ments of the funds of the nation. It is an effectual, everlasting refutation of the charge that the Government under Republican administration has been, or is, honeycombed with corruption. But look back at the last Democratic Administration in 1851, and pray tell us with what was that Administration honeycombed, if not with treason and corruption? It is probable that the present administration of our Government has reduced the losses, the defalcations, and the stealings to their lowest terms; that the method of doing business, and of recording transactions in books, has been perfected to such a degree that it is hardly to be expected that greater perfection will hereafter be attained—twenty six cents on a thousand dollars in all the transactions of the Government is so small a loss that the best governments in Europe have failed to attain to it. Let not the Democrats any more boast of their superior honesty in the management of the Government of the United States; and when they profess reform in future—reform upon the Republican Government—let them not presume to keep from the public eye their own frequent failures in past time. * * * *

DEMOCRACY AND THE SOLID SOUTH.

The Democratic party, in their platform at St. Louis, resolved that reform can never be effected but by making it the controlling question at the election, and lifting it above the two false issues with which the Republicans have sought to smother it—first, the false issue of the school question; second, the false issue of a solid South. Upon these two issues, which they call "false"—the common schools and the solid South—they expect to obtain more electoral votes than upon all other issues. By the understood relation between the Democratic party and the Catholic Church they expect to receive the solid Catholic vote. By the well-understood sympathy between the Democratic party and the Confederate South they expect to receive the solid vote of the South, made solid by fraud and intimidation of Republican voters, irrespective of any political principle whatever. Their alliance with the South is essentially corrupt. It has no regard to any political principle, but divides parties. It is founded upon understood mutual good offices—that the Democratic party shall promote the interests of the Confederate South, and the Confederate South shall contribute to the power of the Democratic party. The relation between the Democratic party and the Catholic Church is likewise founded upon understood good offices to be done between the two. The destiny of the Republic is too much involved in the common school system to permit its being put in hazard. * * * *

It is the policy of the Democratic party (who are determined by all the means within their reach, right or wrong, to get into power) to deny the means which are used by their Southern allies to make the vote of the South solid. They deny intimidation and violence and fraud; and however much, and however clearly, it is proved, it is stoutly denied and discredited. But, nevertheless, it is true. Nothing in history was ever better proved. Nothing is more unquestionable than that the white leaders of the South are intimidating the colored voters, and the Republican voters, whether white or colored, threatening them, murdering them, driving them away from the country, or compelling them to vote the Democratic ticket, and, in truth, making it unsafe for either white or colored people to live in the South unless they shall consent to vote the Democratic ticket. Information comes daily to the Department of Justice of the wrongs and outrages committed against the Republicans by the Democratic party of the South. Yet this is denied on the part of the Democrats of the North. They believe nothing. As we go into the estimating of the evidence of the facts, we should consider the purpose of the South as evidenced by her representatives and by her press; and in order to show what we ought to expect, I must read a few paragraphs showing what was in the minds of the ruling people of that part of the country before the canvass began, or in the early stages of it.

[Attorney-General Taft then read extracts from a speech by Robert Toombs, from *The Meridian Mercury*, *The States* of Okolona, Miss., and from *The Mobile Register* in support of his statements. He referred to numerous cases of murder and intimidation in Mississippi, South Carolina, Florida, Texas, and Alabama, and reviewed the outrages of the Ku-Klux Klan.]

THE CONDITION OF SOUTH CAROLINA.

The consciences of these men seemed to be seared, so far as wrongs heaped upon the colored race were concerned, and the same seems to be the case at the present time. The murder of a half-dozen negroes makes no impression—in many cases is not noticed in the newspapers; while the killing of a white man creates as great a sensation in that country as in other countries. Probably there is no more authentic account of the condition of that part of the country at the present time in relation to these violent outrages than that given by Gov. Chamberlain. Gov. Chamberlain has had great experience in the South. He is a man of very great intelligence, of superior education and ability; a just man, who has sought by all means to conciliate the extremes of society in the State of South Carolina; has instituted important reforms in the government of that State; has been a good Governor, by the acknowledgment of the Democratic party; has not been an extreme party man, but a trustworthy man, and a man so just and discreet in his conduct of the affairs of that State, and in his treatment of the different political parties, that a considerable portion of the Democratic party had contemplated voting for him as Governor. He has been renominated for Governor by the Republicans, and is now their candidate. But the purposes of the Democratic party are not answered by having such a man for Governor. He forwards the evidence that outrages, such as that at Hamburg, while they are not approved by the better class of white men, are not so far disapproved as to be prevented, or as to secure any active measures toward the prevention of the recurrence of them, and that all such outrages in South Carolina encourage the Democratic party and depress the Republicans; that they create an elation on the part of the Democratic party, and that there are no measures taken to check or prevent a recurrence of such outrages. There is no sympathy expressed for the colored people who are slain or outraged. And now, as we draw nearer to the election, the plans of the dominating race become more manifest. They have formed "rifle clubs" in all the counties of the State, as we are advised by Gov. Chamberlain; and these "rifle clubs" are intended to awe and terrify the colored race to such an extent as to prevent them from voting any other than the Democratic ticket. These "rifle clubs" consist of great numbers of men armed and mounted, and they pass from town to town, or from precinct to precinct, and the purpose is to prevent any Republican meeting from being held, or to control it if held. They come mounted and armed to every Republican meeting that is appointed, demand half the time, surround the stand with these horsemen armed and in a threatening attitude, demand half the time at the point of the musket, and when they obtain it allowing the Democratic side to harangue the negroes who are there assembled, but forbidding and preventing any free speech on the part of the Republicans, the purpose being by every means to intimidate and prevent any free conference of the Republicans previous and preparatory to election. The State Government is wholly unable to restrain them. They are forbidden by the statute law. They have been forbidden by the Governor of the State. They defy all attempts to try them. The number of negroes that have been slain by these men is pretty large, but no one has ever been held to any accountability in any court.

They have mainly escaped responsibility, and it has never been known that any man in any of these States has been held responsible or convicted for killing a negro. The result is that the negroes are in a pitiable condition. They are like sheep exposed to the ravages of wolves. Unless they defend themselves, or have the United States Government to defend them, they have no chance of escape by any other means than agreeing to vote the Democratic ticket, for whatever white man chooses to kill them is free from all responsibility. It is far worse now than in the time of slavery, because if these negroes were owned there would be a sort of protection to them, as property of their owners, against the violence and destruction of murderers. But, now, as they are owned by nobody, they are the property of nobody, and nobody is interested to protect them. But as they can vote, the members of the Democratic party, against which they would naturally vote, are interested to kill them, unless they can intimidate them and keep them from the polls. The denials that come from those who are encouraging these outrages in the South—the denial of the existence of any such condition of things—would be unsurpassed impudence, were it not that they are in pursuance of a plot by which to secure the solid South to the Democratic party. The terror inspired in the minds of the negroes by the consciousness of the truth of the statement is distressing, and this is the case not only with the negroes but also with the white men who are disposed to do justice. Mississippi has been the theater of the most extensive cruelty in this direction. If the last election, when the Democrats drove the Republicans from the polls and carried the election by violence, breaking all the laws, rendering themselves liable to indictment for violation of the election law, the Grand Jury of the District Court of the United States was held, and before it was exhibited the evidence of a very large number of violations of the law, and a report was made showing the violations of law in the most atrocious forms, and yet, such was the terror prevailing in the community that they dared not to find a bill—not one bill of indictment—against any one man! If the Democratic party can seize by force the political power in South Carolina, as it has already done in Mississippi, and possess all the machinery of the State Government, with the purposes which that party has, it is clear that the right of the negro to suffrage is gone. And it comes to be a great question, both what the effect of such a consummation of villainy will be upon the destiny of this nation in the future, and what steps the present Government ought to take to prevent it. If this grand conspiracy against the right of suffrage of the colored man ought not to prevail, but ought to be resisted, then the instructions to the marshals issued by the Department of Justice were right and not untimely.

