The Sun.

WEDNESDAY, JULY 28, 1875.

Average Daily Circulation Over 120,000.

So nearly equal to that of all the other morning newspapers printed in the English language in this city.

Some idea of the extent of this immense issue may be formed from the fact that it is sufficient to place two copies in each dwelling house in the city and county of New York every day, or one copy in every dwelling house in New York, Brooklyn, Williamsburgh, and Jersey City, with some thousands to spare. Although THE SUN is most widely distributed in the city and suburbs, it is no longer a mere local paper. But is now sold, subscribed for, and circulated in every city and town in the Union as well as in the Dominion of Canada. In the year 1872 THE DAILY SUN printed and sold 86,028,884; thirty-six millions, twenty-three thousand, eight hundred and eighty-four copies.

As an advertising medium THE DAILY SUN is especially valuable to all who want help or employment, who have rooms or dwellings to let; houses or lands to sell; wares or merchandise to dispose of at retail or by auction. In short, to buyers and sellers alike it performs the service of a vast and practically illimitable Exchange at the very minimum of cost.

Subscription, by mail, postage prepaid, 55 cents a month; $6.60 a year.

Amusements To-Day.

Central Park Garden—Summer Nights' Concerts.
Gilmore's Concert Garden—4th av. and 30th st.
Olympic Theatre—Variety. Matinee.
Robinson Hall—Chiperie.
Third Avenue Theatre—Poor and Proud of New York.

Duncan, Sherman & Co.

The failure yesterday of this long-established and universally-respected house took the public by surprise. Nobody not in the secret of its embarrassment had any suspicion of it. The credit of the house was excellent up to the last moment, except perhaps among a few conservative and very cautious bankers.

We do not understand that this event indicates any new disease in our financial condition. It follows close upon the recent great failures in London, and was, apparently, precipitated by them; but in reality it is rather to be regarded as a sequel to the panic of 1873. That memorable tempest left DUNCAN, SHERMAN & Co. with a large proportion of wrecked investments on their hands; and these unavailable assets have not improved since. The immediate cause of the failure, however, is doubtless to be found in heavy operations in the purchase of cotton which have proved the reverse of profitable. Under ordinary circumstances such losses, however severe, would not draw down such a house; but the comparative weakness remaining after 1873 and the financial stress in London have together compelled them to close their doors.

The details of this startling calamity are reported in another part of this paper. It will be received with deep regret everywhere; and as the prevailing sentiment of confidence and respect toward the house was heightened by esteem for its active head, Mr. WILLIAM BUTLER DUNCAN, so the sorrow for its fall will be much intensified by personal sympathy for him.

The Civil Service Illustrated.

It is not surprising that our civil service should be corrupt, inefficient, and unreliable, when the example set by the President, the Cabinet, and all the highest officials, encourages neglect of duty and looseness, defies the honored traditions, and openly outrages all decency. They treat the great public trusts as mere personal conveniences, to be enjoyed for the salaries they yield and the opportunities of acquiring wealth.

If any leading merchant, manufacturer, or banker should carry on his business as that of the Government is conducted, certain discredit and final ruin would be inevitable. Just suppose Mr. STEWART and all his partners abandoning their wholesale and retail trade at the beginning of summer, and never going near either for four months, relying entirely upon the clerks to manage it during this periodical absence, what would be the result? The supposition is violent because they are capable and practical men, who have amassed fortune by strict integrity, constant care, and fidelity to all their obligations, just as thousands of others have done here and elsewhere by the practice of these homely virtues. But the very reverse of this sound rule prevails at Washington and all over the country in public office.

Instead of uprightness and accountability, subordinates have been taught laxity and evasion. They see the President squandering the time belonging to the public; lobbying for double pay and perquisites; affiliating with Ring chiefs and thieves; protecting frauds, and shielding criminals from justice. They see their own chiefs in the Cabinet acquiring sudden wealth; consorting with corrupt contractors; passing fraudulent claims; appropriating the public property to personal use; accepting false vouchers, and prostituting their places for gain. The effect of all this is to demoralize the civil service and to open the door wide to the enormous plunder which is only beginning to be revealed, and the full extent of which will never be known until there is a change of Administration.

The Whiskey Ring, like the Washington Ring and the whole crowd of organized robbery, is the natural outgrowth of the system which is best described as Grantism. All these combinations had and have their centres in the departments, either through Secretaries like CRESWELL, DELANO, SECOR ROBESON, WILLIAMS, and others who did business at first hand, or through assistant secretaries, chief clerks, heads of divisions, and subordinates, who were regularly subsidized and retained. Without this concert and co-operation, the success of the plunderers must have been limited. With access to all the most confidential information, it is easily understood how millions have been stolen, which have not only enriched innumerable rogues, but have also furnished the money to keep up the Republican organization, by means of which these iniquities could be continued indefinitely.

