is the only way of accounting for the awkward wonders of the census now progressing. It cannot be called ingenius, because it is plainly the only possible explanation, and it limps badly. Ecumenial councils may sit on these recent fabulous census revelations, but men will still wonder how 43 per cent. was added to the population of a State in ten years, during which time she received exactly 137 foreign emigrants—a fact established without the aid of any census. Such an increase of the population anywhere would crop out in unnumbered directions. Production, consumption, buildings, tilled acreage, railway traffic, postal returns, immigration, would tell the story of such growth. Whether these tell-tale tests, which cannot be smothered, sustain or demolish the proposed count in the Southern States will incidentally appear further on, if your patience will endure.

I was speaking of the population of the 11 States, now 12 by the division of Virginia, which seceded from the Union, and now constitute the chief power of the Democratic party. In 1870 it was—white, 7,067,213; black, 4,679,222; total, 11,246,435. The total was 29 per cent., or three-tenths of the population of the United States. The whites were one-sixth of the whole population of the country—the blacks one-ninth. The Democratic majority in all these 12 States represents about six million people, or 15 per cent. of our whole people. If to this number be added all the people of these States, of whatever color, then they represent not more than 7 per cent. of the industrial, commercial, tax-paying, property interests of the country, the other States of the Union representing 93 per cent.

REBELS CONTROLLING THE NATION.

Let us see how much national control is in the hands of the south, scant as it is in numbers and interest. Upward of 30 members sit in the House of Representatives and in the Electoral Colleges, by reason of counting the whole colored population as citizens, with full political rights, equal in all things to the whites. This is a double wrong and double robbery, to just the extent to which the freedmen are hindered or defrauded of their vote and their voice. To what extent this is true the election returns clearly show. This representation, based on stifled rights, is in plain violation of the Constitution and of common honesty; but there it is, and there it votes and speaks in the Nation's councils.

The 16 lately slave States (including Delaware, Maryland, Kentucky and Missouri, which did not secede) have 32 Senators. Thirty-nine is a majority of the Senate, so that the south needs only seven Senators from the other States to make a majority of all. She will never fail to get them if seven northern Democrats are there. There are 12 there now.

In the House of Representatives there are 293 members. A majority is 147. The south has 105 members, lacking only 41 of a majority of all.

The Electoral College consists of 369; a majority is 185. The south has 138, lacking only 47 of a majority. Consider the sway these numbers have. In the Senate there are 28 committees, and committees not only prepare, but virtually control, legislation in both houses, and this must be so more and more as the houses and business grow larger. Of these 28 committees the south has the chairmanship of 17, and the control of all. The southern Chairmanships are of important committees. Delaware, with 110,000 people, about as many as the city of Cleveland, Ohio, or a single rural county in New York, has the Chairmanships of the Committees of Priveleges and Elections and of Finance—both very important committees. The great State of New York, with five million people, and her enormous interests and tax-paying, has for her Democratic Senator the Chairmanship of the Committee on Patents. West Virginia has the chairmanship of the Committee on Appropriations, which holds the purse-strings of the country. The great State of Pennsylvania has the Chairmanship of the Revision of Laws, a committee whose business was finished years ago. Virginia has the Chairmanship of the Committee on Pensions, Georgia of Commerce, Texas of Post Offices and Post Roads, Missouri of Claims, North Carolina of Railroads, and so on.

I have said the South has control of all the working committees. This is true in this way: On every committee there is a majority of Democrats, and of these a majority in all cases consists of the Southern Senators.

The same conditions prevail in the House. There are 42 committees. The Chairmen of 22 are from the South. All the committees are so constituted that the majority is Democratic, and of the majority more than half is Southern.

During the two years while this absolute power in both Houses has been so lodged, the existence of the veto power and the approach of the Presidential canvass have suggested urgent reasons for "going slow." Many expected bills have not been introduced, many that have been introduced have not been "pressed," some that have been 'pressed" have run against such obstinate opposition as to secure present postponement or some modification. But whenever the hour strikes that the veto power is in Democratic hands—put there by southern votes—whatever the "solid" caucus decrees will be written.

The caucus will be controlled by those who represent less than one-seventh of the people of the Union. I have said, also, that they represent not more than one-fourteenth of the producing, commercial, industrial, tax-paying, and property interests of the country. Let me prove this by the official figures of the Beareu of Staistics:

1879—Customs duties. $137,250,048. Collected at Southern ports, $2,145,505.