THE ORDER TO MARSHALS.

Some complaints have been made of the order to the United States marshals. I have not thought it necessary to respond to these patriotic criticisms. Perhaps I have been under a hallucination in supposing it to be a very good order, and that it carried its justification on its face. It is clear that the order does not authorize or encourage the marshal to interfere with any honest citizen while voting or performing any other duty. They are only to prevent unlawful breaches of the peace of the United States. They are not to intimidate any voter. They are to prevent intimidation. How comes it, then, that our Democratic friends are so nervous and anxious about it, unless the prevention of intimidation and fraud is what they fear? If the United States marshals shall do any wrong to the Democrats, they will have to get their ideas from some other source than this order.

But the political critics claim that the order conflicts with a recent decision of the Supreme Court, and are concerned for the credit of the bar. If they had read the order and the decision, they would have seen that there was no conflict. The case decided by the Supreme Court arose upon an election of State officers only, and this order relates to the election of Federal officers only. Besides, the Supreme Court, in its opinion, lest some ignorant or perverse man should misinterpret the opinion, went out of its way to say expressly that the decision had no bearing upon the clause of the Constitution relating to the election of members of Congress. The Thirteenth Amendment made slaves freemen. The Fourteenth Amendment made them citizens, and gave them civil rights. The Fifteenth Amendment provided that no citizen should be denied the right to vote "on account of race, color, or previous condition of servitude," and that "Congress should have power to enforce this article by appropriate legislation." Congress passed an act which it was supposed would enforce this amendment. A case arose in Kentucky at an election of State officers only, for denying the right to vote to a negro. The court held that the act of Congress as passed was not "appropriate legislation" for the premises of that suit. The reason can be concisely stated thus: Independent of the Fifteenth Amendment, Congress has nothing whatever to do with the election of State officers. By that amendment, its only power is to prevent the denial to citizens of the right to vote "on account of race, color, or previous condition of servitude." But this act provides a punishment for the denial of the right of voting to any citizen, white or black. This transcended the right of Congress as to State elections, and was not therefore appropriate legislation. The act should have been confined to the denial of the right of voting on account of race, &c. But the court said that they were not considering the effect of the fourth section of the first article of the Constitution as to the election of Senators and Representatives. The effect of that section is to enable Congress to make or alter any and all "regulations" as "to the times, places, and manner of holding elections for Senators and Representatives in Congress." These instructions relate to the election of Federal officers, the very thing which the Supreme Court say was not evoked in their decision of the Kentucky case. The order also says that "the judgments of the Supreme Court did not concern Federal elections." That looks reasonably plain. If any man fails to understand that, I commend him to the common school system for further instruction. I cannot afford to spend any more time with him on the subject. * * * * * * *

PRESIDENT GRANT'S PROCLAMATION JUSTIFIED.

But our Democratic critics are also excited over the President's recent proclamation. They deny the facts upon which the proclamation is founded, and appeal again to the Constitution. I will not stop to detail the cruel and wanton murders of colored citizens which have been committed almost daily in South Carolina, and the utter failure of the State Government to hold the perpetrators, who are in many respects well known, to any legal responsibility. Numerous cases are well authenticated, although it is a deplorable fact that those who, from a supposed political necessity, have either perpetrated or encouraged others to perpetrate such horrors, should have the meanness to deny it and lie about it. I have already referred sufficiently to the barbarities that have been witnessed daily in South Carolina and Mississippi. I now recur to the statement of Gov. Chamberlain in his petition to the President, including the proclamation which the Governor had himself issued in vain, to cause the violence to cease. His proclamation was dated Oct. 7, and its recitals read as follows:

Whereas, It has been made known to me by written and sworn evidence that there exist such unlawful organizations, combinations, and assemblages of persons in the Counties of Aiken and Barnwell that it has become impracticable, in my judgment as Governor of the State, to enforce by the ordinary course of judicial proceeding the laws of the State within said counties, by reason whereof it has become necessary, in my judgment as Governor, to call forth and employ the military force of the State to enforce the faithful execution of the laws; and

Whereas, It has been made known to me as Governor that certain organizations of men exist in all the counties of the State commonly known as "rifle clubs;" and

Whereas, Such organizations and combinations of men are illegal and strictly forbidden by the laws of the State; and

Whereas, Such organizations and combinations of men are engaged in promoting illegal objects and in committing open acts of lawlessness and violence;

Now, therefore, I, Daniel H. Chamberlain, Governor of said State, do issue this my proclamation, &c.

The petition of the Governor to the President of the United States informs him that "insurrection and domestic violence exist in various portions of the State, especially in the Counties of Aiken, Barnwell, and Edgefield, against the peace of government of this State to such an extent that I am unable with any means at my command to suppress the same; that the Legislature of the State is not now in session and cannot be convened; wherefore, by virtue of the power in me vested by the Constitution and laws of this State, and in accordance with the provisions of Article IV., Section 4, of the Constitution of the United States, and of Section 5,297 of the Revised Statutes of the United States, I do call upon you to aid me in suppressing said insurrection and domestic violence by the powers conferred upon you by the Constitution of the United States." * * * *

There can be no doubt of the sufficiency of the facts stated by the Governor to justify his demand. But there is not only no ground to question the truth of the Governor's statement, but the evidence of their truth is proven from other and independent sources, as has already been shown. If we had not the numerous murders recurring from day to day, and the frightful intimidation to the white as well as colored Republicans, and if we had not the evidence from the press and otherwise, that the Democratic party in South Carolina had determined to adopt the shot-gun policy of Mississippi, we should, nevertheless, have abundant evidence, from the embodiment, mounting and arming of the rifle companies in all the counties of the State, which are and have formed in violation of the express laws of the State, and which ride up and down in the country attending all the meetings of the Republicans, and are at present a standing menace, and causing riot and disturbance at the meetings, wholly inconsistent with any free discussion of political subjects, and evidently intended to intimidate the Republicans, and having that effect. These lawless and threatening armed bodies of men are defiant of the authority of the Governor of the State and of all legal control. They override all law, and whom they will they abuse and insult, and whom they will they kill. Now, upon this call from the Governor of South Carolina how else could the President act than as he did? If any man thinks that Gen. Grant will shrink from the performance of a high duty because it is difficult or perilous, such a man does not comprehend the character of the President. No man and no President ever had more respect to the just rights of the States, or was ever more reluctant to send military forces into their confines. But in the present case he had no choice. The case, proved to his entire satisfaction, required that he should use the power in his hands for the restoration and preservation of the public peace, and to protect the weak and peaceable citizens against the ruffians who were rising against the authority of the State. With this high, but plain duty before him, independent of and absolutely without regard to party politics, the President acted for the public good. The policy of the Democratic leaders to discredit all statements of facts showing violence and outrage and intimidation is not at all unlike that which was persistently adopted in the time of the Ku-Klux Klans, which committed untold horrors. The Democratic leaders, both North and South, denied the existence of such organizations, and derided the narratives, as they now deride the bloody shirt.