Moreover, the officeholders have become the managers of politics for the Administration, and run the machine in their own interest. Right under the shadow of the White House, and in the very building occupied by that self-vaunted reformer, the Postmaster-General, the Postmaster of Washington levies assessments of money from the clerks, and sends out circulars all over the country, calling upon the officeholders for a payment of twenty dollars each. This is done in the face of an Executive order expressly prohibiting assessments in any form, and a message to Congress declaring that the practice had been entirely abolished. Everybody knows that a good part of the money thus extorted goes into the pockets of the patriots who collect it for "the cause." If the President or his Administration were averse to this practice, it could not survive a day. Postmaster EDMUNDS is petted and protected, and he drives a good business among the timid officeholders, who know he has the ear of GRANT, and was appointed by ZACH CHANDLER.

The clerks leave their desks to engage in partisan politics. They make no corporate mony, but meet in broad day to pass resolutions like the following:

"*Whereas*, The Union Republican Congressional Committee have called upon the clerks and employees in the departments in this city for voluntary contributions to aid in the campaign this fall, we deem it a duty we owe the principles and party to assist in that and every other manner in our power; but as there is no national campaign this fall, and we believe our first duty to be to assist the campaign of our own State. Therefore,

"*Resolved*, That there be a committee, to consist of one from each department, appointed to call upon all Pennsylvanians and solicit voluntary contributions, to be used for political purposes in the State of Pennsylvania, in the interest of the Republican party."

The whole concern is rotten, and no real reform is possible which does not start with a radical change and a wholesale purgation.

Beecher Abuses his Opponents.

Mr. BEECHER, in a letter thanking the editor of a Welsh paper for editorially congratulating him on his escape by disagreement of the jury, displays his characteristic effrontery in these words:

"All the Welsh blood in my veins thanks you; and all my English blood joins. To have the affection and confidence of good men is more than enough compensation for the enmity of all bad men."

This means that Mr. BEECHER is trying to convince people that while the good are on his side the bad are disposed to think him guilty. The expression is of a piece with all he has said since the trial. His tactics are to bully his way out, to regain position by abusing his opponents, and to try and fasten himself to religion and virtue to be by them dragged out of the mire of uncleanness into which he has got himself.

His assertion, however, is so false to fact, and known to be so by a large share of the public, that it will rather serve to hurt than to help him. The gravest doubts of his moral character exist among the most thoughtful and religious people of the country. It is they who are compelled against their will to believe him guilty. The religious papers, as the extracts from them which we gave soon after the trial showed, are in the large majority of cases—we instance especially the *Congregationalist*—dissatisfied with his defence. Very many of the most prominent ministers of his own and other denominations are among those he has the impudence to call "bad men." In Brooklyn it is well known that leading clergymen who have lived by his side for many years, including those of his own denomination, are unconvinced by his defence, and shocked by its peculiar character. When a committee was organized to drum up recruits for the great reception they proposed to give him in the autumn, not one of the many well-known pastors of Brooklyn was on it. The venerable Dr. CONANT, connected with him for nearly a lifetime by ties of friendship and marriage association, was put on the committee, but though a Baptist minister, he is not a pastor, and has not been one for half a century. Where are Dr. STORRS, Dr. BUDINGTON, Dr. CUYLER, Dr. VAN DYKE, Bishop LITTLEJOHN, and the rest of the long array of ministers of the City of Churches? We do not hear from them a word of praise for Mr. BEECHER. They must all be bad men, and therefore at enmity with the Plymouth pastor. What is the position of Dr. MCCOSH? Did Mr. BEECHER read his Commencement sermon at Princeton? He is evidently one of Mr. BEECHER's bad men, and, moreover, he is a representative clergyman.

Mrs. BEECHER joins her husband in relegating to infamy all those who fail to believe in his innocence. Writing to a gentleman in Des Moines, three days after her husband's letter above quoted, she says:

"But nine against three, and *that three* being such as they were, together with the disclosures of the perjury of the LOADER and PRICE wretches, is considered here equal to what the full vindication would have been had the jury given their verdict without leaving their seats. I have no fears but that ever in this life, my husband will stand acquitted before all men—save such characters as those who have plotted against him, and even they know that he is guiltless."

This ingeniously combines an unsupported imputation against the three jurymen who believed her husband guilty, and all those outside of the jury room who agreed with them. They are characters on a level with LOADER and PRICE—low villains who stoop to every vileness, and even they know Mr. BEECHER to be guiltless, though they profess to think otherwise!

This is a pretty severe assault on the majority of respectable people in the country; but we imagine that they can stand it, if Mr. and Mrs. BEECHER can. It is a relic and consequence of Mr. BEECHER's defence, which consisted in abuse of his opponent and his leading witnesses. Now it is attempted to bolster up the character of the Plymouth pastor by abusing those who believe him guilty. They are bad men, the offscouring of society, the partners and abetters of perjurers and blackmailers. The defence of abuse was not very successful at the trial, and we imagine that the vilification of the jury of the court room and of the great public will be even less successful.