This is 1½ per cent., or one-sixteenth part.

1879—Internal revenue. $116,848,221. Paid by 12 Southern States, $20,332,464.

This is 17 per cent., or one-sixth part.

Since the war Ohio has paid more internal revenue than all the late Confederate States united. So has Illinois. New York alone has paid nearly twice as much. If customs duties were added, the comparison would be more striking still.

Our domestic commerce exceeds our foreign commerce twenty fold. Railways move 90 per cent. of it. In 1870 424,014 freight cars carried this traffic. Of these cars the late Confederate States employed 41,248. This 7 1-25 per cent., or one-fourteenth part.

In 1879 the tonnage of vessels engaged in international traffic was 2,678,057 tons. The late Confederate States employed 242,540 tons. This is 9 per cent or one eleventh part.

In 1879 (to June 30, 1880) our exports were $845,633,595. The South exported $188,629,717. This is 22⅓ per cent., or two-ninths part. Of this 84 per cent. was cotton, and the New York Cotton Exchange reports that very little of it was moved by Southern capital. All that came north was handled by northern capital. That exported directly was moved mostly by northern and foreign capital.

In 1879 (to June 30, 1880) our imports were $667,953,302. The south imported $15,934,391. This is 2⅓ per cent., or one forty-third part.

Exports and imports together were $1,503,586,897. The share of the south was $204,564,108. This is 13 3-5 per cent., or one seventh.

In 1879 (October 2) bank loans were $878,503,097. Loans of souther banks, $46,360,007. This is 5 per cent., or one-nineteenth.

In 1879 (October 2) State and National bank circulation was $314,103,223. Southern banks, $22,478426. This is 7½ per cent., or one-thirteenth.

In 1878 six month, ending May 31, latest returns) deposits in savings banks were $873,135,817. In southern banks $2,527,423. This is four-tenths of 1 per cent., or one two hundred and fiftieth part.

In 1879 cost of railroads in the United States was $4,166,331,922. Cost of southern railroads, $556,274,979. This is 13⅓ per cent., or one-seventh.

The latest returns show weight of mails carried on railways was 551,370,158 pounds. On southern roads 94,334,853 pounds. This is 17⅛ per cent., or one-sixth part.

In 1870 our manufactures were $4,232,325,142. Southern portion was $277,720,637. This is 6½ per cent., or one-sixteenth part.

In 1870 production of mines was $152,598994. Of southern mines $4,996,042. This is 3¼ per cent., or one-thirty-first part.

From June 30, 1870, to June 30, 1880, the number of immigrants who came to the United State was 2,812,177. Of these 2,662 came to southern Atlantic ports, and 47,239 to ports of the Gulf of Mexico, making for the whole south, 49,901. This is 1 77-100 per cent., or one-sixtieth.

The latest report of the Commissioner of Educational states the total income for public schools of the country at $86,978,101. The south paid for public schools $8,536,797. This is 9 1-12 per cent., or one-tenth part. This item is presented here because it belongs to the industrial interest.

Looking into this mirror of the country's business, we see impartially and exactly reflected the respective proportions and features of the two sections. By analysis and average we see that production, industry, commerce, capital and revenue are found one-fourteenth in one section of the country and thirteen-fourteenths in the other sections.

FRAUD, CRUELTY, AND DEVILTRY.

The voters of Georgia were registered before the election in 1866. The white voters numbered 95,303, the colored 93,458.

In 1876 the whole Republican vote counted was 50,446. Only two years later the whole Republican vote counted was 5,257. Pretenses have been made that the freedmen of Georgia do not care to vote, and often vote the Democratic ticket. Only read the savage laws of Georgia, under the fiction of vagrancy and prison management, and then learn of their sickening, beastly administration, and human nature will tell you that the freedmen of Georgia do not support the Democratic party, but would cast it out if they could.

In 1876 the Republican vote of Louisiana was 77,174. Two years afterward the Republican vote disappeared from the election returns. Yet in 1867, in the same State, the registry of voters showed 45,199 white voters and 84,481 colored voters and in 1876 the registration showed a Republican majority of 22,314. In North Carolina, in 1876, the Republican vote cast was 108,417. At the next Congressional election Republican votes scarcely appeared in the count. In Alabama, in 1872, the Republicans cast 90,272 votes. They elected five of the seven Representatives to Congress and the Legislature by a large majority. In 1876 68,230 Republican votes were counted—two years later when a Governor and members of Congress were elected, not a Republican vote was counted. In South Carolina the registration showed that the colored voters outnumbered the whites by 32,724. In 1872 Grant received 72,870—19,587 majority. Every Congressional district elected a Republican. The Legislature was Republican by 95 majority. In 1876 the Republican vote cast was 91,870. Only two years afterward, when a Governor and Congressmen were elected, all the Republican votes counted in the State were 213.