Nor was there moral force enough in any Southern State to detect and punish any of the guilty in any State court. It was reserved for the United States officers to detect and bring to justice the members of these associations of friends. When these clans were revealed with all their guilt and cruelty, the community which had discredited their existence, and had failed to bring them to justice, had no longer the effrontery to defend them. So now the Democratic leaders discredit everything relating to the cruelties and intimidation of White-Liners and the "rifle clubs." They hold them to be the mildest mannered and most innocent of men, who are only going about to preserve the peace, and taking their guns along to prevent the negroes from being rash. The facts are too plain to admit of doubt in the mind of any man who regards evidence.

ADDRESS OF MURAT HALSTEAD.

FELLOW-CITIZENS: The October elections this year have not decided the November election. That has been referred to New-York. I am here to speak of a matter of business connected with the election; and the letter from the Democratic candidate for the Presidency published this morning certifies the importance of that business. I propose to speak of the public peril, of the War Claims, of the "Solid South," of the new Southern Confederacy with the Democratic party as its claim-agency demanding indemnity for conquest, and threatening a disputed Presidential election, which would reduce the American Republic to the grade of Mexico. I propose also to show that the Southern claims are greater in proportion than the National debt, and that the idea at the root of the matter is the adoption of the Confederate system of finance—the issue of legal-tender paper to pay the claims—a policy that would reduce the finances, the credit, the bonds of the nation to a level with those of the Southern Confederacy—the level of hopeless bankruptcy. I propose to speak too of the reorganization of the Confederate army, equipped with pocket pistols and shot guns, to disregard the only condition imposed by the Nation when the Confederacy was crushed by military force—that of manhood suffrage—and by disfranchisement by the deadly derringer, to carry the Republican States of the South for the Democratic party.

Mr. Tilden, as any one can see by the last issue of *Frank Leslie's Illustrated Newspaper*, is a gentleman in the bloom of early manhood, standing in an attitude that recalls the first Napoleon, before the door of the Treasury. I am at a loss to know whether it is Mr. Tilden's apparent youth and innocence, or his probable excess of occupation preventing the study of the subject, that has caused his singularly complete misapprehension of the extent and character of the Confederate War Claims, and of his own relations to them. As for the restraints that he assumes to impose upon himself, in the letter which he testifies to the critical importance of the War Claims urged by the united South, the gentleman has forgotten that no longer ago than in the first week of August he reminded his countrymen, when accepting the nomination of the St. Louis Convention, that "experience had repeatedly exposed the futility of self-imposed restrictions by candidates." It must have been an imperative sense of the necessity of saying something, and that quickly, that overcame what we may assume was the natural reluctance of Gov. Tilden, after announcing the futility of self-imposed restraints in such cases, to make proclamation of the restraints that he presumes he imposes upon himself.

He tells us what he will do if he is elected President respecting the provisions of the Fourteenth Amendment, which do not apply to the Southern claims that we are talking about. We refer to claims for damages to Southern property—claims that property was taken for the use of the army. And the truth is, if we are living under a confederate form of government, if the National soldiers were trespassers upon the soil of Seceded States, the Confederate War Claims are just and ought to be paid. The sensibility of Gov. Tilden on this subject is worthy of all praise. But we must take his word for it that such a self-imposed restraint has been shown by experience to be futile. There is one restraint in which I have confidence, and only one, and that is to restrain the Governor of New-York from becoming President of the United States. The Governor of Ohio is the better man for the place. He was himself "a trespasser upon Southern soil" when it was made sacred by secession, and if he is elected President we shall not be troubled by Confederate War Claims.

Fellow-citizens, "we, the people of the United States," have accomplished the end of the Constitution, in forming "a more perfect union" than that Confederacy which was the weakness of our fathers in the Revolution. Through prosperous peace and triumphant war we have become a mighty nation. The nation is a republic, based upon manhood suffrage, and I propose to discuss the question whether we can afford to place the General Government in the hands of the political organization, whose record promises and whose attitude threatens a return to that Confederate system, which is identified with the intolerant rule of a sectional class, and illustrated by those chapters of our history that are of evil fame, and whose "disasters veiled the sun."

All citizens who are interested in fair play for industry in good works should rejoice in the cry that we must have a change—reform, economy, and "wise finance;" but in the capacity of an independent citizen it is impossible to accept the Democratic party as the agency of reformation. The October elections of this year do not decide the Presidential contest, but refer it to New-York, and I, a citizen of the larger and more populous and Republican of the October States, Ohio, am here to address the people of the State of Destiny, in this year of lofty recollections and hopes, on what I understand to be in the most serious sense a matter of business.

LESSONS OF THE OCTOBER ELECTIONS.

Indiana was not won by the Republicans in the election on the 10th of this month because the baleful delusions that grow like rag weeds from issues of legal-tender paper had not been dispelled by courageous and competent instruction of the people in the canvassing of other years, and because importance was given rather to sentimental excitement than to affairs of business growing out of the war. Ohio was won by the Republicans on the same day, because the State was faithfully canvassed and the people happily educated on the money questions last year, and because the true meaning of the Consolidated Southern Confederacy, in presenting its bills for war claims to the National Treasury, was given through the campaign the uncommon conspicuity its startling importance demanded. West Virginia was carried by the Democratic party upon the theory that the Southern war claims would be tenderly nurtured by that party and made to bring forth golden or rather greenback fruit in gracious abundance—and so the South is before the country as a united section in behalf of an unprincipled party; and in the Southern Republican States the old Confederate army, reorganized in derringer clubs, is engaged in a deadly "still hunt" for the possession of power that "means business" in an eminent degree.

When Germany crushed the military empire of France she demanded an indemnity for her trouble. The conqueror gathered the spoil with the glory. The American Republic trampled down the Southern Confederacy, and the Confederates, revived and restored to citizenship, feel that justice requires in their behalf a reversal of all the precedents of warfare, and are confidently requiring as a peace-offering from those who overcame them compensation for losses suffered—the infliction upon the conqueror of a fine for the damages that impoverished the vanquished. This may be described as a novelty, and it adds a fresh point to Wellington's famous remark that next to defeat the greatest misfortune is victory.

The Confederates are quite right about it, however, if they are sound in their theory of the form of our Government, and if the Democratic party has any principle, we understand it to be that the Southern Confederacy was right and the National Government wrong in the beginning, the course, and the end of the war. If the national soldier was a "trespasser" wherever he touched the sacred soil of a sovereign Southern State that in the exercise of her highest capacity had withdrawn from the Union—and I understand there is distinguished Democratic authority for this proposition in the State of New-York—we cannot, of course, get out of the responsibility of paying for all the mischief done—without sneaking out of it, and we must not do that. The cloud of the Southern claims is not spectral—it is not a ghost that will vanish when you speak to it; but it is the overshadowing reality of the political campaign about to close. If we put the consolidated Southern Confederacy in possession of the National Government, we must expect the Southern claims to be allowed, and that they will be pressed to payment as a debt of honor.

SEEKING MONEY THROUGH JOBS AND CLAIMS.