Mr. BEECHER cannot silence the voice of opposition by calling it a cry raised by the bad. It is rather the sorrowful utterance of those who hold in reverence the laws of GOD and man, and jealously guard the temple of religion against the defilement of hypocrisy and moral uncleanness. The bad have no concern for these things; and it is to such as they, as well as the foolish and credulous, the undiscerning and careless, that Mr. BEECHER is driven to make his appeal. He is taking those downward steps which he must continue to take so long as he lives with his offences unconfessed, and his soul burdened with a lie. An audacious seeming, a bold bearing, impudent effrontery, will not help him. They will do him harm, for he is likely to continue overdoing the thing more and more. His conduct since the trial has steadily progressed in this direction, and it is likely that the progress will go on. His conscience, though pretty well hardened, will not let him keep quiet.

Contempts.

There are two sorts of contempt of court—the technical and the actual. The one is punishable by the arbitrary power of a judge, and, as it is expiated by fine or imprisonment, it is made less subversive of good order than the other, which the aggrieved tribunal has no power to punish.

When, nearly two years ago, the trial of WILLIAM M. TWEED was called on before Judge NOAH DAVIS, his counsel presented to the Court, privately in its mode of communication, and respectfully in its style, a paper setting forth objections to his trying the cause. There was no contempt in this except in the most technical sense of the word. It was the only mode by which a duty could be performed without scandal or public offence. If the judge thought the reasons adequate, he could have retired and asked one of his colleagues to sit in his place. If he judged them insufficient, he could quietly overrule them without any prejudice to the prisoner by an excitement in the presence of the jurors who were to try the cause.

Instead of this, for this implied contempt, and in the presence of the jury, ready enough in the then state of public feeling to [illegible] of the defendant's counsel, to [illegible] made a public exposure of the affa[illegible] fined each of the counsel $250, which [illegible] ey were fortunately able to pay, and did pay, and, in the language of the law, the offence was purged. It was as if it never had been. Had the judge dreamed of the success these gentlemen would have in having his action reversed, he might have increased the fine or locked them up in jail.

But there is another contempt besides a technical one for which neither fine nor imprisonment can be inflicted and which cannot be washed away.

Judge DAVIS is a subordinate magistrate and a member of the bar—not the less so for being a judge. When by the decision of any superior tribunal—most of all of the highest—his action is reversed, he is bound to absolute acquiescence and as a judge to silence. If he were on the bench of the Court of Appeals—which we pray Heaven avert—what would he say, how just and righteous would be his wrath, if a subordinate judge, being overruled by a unanimous judgment, were to rail in the newspapers against that court, and still worse, employ a lawyer to do it for him, and in doing so distinctly attribute corrupt motives.

Now, this is exactly what DAVIS has done. When he wrote his letter to Mr. O'CONOR he knew perfectly well what, in that gentleman's frame of mind, the answer would be, and our only surprise is that so sagacious a man as Mr. O'CONOR, with so much at stake, should so readily have allowed himself (we say it in no disrespect) to be the catspaw of this angry and subordinate magistrate. This it is which so evidently shocks the professional mind everywhere. The oath which Mr. NOAH DAVIS took (and this to a certain extent applies to his correspondent) on his admission to the bar "to do his duty to the court," was not abrogated or superseded by his initiatory official oath, and his fining of Mr. FULLERTON and Mr. BARTLETT shows that his notions on that head are very strict. He fined them for writing a private and respectful letter to him. Yet he and Mr. O'CONOR go scot free for writing and printing violent and inculpatory letters of the Court of Appeals, imputing the most corrupt of motives for deciding what, beyond a very narrow circle, every lawyer in the country holds to be law.

It seems to us that the untechnical contempt is by far the worse and more injurious of the two.

Why Such a Difference?

We have frequently called attention to the necessity for a reform in the management of our State prisons. They are filled with able-bodied men sentenced to hard labor, who draw no wages, and require food only of the plainest description, yet they are a constant source of expense to the State, instead of being self-sustaining, or paying a profit, as they ought to do, with proper management.

During the year 1874 the three prisons of Auburn, Clinton and Sing Sing earned $379,396, while their expenditures amounted to nearly a million. In contrast with this mismanagement, we have the figures reported by the Albany penitentiary, a model institution of the kind, which last year made a return of $29,761 of earnings over expenditures, or in other words showed a clear profit of nearly $30,000. Capt. PILLSBURY, the inspector of this institution, has recently published a letter, in which he insists that the State prisons ought to make even more satisfactory returns than the institution under his control, and he gives good reasons for taking this view of the subject. He says that the inmates of the State prisons are all sentenced for a term of years, while in the Albany penitentiary the most of the prisoners are sentenced for six months, or less—many of them for so short a period that they cannot be profitably employed in the shops, and consequently have to be supported out of the earnings of those sentenced for a longer period.