This was a very carnival of fraud, cruelty and deviltry. Voting places in Republican regions had been established 25 miles apart, and the Republicans of South Carolina do not ride by night nor by day—they go on foot. They are poor and ignorant, but they know what emancipation meant, and they know what the ballot-box means, they know which side they prayed for and fought for in the war, they know which side they would vote for in peace.

Force and tissue ballots took care of the election of 1878 in South Carolina. It was testified before a Committee of the Senate that one man put about 700 votes into the ballot-box. This makes politics one of the "exact sciences," much more certain than the dice or lots with which offices and nominations were raffled off here the other day. In Mississippi more than half the population is colored. Every year until 1874 the Republicans had a majority in all elections. In 1876 the Republican vote returned was 52,605. The next year it was but 1,168, and the year after 2,085. In all these States the Republican vote, and even Republican committees and newspapers, have been utterly suppressed.

Alabama has just held an election. The Greenback candidate for President went there and realized the embarrassment of the bull who butted against a locomotive. The whole proceeding was a shameful wrong, and Mr. Weaver says that the enforcement of the national election laws is the only thing which will make a fair electian possible. Arkansas has just voted—Arkansas, where, until recently, Republicans always elected members of Congress and Legislature; where, at the last Presidential election, 38,669 Republican votes were cast, and where now in no part of the State does the Republican vote appear. Repudiation and Democracy prevail mightily.

I repeat here as I have said in the Senate, when the Government was taken by the throat and threatened with strangulation unless the election laws were stricken down, that the Democratic party would have today no majority in either house of Congress, except for elections dominated and decided by violence and fraud.

ILL-GOTTEN POWER BADLY USED.

What use is made of all this ill-gotten power? One of its chief uses has been the repudiation of honest debts. Every Southern State but Texas has lately repudiated its obligations. This aggregate repudiation of State and municipal debts amounts to about $300,000,000. In 1872 the debts of Southern States were $242,500,000. Now these States recognize and pay interest on only $53,978,945. A large part even of this is unpaid and funded interest. On $20,000,000 interest has been sealed down to two per cent. Whether the residue of debts are also to be foresworn is now an open issue.

Is there excuse or palliation for this? We are told so. What is it? It is that "carpet-bag Governments" contracted these obligations. One difficulty with this excuse, and not the only one, is that it is not true. The anti-war debt, contracted before the "carpet-bagger" ever visited the South, either with knapsack or without it, was $90,000,000. No part of this debt has been paid; a large part has been repudiated. The "carpet-bag Governments" paid the interest on it regularly.

The increase of debt since the war was largely for public improvements. But the most damaging fact for this excuse is that all the alleged illegal issue of bonds charged upon the carpet-bag Governments put together does not equal the sum repudiated by Georgia alone.

What are we to think of men and communities who go into wholesale repudiation as gayly as the troubadour touched his guitar? When Mr. Weaver brought forward in the House of Representatives a bill to issue "fiat money," and make it a legal tender for all debts public and private, man after man from the South openly declared that if the word "private" were stricken out he would vote for the bill.

They had no objection to paying off public debts with chaff, but private debts they thought should be paid in money.

State debts are sacred above national obligations in Southern ethics—a "sovereign State" is of higher essence than the Nation, and this was the standing defense in rebellion for "going with their States." Moreover, State and municipal obligations are for home purposes. If their own State faith and credit is not inviolate with Southern leaders, what in their hands would be the face of obligations which are the means, the cause, the memorials of their defeat?

But we are told General Hancock would watch them! An angel might watch a tiger; a child might attempt to divide a beefsteak with a bloodhound; a lamb might lie down with a lion, but the lamb would lie inside. The peril of Democratic ascendancy in all the branches of the Government is deeper rooted than any measure within the scope of existing public questions. Statesmen abroad talk of "the balance of power," and of "changing the map of Europe." These sayings mean not much more than might easily occur here.