This is not a phantom danger. It is a plain business fact. It is the fruit of the logic if it has not the flavor of the literature of the Democratic party. Now that organization has no fixed principle, if we except the general one that the late war was the result of the rebellion of the North against the divine authority of the South; and in the absence of this special illumination of our history, the South has no grievance for which the National Government is responsible. Why then the appearance of the solid South in the St. Louis Convention? Why the total indifference in that convention of the mass of Southern delegates to the terms of the platform and the names of the candidates, save only as they might promise success, and power signifying in its last analysis money? The Virginian theory of the Constitution once interfered with appropriations by Congress for local enterprises, but a change has passed over the spirit of the Southern dream, and we do not hear the constitutional lawyers of Virginia objecting to the appropriation of the uncounted millions wanted for the James River Canal, the climax of which is a tunnel through the Alleghany Mountains seven miles in length, where there would be the total lack of water that in the old story spoiled the mill seat. We do not hear that the South-Western experts in the ancient mysteries of the Constitution find any difficulty in taxing the people of the unprotected overflowed lands of the Wabash and White Rivers of Indiana and the Scioto and Miami Rivers of Ohio to build Mississippi levees, or that they require any stronger argument for constructing a Southern Pacific Railroad than that a vast sum was wasted on the Northern Pacific line.

The solid South seeks money through jobs and claims that we must pronounce preposterous, not only with eager energy, but with perfect sincerity in the opinion that the money belongs in all fairness and righteousness to the Southern people. The South has suffered deeply—was desolated and impoverished by the war. The distress of her people has been great, and in defeat and poverty they were entitled to our best sympathy and kindness and help. It is sorrowful that there has been a lack of healing statesmanship. We are all heavy losers through that misfortune. There was, though, when the military part of the war was over, a statesman in the White House; and he was assassinated. Then a Southern man became President, and our first trouble with him was to reduce the plethora of his passion for hanging the traitors he knew—perhaps too well, if not wisely. We followed the precedent of elevating to our highest civil office the most successful of our generals, and he, at least, has ever since been regretful that he accepted the situation. Now, I am not one of those who have been constrained by a sense of partisan duty to incessantly applaud the Administration. I wanted a change long ago, but I have been in thorough sympathy and agreement with the President in one particular. He has been in favor of the United States of America; and, when charged with unkindness of spirit toward the Southern people, we may well remember that it certainly did not appear in the terms he gave Lee at Appomattox, or in his report, at the close of the war, on the operations of the armies under his command, in which he paid a glowing compliment to Southern soldiers; and it is pertinent to inquire what encouragement the President and the generous sentiments of the North had in the treatment that the Southern people gave their Gen. Longstreet when he was appointed to an office of honor and profit?

I do not propose to sing the songs of praise of the Administration or to cease from criticism, but it is only fair to say that if the South has been infested by and suffered from the carpet-bagger and the scalawag, the fault is not wholly or chiefly that of the Administration, or of the people of the States that conquered a peace and saved the Union. And while I claim to be as independent as a journalist can be who is in favor of one side when there are but two sides, I am not in any case in favor of putting the Southern Confederacy on top of the United States.

NEED OF A "SOLID NORTH."

I am completely willing that the people of the South should manage their own affairs, in their own way, "subject only to the Constitution of the United States;" but I wish it understood, when I say "people of the South," that I mean all the people, and recognize no natural right of any race to rule. I would that the people of the South had given more attention to their own affairs. But when the old Confederate politicians prepare, with a crusade of hate and reign of terror, the united South, and propose to "occupy and possess" all the departments of national authority, and to exact from the people at large indemnity for the conquest of the Confederacy, it is something far more menacing to all of us than when the same politicians, twenty years ago, attempted, not for the sake of slavery, but in the love of the political power associated with slavery, to nationalize the peculiar institution—and this grim portent of a sectional caste, taking the form of the solid South, and the name of the Democratic party, should be confronted and overwhelmed by the solid North—not in hate and fury, not under banners of blood, but soberly, discreetly, in self-defense, and in the interests of the public peace and the general welfare; and so clear is the issue that it is a shame there is a doubt about the vote of a single county from Maine to Oregon.

In the very dawn of the promise of brighter times of business, in the white light of the statesmanlike utterances of the Republican candidate for the Presidency in his letter of acceptance of the Cincinnati nomination, arises the darkness of the solid South; and unwholesome sectional dissensions have characterized the campaign of this year that we had hoped would be memorable only for happiness, and for the cordial, universal celebration of the reality of the proclamation—of the revered inscription of Independence Bell—of liberty throughout the land and unto all the inhabitants thereof.

We are told with ostentation that the whole South has accepted the situation, and is reconstructed forevermore. The politicians who dragged the people of that section into the Confederacy, terrorizing the whites who opposed them at that time as they do the blacks in this, are convinced that they made a mistake in running away from the National Capital when they held majorities in both Houses of Congress. They have ascertained that they took the wrong road to reach the supremacy that they believed was their birthright. They propose, therefore, leaving vain regrets for errors past, to remain in the Union and use the *Democratic party*, their steadfast servant in other days, for their fixed purposes. They will not again flee from the fort, throwing away in imbecile fury the weapons they held, that they may return in the pride of their nakedness to storm its gates. The desires are as strenuous and their aims as far-reaching as ever, but they have acquired a better appreciation of means to their ends. They prefer the inside of things to the outside, and on all questions involving bread and butter there is an enlargement of understanding and an aptitude in adjustment.

NATURE OF THE DANGER.

We are asked what is the motive of these men, and wherein is danger to be expected? The abolition of slavery is complete and irreversible! What shall take its place as a basis of operations for political enterprises of great pith and moment? The answer is, Southern claims take the place of slavery as a huge and dominating sectional interest. They mean more money than there was in all the negroes in America. It is the flagrant intention that those claims shall ultimately include the slaves emancipated by the sword, and that there shall be added to them the value, according to the estimates of the owners, of the cotton destroyed, and the corn, green and dry in the fields and the cribs, that was consumed by men and beasts in the National service. Then we see coming, like a cloud of grasshoppers, myriads of thousand-dollar mules and pianos, and an endless array of velvet parlor furniture and rosewood fence-rails. The national debt has a conservative influence. Horace Greeley said there was no danger that the debt would ever be repudiated; it was "too big to be repudiated." Why, these Southern claims are bigger than the national debt. They are the cement of the solid South. They include the losses of the South from the beginning—interest calculated on all the items. There isn't a Congressman, from the Potomac, along the Ohio and the Missouri to the Kansas line, and down to the Gulf and the Rio Grande, who would dare, as a candidate for re-election, to oppose these claims. They are the sacred thing of the solid South.

Still, slavery is abolished! It is abolished, no doubt, so far as the so-called patriarchal relation goes. Individuals will no longer own men, women, and children. The auction block for property in man is overthrown, but it is proposed to make the persons who have been emancipated from the control of masters slaves of the States. With this view, the blacks have already been disfranchised by the process of the pocket-pistol in all States in which they are in the majority, with the possible exception of South Carolina; and the glitter of the bayonet in that State as opposed to the derringer is the token for tremblings and perturbations touching the Constitution. These were not felt when United States Marshals called for troops to catch fugitive slaves, but we became accustomed to them in the days when the last Democratic President could find no warrant in law to resist the seizure of national property by States. The cannon of South Carolina thundered upon the Star of the West when carrying provisions to Fort Sumter, and the steamer put out to sea leaving our soldiers to starve, but the Democratic President could not discover in the Constitution that it would do to shoot back. There occurred a change of administration, and while the Confederate cannon were volleying on the fort the people gave the Constitution an interpretation that should abide with it forever.