It is hardly necessary to say where the trouble lies. It is in the fact that the government of the prisons is intrusted to men selected for their political services instead of their fitness for their duties, and that the same principle rules the selection of subordinate officials, many of whom, backed by political interest, are reckless of authority, so that it is impossible to enforce proper discipline, even if the wardens are themselves efficient and honest. Add to all this the possibility of jobbery in the financial management of the institutions—and a great deal has been said about the existence of a State Prison Ring—and it is easy to understand why our prisons annually cost the State so much when they should be at the very least wholly self-sustaining.

One of the principal causes of the hostility which the independents of California are manifesting toward the Central Pacific Railroad Company is the perpetual interference of its managers with politics. Not only have they undertaken to rule the Legislature and to dictate the nomination of Governors and Congressmen, but they have extended their operations to the selection of candidates for city and county officers who would grant them official favors. A newspaper published in Kern county records the discovery that the town site lots in the new town of Sumner, belonging to the Contract and Finance Company—which is the Credit Mobilier of the Central Pacific—are assessed at only two dollars and a half an acre, while farm lands in the immediate neighborhood are worth from twenty to thirty dollars an acre; and this, too, notwithstanding the fact that the town lots have been selling for several hundred dollars each. Of course the farmers, who are taxed much more heavily in proportion to the value of their lands, are highly indignant at such partiality in assessing property, and justly so, since these town lots are held by the railroad company not for their own use, but for speculation. A year ago the Grand Jury of Merced had their attention called to similar instances of favoritism in that county, and found that town lots belonging to the Contract and Finance Company were assessed at a much lower rate than agricultural lands adjoining them. As the farmers have to make up every cent of taxation which the railroad company evades, disclosures like these have had quite as strong an effect in irritating the public against the great monopoly, as abuses of a more important character.

The precedent established by Mr. Justice DONOHUE, in deeming that a bill of particulars must be furnished in the TWEED case, has not been without its effect in other quarters. As our readers will understand, the value of this precedent is that when public officers plunder the treasury they have only to steal the forged vouchers or any documents in the archives that will establish their guilt, to be free from prosecution.—*Herald.*

That is true. If there is no evidence against a criminal, he cannot be convicted and punished in any country where law is respected. Any public robber who can succeed in destroying the documents that establish his guilt, thereby becomes free from prosecution, unless other testimony can be found to take the place of that which is annihilated. There are those, we notice, who wish to punish offenders of that sort without evidence and without law. But this will not do. There is no safety either for the public or the individual citizen except in the maintenance of the law. However guilty a criminal, justice cannot be administered upon him without proof and without due form of trial. Justice without proof and without due form of trial is but mob law, and mob law is merely the right of the strong hand and the violent impulse. Society cannot exist if it continues; and it works more mischief than it cures.

The mere statement cannot at all injure the paper, for the readers of that, as of all other papers, are as entirely indifferent as to who owns a paper as they are to the nationality or religion of an editor. Their approval of a paper is based on its contents, not on a knowledge of its owners or writers. Mr. JENNINGS, the able editor of the *Times*, did not find his English nationality, so often referred to, at all we ken his *exposé* of the Ring frauds in New York. But if Mr. DANA could prove by the transactions of GOULD and the financial columns of the *Tribune* that the latter are used to aid the former, it would hurt the *Tribune*, and give color to its statement that that paper is owned and controlled by Mr. GOULD.—*Brooklyn Eagle.*

Who owns a paper is a matter of grave concern if the owner is a bad man, who uses the paper for his evil ends. The public do not wish by their patronage to assist a ruthless speculator in his schemes. Mr. JENNINGS's English birth did not hurt him in the Ring fight, because that was nothing against him. If he had been the stool pigeon of a gambler, the case would have been different. As to the connection between the course of the *Tribune* and JAY GOULD's stock operations, that is matter of notoriety in Wall street, and we are surprised that the Brooklyn *Eagle* should display ignorance of the fact. It is very patent to any one who reads the paper understandingly. In the matter of the Pacific Mail, when JAY GOULD was hammering that stock to get control of it, and in that of the Union Pacific, when he was pushing it down and up, there was no mistaking the hand of JAY GOULD in the *Tribune* editorial columns. He manages dexterously, but he cannot hide his purposes from those who read between the lines. That he controls the *Tribune* has never been denied, and cannot be denied, except so far as this: the young editor, his stool pigeon, has some sort of contract giving him nominal editorial control, but practically he is in the hands of JAY GOULD as if in a vise. The young editor's loophole of escape is that fifty-one shares, the controlling interest, are in his name; but every one knows he has no money to own them—they can only be owned by a millionaire—and that, in fact, they are JAY GOULD'S. He has a mortgage on them for their full cost value, and thus that shrewd operator has absolute control, making the contract as to editorship with the young editor a straw contract, which JAY GOULD can rip into pieces whenever he chooses.

