

Daily Globe

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THE SUNDAY GLOBE. By mail the SUNDAY GLOBE will be one dollar per year.

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The suggestion is made whether it is not desirable to prohibit by law any agent or servant of a railroad company from business competition in merchandise to be transported over its road, and to provide against discrimination in favor of individuals.

While in ordinary circumstances competition is the life of trade, in the management of railroads it is often its destruction. We have seen within the past few months all the trunk lines from St. Louis, Chicago and Cincinnati to the East carrying passengers to New York, Boston and Philadelphia at merely nominal rates, the fare having been reduced at one time as low as a dollar from Cincinnati to New York.

The legislatures of some of the Western States have attempted to regulate the rates to be charged by railroads for passenger and freight transportation with a view to the prevention of such discriminations as Gov. Crosswell complains of. They have met with only indifferent success.

There is an epidemic of scarlet fever in New York which is proving extremely fatal to children. The death rate is higher than ever before. The cause is thought to be defective drainage.

EDWARD McPHERSON denies the report that Senator Blaine and Conkling have "pooled their issues" in favor of Grant for President in 1880, and pronounces the story a pure fiction.

The South Carolina legislature has refused to put on the statute book the law against a negro marrying a white woman which obtains in Rhode Island.

GARFIELD thinks the most dangerous attack upon resumption is the attempt to abolish national bank notes and substitute greenbacks in their stead.

YAKOOD KANN, thinking that an oath on the Koran was not sufficiently binding to secure the fidelity of his followers, has adopted the civilized expedient of withholding their pay.

The national banks, according to a Washington special, are ready for resumption, having forty millions of gold in their vaults.

GEN. SHERMAN, it is said, will time the next meeting of the army of the Tennessee so as to have it occur at the time Grant shall be passing through Chicago on his triumphal progress through the country to the Presidency.

For the first time in a quarter of a century Maine is presided over by a Democratic governor, Garcelon having been yesterday chosen to that position by the Senate.

As a sample of the character of the evidence the Republicans may be expected to furnish regarding the elections in the South, it may be mentioned that their chief special agent sent to that section to look up irregularities is a man who was dismissed from the secret service of the government many years ago because he was implicated—in the bogus safe burglary there. Of course the testimony furnished by this scoundrel will be of the sort required, and will be, in the opinion of the Republicans, wholly reliable and adequate for the conviction of honorable men.

SPAIN proposes to urge upon Great Britain the surrender of Gibraltar. She has never been reconciled to its loss, although more than a century and a half has passed since she lost it.

LAKE IMPROVEMENT.

Voice of the Memorial Committee of the St. Paul Convention to Congress—Cursory but Forebore Review of the National Advantages to be Derived from the Improvement of the Great Inland Water Route.

The Lake Improvement Convention held here on the 18th ult., appointed a committee to prepare a memorial to Congress, urging the improvements on the lake water route advocated by the convention. The committee have been engaged upon the work of preparing a suitable and comprehensive document, and yesterday finished the following:

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The most prominent feature of our inland water system is the great lakes which pour their natural overflow into the St. Lawrence river and the sea. These lakes, which extend from the northern boundary of Minnesota, a distance of 1,400 miles, to the Atlantic ocean, nearly one-half the distance across the continent from ocean to ocean.

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THE CIVIL VS. THE MILITARY.

The Savagery of Military Red Tape Documents—The Courts Not Allowed to Inspect Official Military Papers.

As this community has close alliance with the army in social, business, and official relations, the Globe takes occasion to republish for its consistency the following:

JUDICIAL ARMY DECISIONS. Two cases involving interesting points of law affecting the conduct of army officers, have recently arisen in the civil courts.

In a private suit of a discharged soldier against his former post commander, for damages for libel, the plaintiff's attorney subpoenaed Major-General W. S. Hancock, commanding the military division of the Atlantic, and his adjutant and inspector-general, in their respective official capacities, to each bring with them:

All books and papers, letters, orders, indentments, reports, charges, opinions and copies where the originals cannot be produced, and generally all papers on file in your office or in your custody, relating in any way to the arrest, confinement and punishment of plaintiff. . . . and to date.

When the case was reached on the court's calendar and called for trial, the judge, Judge Gardner, said he desired to make an interlocutory motion and interpose on behalf of the general government, in order to obtain a ruling of the court as to how far the plaintiff could, through his counsel, use the process of that court to obstruct the business of another government.

Mr. Gardner further remarked that in a case he himself had made, that very court in 1869, it had been ruled that a copy of a morning guard report, authenticated by the post adjutant of Fort Hamilton, N. Y. Harbor, was entitled to be received in evidence.

That the process which the attorney, as an officer of the court, had served on these three distinguished officials, was a process from the court of one government to control the actions of the officials of another government exercising appropriate functions within the same territorial area, and that if every officer of the State should call for the books and papers of the office it would stop business.

That the supreme court of the United States (December term, 1871), in the case of Farber, in which the speaker had appeared as counsel, had ruled explicitly on this point of interference; that General Hancock and his two staff officers who had been summoned, appeared in court as a matter of personal respect to the presiding judge. And that the general had too often acted on the law of the military in violation of the civil authority to have his sentiments misunderstood. Mr. Gardner further said that it would not be seemly for a witness to urge the question, but that both the State and general governments had rights, and one could not interfere with the officers of the other in discharge of their proper duties unless the power was constitutionally given.

Mr. Gardner also expressed doubts as to whether the plaintiff had any right even to a copy of any governmental act, and that General Hancock of a quasi judicial nature were he acted upon the proceedings of a court or upon charges preferred, under the direction given him by law. Further, that any report made by an inspector-general under orders, in his judgment, a confidential communication of an official nature and generally privileged.

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