When the war was over there was no hanging, no confiscation of the estates of the architects of rebellion. Notwithstanding the assassination of Lincoln, the spirit of the North was kindly. There was tenderness of heart in the victors toward the vanquished. After some delays that were unfortunate, there was reconstruction, substantially upon the basis of general amnesty and impartial suffrage. The one condition exacted before the restoration of the Confederates to the political rights they had thrown away was that the emancipated slaves should be enfranchised. Now, the behavior of the freedmen, while there were armies deciding, in the high debates of battle-fields, what their future was to be, should have earned the gratitude and the affection of the Southern whites. Scenes of servile insurrection were not added to the horrors of civil war. The black citizens have not been faultless. They have looked too much to the Government and too little to themselves; but their education was more expensive than instructive. Still they know some essential things wonderfully well. Once a poor old field hand in Kentucky put the case in a few words. It was during the agitation of the "amendment" that was supposed to secure his race the right of suffrage. He was asked in a tone of fierce derision what he intended to do with himself when he became a voter, and he answered, with religious solemnity: "Well, marster, if I gets to vote, I will vote as near as I know for them that stood for me." That is what is the matter with the black voters. They are the faithful friends of the American nation, and so far as they know (and they have a pretty keen instinct where they have not knowledge), they are against the restoration to the position of a ruling class of the Confederate politicians by whom they and their masters, too, were held in servitude.

REINSTATING THE CONFEDERACY.

When the Confederate generals surrendered, the grand army of the United States was disbanded. The everlasting reconstruction of the white people of the South was accepted as accomplished. The negro armed with the ballot—the poor man's proper weapon to defend his humble but precious and sacred interests—was to take care of himself. The practical proposition of the solid South, and the leading idea of the Democratic party, is to-day, that the old Confederate army may be reorganized in a private way, with concealed weapons—or with displayed arms if their arrogance is so excited that they scorn mere pocket-pistol warfare—and that this armed force may disfranchise the blacks at pleasure, choose electors, and elect Congressmen and Legislatures, and take away from the General Government the only guarantee that in the magnanimous mood of unqualified conquest was exacted. If Confederate desperadoes may thus possess Congress and the Presidency too, and the national authorities have no rights that men armed with derringers are bound to respect, we ought not to be surprised or make any protest whatever, if called upon to pay the bills of the once dear departed but now reinstated Confederacy, even if they amount to more than the French indemnity. And we may conclude with the rehabilitation of the Confederacy, and its extension to our remotest frontiers, slavery, abolished as a personal matter, is reëstablished as a State institution; that a system of State servitude, to be called apprenticeship, or some other and softer name, will speedily be enacted and enforced in the interests of Southern peace; for if the reign of terror is to be perpetuated and its scope is to be national, it will be necessary to regulate it by law, that inducements to assassination may not be so imperative as to cause the massacre of a race.

If we must accept this as the prerequisite of peace in the land of the derringer, our gain in the overthrow of the Southern Confederacy by force of arms would be the privilege of paying the damages inflicted upon the Confederates, in addition to bearing our own burdens, while the loss of the politicians of the South would be that of the obligation to pay their own bills, and they would gain an enlargement of the Confederate domain to the remotest national limits—a territory wider, with prerogatives richer than they ever dared to dream of winning by successful war. Truly Peace hath her victories no less renowned than War.

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INTENSITY OF SOUTHERN FEELING.

The Southern people say they desired to go apart and were compelled to remain. They say to us: "You marched through our country destroying our property, and we were unable to retaliate. You doubled your money in bonds, while we lost all that we put into our bonds; and you gave the blacks the right to confiscate through taxation the little we had when the war was over. You forced us into the Union, and we propose to stay. Now we are as loyal as you are—as good as you are. We are poor. Above all things we need money. Here are the bills for the ruin that you wrought! If we are equals under the law, the payment of these claims is but fair; and then why should not our crippled boys have pensions as well as yours!" They need the money badly enough. They believe they ought to have it. Is it public policy to pay it? Only a fraction of it could come from the South itself. Do you, here in New-York, think it will be in the interest of reform, and especially economy, to pay your share of it? Are you willing to be taxed to this end? Would you prefer to go with the Greenbackers and issue legal tenders to meet all Southern demands, make money plenty, and give us another experience of War Times in Wall-st.? If not, you should take care not to go with the solid South—the new shape of the Southern Confederacy—in this critical campaign. The Southern excitement touching war claims is not as yet very noisy, but it is intense and profound. It has been restrained by every prudential consideration that could influence men convinced that they have been wronged and resolved to be righted, and yet it is submitted there is ample testimony before the country to determine the action of prudent citizens. It were easy to specify circumstances in corroboration of the proof until you would weary with the recital. A Southern Republican, writing from the State of Mississippi, Oct. 3, 1876, to the Hon. Warner M. Bateman, district attorney of the Southern District of Ohio, says:

If we should attempt to organize our party in this State and advocate the support of Hayes and Wheeler it would cause fire and bloodshed all over the State, for the White Line men are determined to carry the State, though we have a clear majority of 30,000 at a fair election. Any excuse to deprive Republicans of their rights as American citizens is a source of great consolation to the White-Liners.

The writer adds, it is the purpose of the controlling spirits of that State to "remunerate themselves out of the public Treasury for losses sustained by the war." If these things occur in the green tree, what may not be expected in the dry wood?

Can any people having saving common sense afford to disregard these claims, the certainty and immensity of which are attested by proposed legislation, manifestly prepared to remove all the safeguards of the treasury, while they are notoriously backed by the passionate and exacting public opinion of the section whence they spring? So unequivocal are the claims, and so prodigious are they (the aggregate represented in the various bills of special and general legislation exceeding $2,000,500,000,000)—so distinct are the principles upon which they are based, and so consonant are those principles with the character of the party that must take the responsibility of them—while the line of argument by which they are justified is staked out quite to the horizon—that fair notice has been served upon the country that they are to be prosecuted with the entire strength of the united South. And it is distinctly indicated that the price of the Southern support of the Democratic party is the service of the party as the claim agency for that section.

The ready assertion of the average Democratic local politician of the North is that the party would, if placed in control of the Government, be responsible to the country for the success of the administration, and could not consent to consider the war claims in the shape and to the extent that we suggest. It is thus assumed, in the first place, that the Democratic party is, where the solid South is concerned, a free agent. I do not believe it is so. The South has the force of a clear purpose, an inflexible will, an unappeasable animosity, and the habit of command, as well as a hungry sense of a right to have a square meal at home; and it will have, as it has had, its way with the party.

DEMOCRATIC DEFIANCE OF PUBLIC OPINION.