Mr. GEO. W. SMALLEY, the London correspondent of the tall tower, writes that he refused to go to the American Fourth of July dinner at the Crystal Palace because he "did not care to attend a celebration over which the late trustee and director of the Emma Mine presided." He refers to POKER SCHENCK, of course; and no decent man will find fault with him for declining to dine with that hero of the Emma Mine. But how can a man so squeamish as Mr. SMALLEY declares himself to be, continue to write for the *Tribune* when JAY GOULD owns the controlling interest in it, and uses it, with the aid of the young editor, his stool pigeon, to further his stock-jobbing interests? JAY GOULD as a master would not suit an honorable writer, and we are surprised that Mr. SMALLEY is willing to contribute to his organ. Perhaps he does not yet know that JAY GOULD has succeeded HORACE GREELEY.

In North Carolina an election is to be held on the first day of August for 120 delegates to a Convention to amend the State Constitution. The calling of this Convention was opposed by the Republicans in the Legislature, but they were overruled. Now, in the hope of defeating a new constitution, they have nominated delegates who were opposed to the Convention, and who are pledged, if elected, to vote for an immediate adjournment without any action upon the proposed amendments.

The *World* intimates a doubt respecting the universal belief that Deacon RICHARD SMITH of the *Cincinnati Gazette* is a truly good man. This doubt is founded upon something improper which has recently appeared in the *Gazette*; and the *World* makes it the occasion of some reflections that we think savor of cruelty. Our contemporary should remember that Deacon RICHARD SMITH is unfortunately associated in business with a number of wicked partners, who put things into his paper after he has gone home at night, that he would never allow to be inserted if he were there. For these pernicious publications Deacon RICHARD SMITH ought not to be held strictly responsible. Blame the wicked partners as they deserve, but don't blame him for acts which they commit without his knowledge or consent.

Tourists who have visited Colorado the present summer have been surprised to find, instead of the dry, clear atmosphere which they expected at this season of the year, as frequent rains as occur in any of the Atlantic States. Indeed, the Denver *News* says that at this time more rain is falling in Colorado than on the eastern seaboard, and it discusses the questions whether the climate of the Territory is not changing, and whether the money invested in irrigating canals will not eventually prove a dead loss to the investors. Some of the citizens are firm in the belief that the climate is really undergoing a change, and predict that before long it will rain in Colorado as much and as often as it does in the States.

We advise Mr. SMALLEY, the London correspondent of the tall tower, to refrain from further reference to Baron ALBERT GRANT and the London *Echo*. They suggest a painful comparison with JAY GOULD and his tall-tower organ. The difference between the two cases is that while Mr. ARTHUR ARNOLD instantly resigned when GRANT bought the *Echo*, the young editor continues to act as JAY GOULD'S stool pigeon in the tall tower.

Our present disorders mainly proceed from abuses of credit, and they will not be cured by emulating the exploits of the Revolutionary Government of France at the close of the last century.—*Tribune.*

JAY GOULD'S organ, of course, does not refer to the fact that one of the causes of the evils that afflict our business and lessen our credit is the villainous management of the Erie Railway under JAY GOULD when he appropriated the stockholders' property by the million, and only gave up his stolen money on a change of direction which forced from him seven millions of dollars. Another one of our gravest evils is that this same JAY GOULD runs the *Tribune*, hires the young editor to act as his stool pigeon, and pretends to foster science, piety, and domestic virtue, while he is all the time using his tall-tower organ for stock-jobbing purposes.

One of the most interesting events of our day is the surrender of the British Government to Mr. PLIMSOLL. The public opinion that is behind him was too strong for them. The British people will not have men sent to sea in ships that are not seaworthy.

Prof. SEELYE of Amherst College, Massachusetts, who was elected to Congress last fall, gives evidence that he possesses the faculty of viewing public affairs in a practical light. The Springfield *Republican* says that he was invited to serve on the commission to investigate the charges of fraud at the Red Cloud Agency, and was inclined to accept the appointment until he learned that the commission was absolutely powerless to enforce the attendance of witnesses, or to compel attending witnesses to answer any questions they might find disagreeable. This discovery led him to the conclusion that he would not take part in the proposed excursion. The Amherst Professor is evidently under the impression that it will require something more efficacious than whitewash to disinfect the Interior Department.

A Brother-in-Law and a United States Minister.

GUATEMALA, July 4.—Silas Hudson is only spoken of here as an uncivilized brute, chewing and spitting everywhere, and even sometimes spitting by mistake on people and furniture.

Rivalling the Keely Motor.

HAMILTON, Ont., July 27.—A new motor, said to rival the Keely motor, is in operation in this city. The motive power consists of nine parts of air and one of coal gas, which operates as an explosive. The inventor challenges the Keely motor to a test.

THE CAMPAIGN OF 1876.

An Incorrigible Bourbon Copperhead Discourses upon the Situation—The Great Question of 1876—Important Issues.

To THE EDITOR OF THE SUN—*Sir:* But little more than a year from this time the election for President and Vice-President will occur; in less than one year the nominations will be made. There can be but two candidates in the field with any respectable following, and there can be but two effective political organizations.

If Grant is renominated there will be enacted again the old quarrel of Douglas and Buchanan in 1860. Grant failing to be renominated, will use his power and patronage to defeat the party which has dared to refuse to renominate him. This condition of things is so apparent that Grant, the Radical party, and everybody else fully understand it.