The resolution admitting Texas to the Union in 1845 provided for erecting out of Texas four additional States. The area and population are both sufficient. The area is 274,000 square miles, the population a million and a half. Such a proceeding would add eight to the number of Southern Senators, and add to the Southern power in the Electoral College. From New Mexico and other Territories, whose traditions and prejudices have descended from slave-holding influences, several new States may also be made. Schemes exist, not in embryo, but far advanced, to obtain a "slice of Mexico." Cattle stealing on the Rio Grande border has been and is a fruitful occasion for incursions into Mexico. Special cavalry regiments of unusual size have been raised and stationed on the Texan frontier. It is an open secret that not long ago much exertion and alertness were needed to keep us out of another Mexican war.

Without violating the Constitution or transcending the usages of the Republic, at least seven new States could be brought in, and in the case of some of them a very plausible case could be made. The project would become a high party measure. Its success would assure complete Democratic ascendency in the nation for a generation at least. It would put the Government not merely in the hands of the Democratic Party, but of the Southern Democratic Party.

Why should not this be done? Who and what is to prevent it if the Democratic party is elected? The Northern wing could never resist the Southern wing in Congress were these new States brought forward for admission. The Northern wing never could, never will, and never can withstand the pressure of the far stronger Southern wing. Gravitation and arithmetic make such resistance impossible, just as a pound cannot outweigh a ton, just as one man cannot outnumber a regiment. The past is pitiful in its warnings in this behalf. Despite pledges and Northern indignation, Northern Democrats united in voting down the Wilmot proviso in order to make California a slave State; united in voting for the Fugitive Slave law; united in the mighty perfidy which overthrew the Missouri compromise in order to fasten slavery on Kansas and other States, and united in defeating the Homestead law—all at the behest of the Southern majority.

Mr. Van Buren at last, like Macbeth, would "go no further in this bloody business," and political destruction was his reward. Mr. Douglass at last made a brave stand against sectional aggression, and he was hunted to his grave. Caucus is king, and the avenging angel is hardly more inexorable in decree or more unerring in retribution.

ATTACKING THE JUDICIARY.

One of the main bulwarks of the Republic is the Judiciary. The courts of justice are umpire, conservator, citadel. The Supreme Court is the final arbiter of many momentous controversies. This great tribunal is very obnoxious to Southern leaders in Congress and out. It is in their way. It does not always decide as they think. The halls of Congress rang last year with assertions, uttered with passionate vehemence, that the laws for protecting elections are unconstitutional. Soon afterward a case on the docket of the Supreme Court, involving the validity of these laws, was reached, and the court decided them valid. A Register in Bankruptcy not long ago overruled the Chief-Justice on the construction of a statute, and so it oftens happens that the court is not able or recondite enough to get at the "true inwardness" and profound depths of the law as understood on the hustings, where the moonshiner thrives and the fire-eater reigns. Mutterings deep and loud, breathings of dire longings to "go for" the court, have for years been gathering in volume.

In the House of Representatives for two or three years this feeling has now and again found harsh voice in unseemly sinister words. Not only Kentucky, through the Chairman of the Judiciary Committee, Mr. Knott, but Missouri, North Carolina, and other States, assisted, I regret to say, by a representative from this City, have uttered language, gross and calumnious of the court, aspersing its integrity and its decisions. "Mere drivel," "plausible sophistry," "packed partisan, and demoralized," "packed tribunal" decisions to be observed "pro tempore" only, "dirty work of its masters," "made a political decision to order," "fiery indignation of inflamed people"—these are some of the buffetings to be found in the *Congressional Record*, delivered sometimes from carefully written speeches, and sometimes received, the *Record* says, with "loud applause."

To what does all this pave the way? The *Congressional Record* will inform you. On the 26th of January, 1880, Mr. Manning, of Mississippi—a State well known to be jealously sensitive to the pure administration of justice and the rigorous punishment of crime—especially hideous, cowardly murder and massacre—introduced a bill to place 12 new additional Judges on the Supreme Bench. What an easy, effectual, and withal plausible, disposition this would make of the court. Increased business would be such an innocent excuse—the court could sit by sevens for some purposes and meet in banque for all large purposes when State sovereignty and State rights amendments to the Constitution and cotton taxes and the like are at the stake. The bill passed to a second reading, and was referred to a committee, whose Chairman a few days afterward came into the House and denounced the court, and said a majority of the present Judges were "hopelessly lost in a fog." For the present it would be premature and bungling to pass such a bill; a veto might spoil it, and it might spoil the result in some close Northern State. But let the Democrats elect their President, or rather their party—for the party is running—and who will say this bill will not find its way to the statute-book. You can all say what sort of Judges the 12 new ones would be.