It is said the Democratic party would quickly destroy itself by taking up the Southern claims, and must, in cold-blooded reason, be credited with too strong an instinct of self-preservation to swiftly rush to certain slaughter. But this identical party, backed by a majority merely, in the South, withstood for years the odium of the Fugitive Slave law, and the ruling caste in it at last felt strong enough to repeal the Missouri Compromise and attempt the nationalization of slavery. Give these partisans the whole South with its enlarged representation—every Congressional district—and place in their hands the army for reorganization, with the chance of restoring the Confederate leaders to their old regiments; let them rebuild the navy and use the vast civil patronage of the Government, extravagantly extended as it has been in the last 16 years; add to this the "solid vote" that *The Catholic Telegraph* of Cincinnati last year promised the party; let one wing of the Democratic army rest upon Richmond and the other upon Rome; and reckon upon the arts of demagogism that would harness in one team the fanatics of the Ultramontane and the Communist schools, and we are not sure but the Democracy—always the regulars in our politics and never subjected to discipline more rigorously than now, could defy the power of enlightened public opinion for a tedious term of years. It is quite certain that if this powerful party is placed in possession of the General Government by the casting vote of the State of New-York one week from Tuesday next—and that is precisely the contingency that the people of this State should have in mind—no matter how profligate and reckless the Administration might be, it could not be overthrown without a long and stormy, and perhaps a dangerous struggle.

Give the Democratic party the power that, with the help of New-York, it may grasp, and there would prevail through the whole range of official life and in the ranks of the long array of those who get their living out of politics an intolerant assertion of party infallibility. The despotism would be of iron grip, and any attempt to disturb it would be denounced as resembling old-fashioned Abolitionism in its sectional aspect, as threatening another incendiary raid upon the holy Confederacy of the solid South, and as a reckless assault upon the sacred peace of the sunny land that reposes under the undisputed sway of pocket firearms.

PAYING SOUTHERN CLAIMS WITH GREENBACKS.

I trust we shall not now or ever try the costly experiment of committing the country to this course. But there are good citizens who desire to take this crisis quietly, who are making themselves content with saying that the shrewd men at the head of the Democratic party are too cautious to impose the taxes that would be required to raise the money to pay the Southern war claims. It has not perhaps occurred to them—though many of them, no doubt, take a deep interest in the speedy resumption of specie payments—that the claimants might be content with "more greenbacks." They have not seen that the rag-baby and the solid South with her solemn claims were made for each other. They have not studied the history of the Ohio campaign of 1875, which the inflationists—meaning mischief mountain high—started with the expectation of sweeping the country, putting forth as their platform the Confederate system of finance—the very system that made money so abundant in the South, while the Southern armies were still strong, that a pair of boots cost $1,000. The inevitable way to pay the Confederate war claims is with legal-tender paper. Those claims fortuitously offer the solution of the difficulty of the rag-money maniacs in distributing new issues. Bales of $1,000 notes will be wanted to pay the toll of our armies on the turnpikes in the sacred soil, and to compensate those who were conquered for all their losses and sorrows; and as the cost of producing a $1,000 note is not greater than that of a $1 note, we shall have big money printed, and with it celebrate our "wise finance" to the ends of the earth. We shall put the stamp of the United States upon all the paper that the emergency, which can always be found, calls for. In the language of the platform of the immortal inflationists of Ohio, we shall "make the volume of currency equal to the wants of trade." This will give all the gamblers and speculators, and all the ravenous beasts of prey that consume the substance of the industrious and the poor, a harvest of spoil and a carnival of indulgence; but there will be plenty of money in the land at last, and the South will "get even" with the North for the war. The finances of the United States will be equalized with those of the Southern Confederacy. Confederate bonds and National bonds will be long in a common abyss. The era of the perfect equality of citizens and sections will come, when we are all falling into the bottomless pit of bankruptcy together. Would Gov. Tilden, as President of the United States, consent to such a catastrophe? I am not here to speak of the personal character of Gov. Tilden. I suppose he is as well known in New-York as Gov. Hayes in Ohio, and I leave him to you. Grant him all the good qualities his friends believe him to possess, and he could not be the master of the Democratic party. There is a stupendous devil in that party that will not be mastered. As to civil service reform, a Democratic President could not resist the demand to turn everybody out, to make room for as many of his party as possible; and it is unreasonable to hold that the public business could be seriously thought of. Why, if there was to be a Democratic President inaugurated, the crowd of office-seekers around the public buildings in Washington would be like that of the sight-seers at the Centennial on Pennsylvania's day. Fancy an old gentleman like Gov. Tilden, not feeble, perhaps, but certainly not robust, resisting the mad onset of this hungry multitude, in the name of civil service reform. The attrition would be too great for any human endurance.

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PERSONAL KNOWLEDGE OF GOV. HAYES.

The change that the people desire is a change for the better—a reformation, not a revolution—and the economy called for could hardly be found in doubling the national debt. I believe we could count upon a wholesome change—upon an economical, honorable, high-minded administration, if Gov. Hayes were elected President, and I feel it may be worth while, under the circumstances, to speak of my personal knowledge of the man. I have been acquainted with him about a quarter of a century, and he improves upon acquaintance. He and I lived in the same ward for several years, and belonged to the Cincinnati Literary Club—the only society of which, outside of college and army associations, he ever was a member. The story that he was a Know Nothing, repeated in various forms, does not resemble the truth in any shape it has taken. I was in consultation with him in March, 1856, in organizing a people's movement, the primary object of which was the defeat of the Know Nothing party in Cincinnati. We met in the office of Stephen Molitor, the leader of the Liberal Germans at that time; and, though it is more than twenty years ago, I remember the apt remark of Hayes, as some of those enlisted with us were willing themselves to be candidates, that the people would probably be more impressed with the fitness for office of a man if he was not himself active in making the ticket. He was to have been called to preside at the meeting that we appointed to present the cause of reform to the people, but the Know Nothings took possession of the hall by a concerted movement of delegations from their lodges; and they had only this measure of success to console themselves withal, for they were defeated in the election of the April following, and their prestige in Cincinnati was broken.

When Col. Hayes came home after the battle of South Mountain, badly wounded, with his shattered arm in a sling, he was asked to attend a public meeting to aid in getting his ward "out of the draft." He at first declined to go, but as his old neighbors insisted, he consented, and was called upon for a speech. His opening remark was that it had been his preference, glad as he was to see those about him, not to be present on that occasion, for he was not certain that he sympathized with the object for which they assembled. The first duty of the people was to fill up the wasted ranks of the army. If the object of the meeting was to send to the field the number of men that the order for the draft called for in the ward, he was heartily with them; but if it was the policy to clear the ward on paper without reference to the number of recruits furnished, he did not desire that they should succeed. It was immediately ascertained that the object of the meeting was not at all that the able-bodied men of the ward should escape the draft, but to send the material for good soldiers to the front! It would not have been suspected by any one looking in upon the meeting that the wounded officer in weather-beaten blue clothes—a common soldier's blouse with a war-worn eagle on the shoulder—the officer with a blue eye that kindled as he spoke, and a voice with the ring of martial music in it—was a man likely to be accused of lacking a will and ways of his own. Many earnest people have for some years made a close study of civil service reform, and the theory is generally accepted that this sort of reform at least is desirable. The language of Gov. Hayes, in accepting the Cincinnati nomination, is on this subject singularly explicit, and those who had given the methods of the reform their closest attention were struck with the fact that Hayes wrote about it as if he had been thinking of it for himself. And so he had. He commenced the work of civil service reform in his first term as Governor of Ohio. Understanding experimentally the question, the words of his letter of acceptance sped to the center of the mark like rifle balls, showing the "white disk" at every shot. One of his well-taken points after his first election, in 1868, was that minorities should have representation in elective boards. In 1870 he urged upon the Legislature the passage of a law incorporating this "measure of reform," and the law was secured, and is retained, proving highly useful. He carried the principle of minority representation into his appointments of public boards and officers, and did it to an extent that made enemies in his own party. He has pursued the same policy in his third gubernatorial term, reappointing nine Democrats, appointees of Gov. Allen, to salaried positions in the penal and benevolent institutions of the State. In making out the Supreme Court Commission he appointed three Democrats, and when the Republican Legislature created a Police Board in Cincinnati the Governor appointed a Democrat on the board; and he has had a clever faculty in finding a few places for Liberal Republicans, who are not now, I understand, in possession of a party of their own! Those who have known Gov. Hayes longest, and have had the closest opportunities for observation, are the most positive of his friends in the judgment that if he is elected President he will have a large influence in the Administration.