There seems to be a question of great difficulty among newspapers to know how all of the elements of opposition to corruption, usurpation, and tyranny may unite for the restoration of free government in this country; by what name the opposition shall be called, and upon what principles they shall coöperate with each other to overthrow the present nefarious despotism. The greatest obstacle seems to be in regard to that unmanageable element composed of men who by modern courtesy are kindly called Bourbons, to indicate their incurable stupidity and ignorance, and are denominated Copperheads to designate their malignity and venom.

As I am unhappily of that incorrigible family, and quite willing to bear my full share of opprobrium with Christian patience, upon their behalf I venture to write in plain English just what we demand, with nothing more:

I. This branch of the opposition demands the constitutional rights of the States equally for every State in the Union, which were guaranteed by the Constitution to the original States which made it, and secured by every treaty by which we acquired new territory from France, Spain, and Mexico. By the rights of the States we mean precisely the rights which have always been conceded by the general Government and exercised by the States of Massachusetts, New York, and Pennsylvania, and never questioned in the entire history of the Government. This is all that we ask. Less than this destroys the existence of States, and makes the very word State a contradiction and meaningless. Do the Liberal Republicans want less than this for the States?

II. The Bourbon Copperheads are charged with a purpose to pay the slaveholders for the slaves emancipated by the war; the price of the slaves to be paid in bonds by the general Government. I am inclined to the belief that outside of a lunatic asylum there are not fifty men of character who, in the wildest dream of a phrenzied nightmare, ever had such folly to cross their minds. Upon the contrary, there is the greatest possible aversion among the Bourbon Copperheads to incurring any further obligations of any kind; and, to be frank, something of a morbid anxiety to get rid of our present indebtedness before it has entirely corrupted the fountains of Government with its frauds, perjuries, and robberies.

III. The Bourbon Copperheads are charged with a desire to reëstablish slavery in the United States. I am borne out by the facts in the statement that there is not a man of character and intelligence in the State of Missouri who either contemplates or desires the restoration of slavery in any form in any part of the country.

Our unfortunate faction indulge in the belief that there is no guarantee against usurpation except in carefully guarded constitutional restrictions, strictly construed, and the strictest responsibility exacted of the public officers, who are but our servants, and not our masters. The great question of 1876 is the restoration of a republican form of government to the States of the Union, administered by honest men in the spirit of justice. A party holding these views, united with a determined purpose to reëstablish the government of our fathers, must embrace men of every section of the country; and in the present condition of society will necessarily call into coöperation many elements heretofore in conflict.

There are many questions to be avoided in order to reach such an agreement upon the real question at issue, but we must all agree to reëstablish the supremacy of the civil over the military power; to divorce the purse from the sword; to make sacred those guarantees of civil liberty which were the birthright of our English ancestors, and never questioned until the advent of this new dynasty, which now treats personal liberty, self-government, and the civil authority as mere incidents dependent entirely upon the grace of our rulers.

The questions upon which the opposition must organize are fundamental, touching the very existence of our republican system. Upon issues like these I can see no reason why we may not unite for the common purpose.

There may be those unwise enough to try to sectionalize the opposition; to make the West adopt an Eastern policy, while others will demand that the East adopt a Western policy. The various sectional policies are the result of the interests which nature has made incident to localities, and policies will only change with increase. A political system of most policy must ever remain with the people, to be determined and changed by them with the changes induced by interest, necessity, convenience, or whim.

The great question of 1876 is one of existence, which must first of all be settled. Then comes a question of name, which with many seems much more important than either substance or principle. The name Republican was good enough for Madison and Jefferson. But it would be difficult to commence business by first appropriating our neighbor's signs, especially after the gilded letters have been daubed with the soot, grease, mud, and filth of every crime denounced of heaven and loathed by men. Democratic means the same and is now crystalized in opposition in nearly every State in the Union, and will be in the general convention of the States—this is fixed and inevitable. Is there any humiliation, then, in using a name synonymous with free government everywhere?

But who shall fill the offices? Unfortunate! for the country, that is the greatest of all questions. Why not leave this to the people who elect their representatives? There the old Bourbons will always vote as they believe, conceding the same right to others, abiding the law of majorities in Congress, but uniting in the warfare against civil and military usurpation in the general Government. Democrats of the old Bourbon Copperhead school have suffered too much by proscription to be proscriptive; it is the new converts that exhibit the most zeal and bitterness against the old enemy.

Upon this you may rely, that for magnanimity, generosity, and liberality, the old Copperheads will have less malice to gratify, less resentment to retain than any other element of the opposition. Up to this time the Bourbons have sought less of office, less of management, less of political intrigue, and less of ambition than any other body of voters in the country. But we feel that this is our country, our home, and we have an intense anxiety for the preservation of the institutions of our fathers, that they may be transmitted to our children. Upon a platform so broad enough for us all, we will unite with every element of the friends of free constitutional government, to save what is left of liberty among us, that strife may cease, and give way to peace and prosperity.