But no new law is needed; nature's law, and the statutory limit of age at which Judges may retire, will, during the next four years, vacate at least four seats on the Supreme Bench. These four appointments will decide the political complexion of the court. With what Judges would the Democracy fill them?

The Circuit and District Courts are obnoxious also. They are still more easy to deal with. Like the Judges of the Supreme Court, these Judges hold their places during good behavior, but legislation, as has often been seen in States and in the Nation, has ways to plow around this stump. Abolishing a circuit or district, or adding to it another, takes his seat out from under a Judge and gets rid of him finally; he is "legislated out."

Thus the whole judicial establishment of the Republic is at the disposal of the law-making power.

With courts revolutionized to conform to reactionary nations and dogmas, prejudices, and interests, what may be the fate of questions affecting "commerce among the several States," revenue, bank and legal-tender currency, the taxation of Government bonds, the currency in which these bonds are payable, civil-rights acts, election laws, claims growing out of the war, claims for refunding the war tax on cotton, the late amendments, and many other grave matters, no man can predict.

BOURBON HATRED OF THE ARMY.

The army, too, is envied—its "offense is rank." Less than four lines of the Revised Statutes are all that denies commissions in the Army to men who, educated at the country's cost, and presented with their country's sword, drew that sword against their country's life. A bill to repeal these four lines is now pending in the Senate, already passed to a third reading by the solid Democratic vote. On the 25th of February last, Mr. Heiskell, of Maryland, was relieved from the operation of this exclusion, and a Senator from Arkansas moved as an amendment its total repeal. The yeas and nays were demanded, and 36 Senators, every Democrat who was present, voted yea. Ohio, New Jersey, Pennsylvania, and New York contributed their Democratic votes to the Southern proposition of "reform." Subsequently the mover and all concluded to reconsider and drop the amendment—a sagacious conclusion in a "Presidential year."

Mr. Tucker, of Virginia, moved in the House the repeal of this safeguard to the Army as a rider to an appropriation bill, but it was huddled out of sight on a point of order—a judicious point in a "Presidential year." The Democratic majority put in the Army bill a provision that officers now in the Army might receive advanced rank and pay if they would retire—a benevolent, thoughtful provision certainly. But if a body of Army officers could thus be coaxed out of the service, there would be so many vacancies to be filled, and filled by the President, by and with the advice and control of a Democratic Senate. When this free-will offering was presented a cry arose about "gift bearing Greeks," and other ungracious symptoms were manifested on the Republican side, and so brevet rank and brevet pay stand over at least till the session of Santa Claus.

Meanwhile the Army has been reduced to a skeleton, and whenever a scare, a pretense, a speck of war on the Mexican border or elsewhere can be discovered or invented, the Army must be increased and filled up. Filled up by whom? That depends on the approaching election. If Garfield and Arthur are chosen, by Union men—men always for the Union to the core. If Hancock and English and the Democratic party get in, by men who "went with their States." Confederate soldiers would flock to the standard of military, as well as of civil service reform, and flock in a fervor of magnanimity and devotion, ready to let by-gones be by-gones, and to forgive the "usurpations of Lincoln" and the "unconstitutional coercion of sovereign States." Why shouldn't they?

Who would be warranted to assert that a confederate soldier was false or immodest in professing patriotic intentions while seeking rank in the army of the Republic? No man ought to assert it, and yet all fair men would agree that, other things being equal, preferments in the Army should be given to those who fought in that Army rather than to those who assailed it in the dread extremity of the Nation's life.

The present tariff and revenue laws are deemed very bad by the dominant element of the Democracy. They want to change them. They will change them radically whenever the way is clear. There is a whisky rebellion now in several States, and the officers of the law are powerless to suppress it. In Alabama the law is resisted, and the process of the courts destroyed and defied. Recently a warrant was issued for the arrest of one Prenton, charged with such an offense. A Deputy Marshal went with a posse to execute the warrant. In his report to the Marshal he says Prenton assembled from 15 to 50 armed men, and set them and the law at defiance. When cautioned to dissist Prenton replied, "When Hancock is elected this damned foolishness will stop."

The thing to stop, thus piously predicted, is the collection of the tax on whisky—that middle beverage so sacred to the Democratic heart, so grateful to the Democratic stomach, and so nourishing to Democratic principles. The law is defied in Arkansas, and the officers apply to the Governor for the use of the arms of the United States loaned to Arkansas, and the Governor replies that he