There is already an outcry from the South that those who are unwilling to concede that the war was fought in vain, are narrow and bitter; and they are supposed to have inherited the sectional opprobrium once attached in the conceit of the Confederates to the opponents of the extension of slavery—yet there has been nothing since Lincoln at Gettysburg, in better temper, or with finer insight or in happier phrase, than the passage relating to the South in the letter of Gov. Hayes accepting the Cincinnati nomination. His sense of justice and sentiment of generosity—a brave man's respect for the brave, a strong man's sympathy with misfortune—shine through the clear sentences; and taking him all in all, I feel warranted in hopefulness that if he becomes our Chief Magistrate, we may find in him the gift of statesmanship for the healing of the nation.

THE DUTY OF NEW-YORK.

Citizens of the State of New-York: The lesson of the war that should never depart from us is, that the American people have no exemption from the ordinary fate of humanity. If we sin we must suffer for our sins, like the empires that are tottering and the nations that have perished. Sixteen years ago we were drifting into war, and, though the current was like the Niagara rapids, few among us felt that it was irresistible, and saw the shores of the land of peace and plenty recede, or heard the swelling roar of the cataract. Whither are we drifting in these Indian Summer days? Upon what portentous stream is the ship of State? Is it sailing

"Through channels measureless by man,
Down to a sunless sea?"

There is in the prescribed form of counting the electoral votes cast or certified to be cast for President an uncertainty that, in the state of the country, may be fitly described as a peril. The houses of Congress are already at variance. They quarreled on this subject when the Republicans had a majority in both and the vote of the disputed State made no difference in the general result. The joint rules, including the twenty-second, have been abolished, and there is only the constitutional provision as a guide. In a contingency that is not only not impossible but not improbable, there is certain to be a disagreement involving a disputed Presidential election, which would be a calamity without precedent and beyond calculation. Thoughtful citizens long ago, feeling this possibility as a palpable though distant terror, have prayed that the Presidential elections might always be decisive—and God grant that they may! But we are pressing closely upon the danger in the dark. The October elections have not, as in other days, settled the question of the Presidency. What if the November election should also be inconclusive? What if the result of the question of Hayes or Tilden for President rested upon a Southern State; upon Mississippi or South Carolina, with the derringer in one hand and the bayonet in the other: and the heated politicians, gathered at Washington and desperate, should fly at each other's throats and let slip the dogs of war? A disputed Presidential election would Mexicanize us. There is incalculable ruin in it. If the New-York electoral vote is given the Democratic candidates, we are imminently threatened with this degradation. If New-York is Republican, the danger is over.

The whole duty of the Republicans of the State will be performed, for they know their responsibility and value their privilege. It would appear also that the good citizens who do not "give up to party what was meant for mankind" see that the safety of the country demands the defeat of the Democratic party, and will be happy to administer to it the final stroke of fate, and thus open with auspicious fortune the second century of the republic.

THE NEW-JERSEY CENTRAL ACCIDENT.

The following additional particulars of the accident at Evona on the Central Railroad of New-Jersey on Tuesday night have been received. The train left Elizabeth, N. J., at 6:45 p. m. on Tuesday, and ran at a medium rate of speed until it arrived at the switch near Evona. The engine had no head-light lit. The safety light at the switch was burning, and the engineer kept on. The switch was turned, and the locomotive ran off the track and plunged into the bank. Three cars were telescoped and totally wrecked, three others considerably damaged, and the remaining three did not leave the track. William Reilly of Phillipsburg, a brakeman on the Central road, was standing on the front platform of the first car. He was thrown into the tender of the engine, and the second passenger car passed over it, killing him instantly. Nathaniel Derich, a mason, of Dunellen, was killed. Col. A. S. Teneyck of Somerville, the Hon. John G. Schenck of Neshanic, and John A. Cline of Whitehouse were seriously injured. It was supposed that one of the striking engineers or firemen turned the switch and set the light right, but no evidence is found to support that theory.

THE COURTS.

POWERS OF AN ATTORNEY.

In the suit of Caroline Heyman against Leopold Beringer and others, tried in the Supreme Court, Special Term, Judge Van Vorst has decided for the plaintiff. The suit is in form an ordinary foreclosure suit to foreclose a mortgage, past due, for $1,370. The questions arise out of the action of Adolf Levinger, the defaulting counsel of the German Uptown Savings Bank. The plaintiff put this mortgage in Levinger's hands to foreclose. Instead of foreclosing, Levinger took two notes of Beringer's firm for $685, each dated Oct. 7, 1876, payable at two and three months, which were paid. Judge Van Vorst finds, however, that before the first note was actually paid to Levinger his defalcation was rumored, and the plaintiff had revoked Levinger's authority, and before the second note was paid her present attorneys had given notice to Beringer that they held the mortgage. On this state of facts Judge Van Vorst holds that the employment of Levinger to foreclose the mortgage authorized him to take payment of it, but not to take notes for its payment, and thus substantially to extend it. If the defendant chose to make such an arrangement beyond Levinger's authority he cannot hold the plaintiff to it, but must look to Levinger for his losses, and he cannot set off against the plaintiff even the first note. He therefore holds that there was no payment of the mortgage, and directs judgment of foreclosure of mortgage and sale. Joseph H. Choate appeared for the plaintiff; William Strauss for the defendant.

THE BROCK MURDER TRIAL.

The trial of Oschwald and Ryan for the murder of Policeman J. Stanley Brock of Newark was was continued yesterday. Chief of Police Ellis gave a minute account of the arrest of the two accused men and their examination at police headquarters. Col. E. W. Davis, Deputy Sheriff, was examined, and Detective Fischer was further cross-examined, but nothing new was elicited, and the State rested.

CIVIL NOTES.

A suit now on trial before Judge Sanford, in Superior Court, Trial Term, under the title of John Stuber and another against Joseph Rubsam and another, involves the qualities of lager-beer. The plaintiffs contracted to brew two lots of lager-beer for $1,750 down and $1,750 on the completion of their work, the beer to be like Pil-ner beer—to be clear without the use of isinglass, to be creamy without the use of soda, natron, or other chemicals, and to keep a year. They sue for the second $1,750. The defendants claim that in all three particulars the plaintiffs' beer failed. The case is still on. John B. Schuchmann and Thomas Darlington appear for the plaintiffs; ex-Gov. Salomon for the defendants.

A long argument was presented yesterday in Supreme Court, General Term, in the proceeding to disbar William H. Gale. The proceedings are at the instance of Mary Megarge, who charges that having employed Gale to procure a friendly divorce from her husband, Gale deceived her, and, espousing her husband's cause, procured a divorce for him by detaining her by force with him at a hotel and producing an appearance of evil, on which the referee was deceived into granting her husband a divorce against her. Mr. Gale replies with an alibi as to the night she says she spent at the hotel with him; and his counsel, Mr. Betts, argued yesterday that her story was contradictory and false; that she knew thoroughly what Mr. Gale was doing for her husband, assented to it, and aided him in procuring evidence against herself. The Court reserved its decision.