HENRY CLAY DEAN.

REBEL'S COVE, Putnam Co., Mo., July 9, 1875.

Matt Carpenter Thinks Grant will Run for a Third Term and be Beaten.

From the Chicago Times.

MILWAUKEE, July 23.—The *Daily News* of to-morrow morning will print a letter from its Fond du Lac correspondent which details a conversation with ex-Senator Carpenter. The correspondent asked Mr. Carpenter what he thought about the third-term business, and Mr. Carpenter replied: "In my opinion, Gen. Grant will be the candidate of the Republican party for a third term. I can see no possible way of avoiding it. He will undoubtedly be the candidate of the Republicans next year on a hard-money platform. This situation affords him the exact pretext he wanted, and to which he referred when he wrote his third-term letter as 'circumstances not likely to occur.' I think Judge David Davis of the United States Supreme Court will be the Democratic candidate on a greenback platform, and that greenbacks will win." The arrival of the train at Oshkosh interrupted the conversation and prevented the correspondent from pursuing his interrogatories, which thus far had proved to him a political bonanza. Enough was learned, however, to enable him to state that Mr. Carpenter does not think that the professed opposition of the Republicans to a third term will have any weight in the National Convention; that Grant will be renominated and placed upon a hard-money platform, and that the weight of the platform will carry him and his party down to sure destruction.

Grant the Strongest Republican Candidate.

From the St. Louis Times.

"Run him, if you dare," says the Mobile *Register*, alluding to the renomination of Grant. There's no doubt they'll dare, if they only have the will; and why not? Grant is the strongest man in the Republican party to-day, and in a popular election would poll at least a fourth more votes than any aspirant on that side of the house who has yet been named for the succession.

A Public Servant Departed.

From the Rochester Democrat.

A lightning rod man is dead. It was out West. He sold a farmer one of his lightning rods on trust. Two weeks thereafter the barn protected by the rod was struck by lightning and burned up. The lightning rod man presented his bill, nevertheless, with characteristic assurance. He was shot nine times, and then died under protest. Gone to collect his bill of Benjamin Franklin.

A New Summer Dress for Men.

From the New York Times.

A thin flannel shirt or "waist," made low in the throat, with a loose collar, under which might be worn a thin tie; the shirt to reach only to the top of the trousers, to which it might be fastened by buttons on the under side of the waistband. To this could be added a thin, unlined flannel or alpaca sack coat to save appearance.

THE STOCK OF THE N. Y. TIMES.

Mrs. Taylor's Sale of a Single Share for $12,000 Declared Valid—Tracy Ordered to Surrender the Original Certificate.

In regard to the petition of George Jones against Edward H. Tracy, executor of the will of Jas. B. Taylor, Surrogate Hutchings rendered the following decision yesterday:

The prayer of the petitioner is principally to restrain the executor, Mr. Tracy, from selling or transferring one share of the stock of the *New York Times* Association, said share forming a part of a certificate for ten shares originally issued to Jas. B. Taylor, the certificate itself being in the possession of Mr. Tracy, but the whole standing, since January, 1872, to and at the time of Mr. Jones's contract of purchase, on the books of the association in the name of Laura S. Taylor, executrix of the will of Jas. B. Taylor; and the petition further prays that the executor, Mr. Tracy, be required to surrender the original certificate, to the end that a certificate for the one share in question may be issued to petitioner.

The claim of the petitioner is founded on a written agreement of purchase made by him of the executrix, Mrs. Taylor, on March 30, 1874, for $12,000, on account of which payments have been regularly made according to the provisions of the contract, and payments amounting to about half the entire stipulated price.

The application is opposed by the executor, Mr. Tracy, upon various grounds, among them a denial of the power of the executrix to make such a sale, and that consequently it is invalid; and also that the consummation of the contract would be prejudicial to the interests of the estate, because the executor has lately had an offer of $150,000 for the entire ten shares as a whole.

It does not appear that the executor, in this opposition, is supported by creditors or by any other parties interested in the estate, whether regarded as a case of testacy or intestacy; while on the other hand the executrix, who is the widow of the decedent, and under the will (yet in controversy) the principal legatee, unites in the application of the petitioner, and by her oath sustains all his material allegations in respect of the purchase, and otherwise in support of his petition; and no opposition thereto or intervention is made by or on behalf of the granddaughter, Mrs. Howland, the only other person besides the widow largely interested in the estate as a legatee or next of kin.

On a full examination of the case I am satisfied of the authority in law of the executrix to make the said contract with the petitioner, and that the contract was made in good faith, was absolute in its character, and not intended as a pledge or collateral security for loans or otherwise.

It appears that not only have the installments due been regularly paid, but that the balance of the purchase money will be paid as soon as the one share can be transferred to the purchaser.