Judge Van Vorst, in Supreme Court, Special Term, has decided the case of Rose Levy and others against Jane Ann Merrill in favor of plaintiffs. The suit is to compel the defendant to satisfy a mortgage for $2,000, made by the parents of the plaintiffs in 1864. In May, 1865, $1,000 was paid, and plaintiffs claim that in the following August the other $1,000 was paid. Certainly their father obtained the bond and mortgage, and no interest has been paid since. Since their father's death they have sold the property, but the purchaser holds back, and has deposited with a trust company enough to pay this mortgage. The defendant's husband claims that the second $1,000 was not paid, but that the plaintiffs' father got the bond and mortgage by a trick. Judge Van Vorst finds himself constrained to disbelieve him, and holds as matter of law that the plaintiffs have sufficient interest to maintain the suit. Andrew Blake appeared for the plaintiffs; T. E. Campbell for the defendant.

In the Supreme Court, Circuit, yesterday, Judge Donohue, in the suit of Edward T. Bainbridge against John J. Beme and the National Trust Company, enforced the rule that where a case is set down peremptorily for trial, counsel must form no engagements which will interfere with the trial. The plaintiff lost 41 bonds in the great robbery of the Third National Bank of Baltimore. He found that four of them had been deposited with the National Trust Company of this city by Beme, as collateral for a loan. This loan has since been paid so that the Trust Company is only a nominal party. Beme said he received them in a rather complicated transaction with George F. Hilt, whose surrender to the Pennsylvania authorities for forgery of indorsements on stolen bonds occupied the Supreme Court for many days last Spring. Judge Donohue refusing to adjourn the case because Beme's counsel were engaged in a suit in the United States Court, Elliott F. Shepard put in the proof for the plaintiff and the jury found a verdict in his favor.

CRIMINAL NOTES.

At the Tombs Police Court yesterday Patrick Monahan was held to await the result of injuries inflicted on Morton Shay in a street affray at Murray and Greenwich-sts. at 2 o'clock yesterday morning.

At the Yorkville Police Court yesterday two peddlers named Abraham Pollak and Jacob Patten, charged with stealing a diamond ring worth $250 from Josephine Keppa of No. 338 East Forty-third-st., were each held in $1,000 to answer.

At the Essex Market Police Court yesterday Luda Kaldenhauser and Ellen and Peter Kaufman of No. 171 Forsyth-st. were committed in default of $1,000 bail for abducting Selina Betteman, a young German girl, and forcibly detaining her in a disorderly house kept by them.

UNITED STATES SUPREME COURT.

WASHINGTON, Oct. 25.—The following cases have been argued in the United States Supreme Court:

No. 58.—Town of South Ottawa agt. Perkins; error to the Circuit Court for the Northern District of Illinois.—This was an action to recover the amount of certain bonds and interest coupons issued by the township to pay a subscription to the stock of the Ottawa, Oswego and Fox River Railroad Company. The defense was that the act authorizing the issue of such bonds was not enacted in accordance with the provisions of the Constitution of the State, inasmuch as on its final passage in the Senate the vote was not by Ayes and Noes as required by that instrument, the Journal of the Senate having no record of the vote. The Court below ruled that the town was estopped to deny its power to issue the bonds, having received the consideration therefor, and retaining the stock, and that the legal presumption is that the law was constitutionally passed, it having been published among the other public laws, and being supported by the enrolled bill on file in the office of the Secretary of State, where it appears duly signed and attested. It is here contended that the decision of the Supreme Court of the State on the subject must control the case in the Federal Court and that they deny the sufficiency of the legislation as shown by the official record, and it is said that if the provisions of the Constitution are not to be taken as limitations upon the power of the Legislature, then written constitutions are a failure and the will of the Legislature is supreme. P. Phillips for plaintiff in error; G. S. Eldridge for defendant.

No. 59.—Supervisors of Kendall County, Ill., agt. Post; error to the Circuit Court for the Northern District of Illinois.—This was also an action on municipal bonds issued by the County of Kendall in aid of the same railroad as in case No. 58, stated above. In addition to the defense of the insufficiency of the legislation authorizing the issue of the bonds, set up in the case No. 58, it was further insisted that there was no consideration for the bonds issued in this case, they having been made a donation to the road, and not given in payment of stock subscriptions. It is also urged that the election in pursuance of which the stock was issued was not regular and legal. The decision was in favor of the holder of the bonds, sustaining the validity of the issue, when in the hands of third parties without notice, and the case is brought here and argued in connection with the preceding case.

P. Phillips for plaintiff in error; Hog. Greene & Littler for defendants.

No. 68.—Nathan Greenwald et al., plaintiffs in error, agt. Penelope Bond, adm'x, &c. Passed.

No. 66.—W. S. McMillin, plaintiff in error, agt. Robert K. Anderson. Continued.

No. 67.—E. C. Carrington, plaintiff in error, agt. Martin Eastwood. This cause was argued by E. C. Carrington, the plaintiff in error, and submitted on printed arguments by S. S. Henkle for the defendant in error.

No. 69.—The Home Insurance Company of New-York, plaintiff in error, agt. The Baltimore Warehouse Company. The argument of this cause was commenced by A. W. Machen of counsel for the plaintiff in error, and continued by J. H. Thomas for the defendant in error.

The court then adjourned until to-morrow morning at 12 o'clock.

DECISIONS—OCT. 25.

Supreme Court—Chambers—By Judge Barrett.—Brock agt. Brock.—Report confirmed and judgment of divorce granted. Smith agt. Smith.—Reference ordered. Winant agt. Lauder.—Motion granted. Smith agt. Smith.—The report must be sent back for further evidence; all that the wife has testified to, except the marriage, must be proved by other witnesses; as to the adultery, there must be further proof, as the divorce cannot be granted upon the uncorroborated testimony of the paramour.

Special Term—By Judge Van Vorst.—Heyman agt. Beringer and ors.—Judgment for plaintiff; opinion. Levy et al. agt. Merrill.—Judgment for plaintiff; mortgage should be satisfied; opinion. First National Building Association agt. Bandmann and ors.—Judgment for plaintiff of foreclosure and sale findings signed. Patrallo agt. O'Donnell and ors.—Findings signed. The Star Fire Insurance Company agt. O'Donnell et al.—Findings and decree signed.

Common Pleas—Special Term—By Judge Robinson.—In the matter of Harris for the appointing of guardian.—Motion denied; no defendants named.

Superior Court—Special Term—By Chief-Judge Curtis.—Crotty agt. McKenzie.—Motion that money collected should be paid over denied without prejudice and without costs. Cormier agt. Batty.—Case as settled ordered on file.

Marine Court—Chambers—By Chief-Justice Shea.—Dossy agt. Young.—Motion denied; no costs. Van Ness agt. Mason; Werder agt. Elsterer; Dawley agt. Merkel; Tilghman agt. Starks; Knoeppel agt. Saunders.—Motions granted. Wise agt. Thornberry; Bauer agt. Wehl; Gade agt. Root; Longstreet agt. The N. Y., N. H. and H. R. R. Co.; Laveridge agt. Averill; Wise agt. Waldron; Cuyam agt. Hornby; Miller