The stock in the *Times* newspaper is not, as such, distinguishable in its nature from other personal property, in respect of the legal power of one or several executors to sell it or to contract therefor. The claims of creditors of the estate are so pressing, as well as large in amount, as to call upon this Court to afford such aid in the administration as will contribute toward the payment of debts; while for reasons stated herein, it is obvious that the estate cannot avail itself of the offer of $150,000 for the ten shares of stock, which is in excess of the number now belonging to the estate, as the offer is made for the entirety.

There seems good reason why a party contracting with an executrix, within the scope of her authority, on the faith of letters testamentary issued by this Court, should be allowed to invoke its aid, either to prevent a threatened injury by a co-executor, or to secure the fulfilment of a contract so properly made.

The executrix has co-equal power and discretion in law with the executor. There is no question before me as between the petitioner and the executrix, and to deny the application would be to disregard sworn facts constituting a case for relief without contradictory evidence, or proof of bad faith on the part of either party to the transaction. There being no opposition from the granddaughter, Mrs. Howland, there is no reason to doubt the sufficiency of the entire estate to pay all its debts, and creditors will not be subjected to loss in consequence of an order granting the relief sought for by the petitioner.

By statute it is the province of the Surrogate to direct and control the conduct of executors and administrators. I therefore direct the co-executor of the contracting executrix to do what otherwise may be needful, to realize to the estate the balance of the consideration money under the contract made with the petitioner, and which he cannot be required to pay, and is unwilling to pay in full, without a proper transfer of the share in question on the books of the *Times* Association; and that transfer cannot be made, or a certificate issued to the petitioner, without a surrender of the original certificate for the ten shares of which the one share forms a part. That certificate being in the hands of the executor, Mr. Tracy, I order him to surrender it to the *Times* Association, or deliver it to the executrix.

An order may be submitted by either party, on two days' notice to the other, for settlement under this decision.

The injunction heretofore issued on the petition as to the executor, Mr. Tracy, is meanwhile in all respects to continue in force.

JAY GOULD'S TRIBUNE CRITICISED.

The Tall Tower and the Gin Mill Beneath.

From the New Haven Commonwealth.

For many years, under the guiding head and hand of Horace Greeley, the *New York Tribune* was the greatest power in American journalism. And it was so simply because Mr. Greeley advocated all social and moral and political reforms, which he believed were for the benefit of the people and the advancement of the country. The *Tribune* is now taking the very opposite course, and is losing its influence and its supporters together. We clip from the *Tribune* of Thursday, July 15, the following as a fair sample of how "the young editor," as THE NEW YORK SUN designates Mr. Whitelaw Reid, the President of the wine and brandy drinking "Lotos Club," now thinks on social and moral reforms, with a gin mill, let at a large rental, run in the basement of the new *Tribune* building:

The Boston *Journal* announces that the Republicans of Massachusetts will waive the temperance issue for the present. The same determination seems to have been reached in all States where there has been any experience with a prohibitory liquor law. The people have at last found out that it is better for a great many reasons to have a rigorous license law than the sham of a half-enforced prohibitory system.

The very reverse of this is true. In Maine, Massachusetts, Vermont, Rhode Island, New Hampshire, New York, New Jersey, Pennsylvania, and other States, the people—all the lovers of good order, sobriety, industry, progress, and advancement—were never more convinced than they are to-day that the license system is a failure, and that prohibition of the liquor traffic is the only effectual method of dealing with the evils which the common sale of intoxicants produces. The loafers in and around the *New York Tribune's* gin mill are of a different opinion, no doubt. And it is their views that now appear in that journal.

The opinion of the late Horace Greeley was the reverse. But, then he did not do all his thinking over a gin mill, or in a drinking club. Nor was he interested in the rent derived from the licensing of a basement. Of course "it is better for a great many reasons" to have a licensing law in the city of New York than a prohibition act—the principal of these reasons being that, with a prohibitory enactment on the statute books of the State, the basement of the *Tribune* building could not be let for a gin mill at a high rental. And the *Tribune*, thus controlled by a gin mill in the basement, is still an "independent journal."

A SAD CALAMITY IN CINCINNATI.

Demise of the Celebrated Fighting Donkey.

From the Cincinnati Gazette.

The heroic little jackass which twice repulsed a raging lioness in single combat at the Zoological Garden on the 24th of last March, died yesterday of the wounds received in the encounter. This little jackass vindicated his race from the injustice of the literary similes of all ages. In classical literature, the royal family of the lion looks upon the ass with contempt, and wit found a ridiculous humor in the notion of the ass as a fighting animal. But this lioness was excited to fierce rage by the sight of the little jackass. She bounded through the bars of her cage, and with her ponderous jaws seized the jackass by the flank. With great self-possession, he reached for the back of the lioness with his teeth, and gave her such a grip that she was glad to let go and slink away. After such a royal encounter, the jackass was in no mood to be seized again by the halter. On evading the pursuit of the anxious attendants, the jackass again came in the vicinity of the lioness, when she bounded for him again, and he met her with his heels, and sent her rolling down a gully. But her first assault upon him, when unsuspecting, wounded him cruelly, and after this long lingering, he expired yesterday, and has gone where the good asses go. He vind