WASHINGTON.

The Decision in the Returning Board Cases.

WRIT OF CERTIORARI DENIED

Causes Assigned for a Removal Not Deemed Sufficient.

PERTINENT QUESTIONS GOING ROUND.

Important Work Demanding the Attention of Congress.

THE DEBATE ON THE BLAND BILL.

FROM OUR SPECIAL CORRESPONDENT.

WASHINGTON, Feb 3, 1878.

THE RETURNING BOARD TRIALS—HOW JUDGE BRADLEY'S DECISION IS RECEIVED—PERTINENT QUESTIONS BY THE QUIDNUNCS.

The refusal by Mr. Justice Bradley of the petition of the four members of the Returning Board to have their cases transferred from the State Court to the United States Court became known here to-day and created great excitement in political circles. There is a general belief that the Returning Board, and especially Wells, could unfold a tale, and will do so if they are pushed to the wall, which would be unpleasant to others than themselves, and there is an uncommon quantity of idle, and more or less malicious, gossip afloat here about what Wells could tell if he would. It must be said that the administration has itself to blame for this. The gossiper, if he finds himself in the presence of incredulous listeners, always puts forth as a clincher this remark:—

"If Wells and Anderson have nothing to conceal, why has the President, devoted as he is to the idea of making the civil service respectable, kept a man like Wells in his place as Surveyor of the Port and made Anderson Deputy Collector? Why, when Wells runs away from justice and abandons his duties, does the President still keep him in that place?" And it must be confessed that these conundrums are not easily answered.

It is understood that Mr. Justice Bradley rejected the petition of the Returning Board only after consultation with his brother judges, and that they concurred unanimously in thinking that it ought to be denied. Residents of New Orleans who have just come here say positively that the jury which is trying Anderson is composed of thoroughly reputable and well known citizens, and they add that Anderson will probably be acquitted.

The President is reported this evening to have said to a republican who called on him to urge him to interfere in some way, because of possible unpleasant disclosures, that he would not interfere even if he could, and that if any one has done wrong he ought to be punished and should not be shielded.

TEXT OF JUDGE BRADLEY'S DECISION.

The following is the text of the decision of Judge Bradley on the petition of the Returning Board, which petition was based on section 641 of the Revised Statutes:—

CIRCUIT COURT OF THE UNITED STATES, DISTRICT OF LOUISIANA.—In the petition of J. Madison Wells, Thomas C. Anderson, Louis M Kenner and Gordon Casanave for a writ of certiorari to the Superior Criminal Court of the parish of Orleans, &c.—This petition states that the Attorney General of Louisiana has filed in said Criminal Court an information against the petitioners, charging them with "falsely and feloniously uttering and publishing as true a certain altered, forged and counterfeited public record—to wit, the returns from the parish of Vernon of an election held for Presidential electors in the State of Louisiana on the 7th of November, 1876, knowing the same to be false, altered and counterfeited; that the petitioners were arrested and gave bail and that their trial is fixed for an early day."

It further states that on the 23d day of January, 1878, pursuant to the laws of the United States and particularly section 641 of the Revised Statutes, they filed a petition in the said Superior Criminal Court for the removal of the said information and proceedings to the next Circuit Court of the United States of this circuit and district for trial, and that the facts on which such application was made were fully stated and set out in said petition, duly verified by oath, in accordance with said section 641.

The petitioners claim that by the presentation of said petition to the Criminal Court the cause stood removed and that the said Court had no authority to proceed further in the case. But they state that the Court and its officers and the Attorney General disregarded said petition and are proceeding with the cause in contempt of the authority of the United States Court. A copy of the petition presented to the Criminal Court is appended to the present application.

GROUNDS OF THE PETITION.

The principal facts stated in said petition as a ground for removing the cause are, that by reason of the prejudices existing against the petitions in the court, in the jury and in the public mind in the parish of Orleans and throughout the State, on account of their having been the returning officers of the election held in November, 1876, and republicans in politics and acting in the canvass and compilation of the returns of said election, out of which the present prosecution originates, in consequence of all which the most vindictive prejudice exists in the law making and law administering authorities of the State against them; they believe that they will be denied their rights as citizens in the said court and before any jury that may be empanelled therein, under the existing jury law of the State, and that they will not be enabled to enforce their rights in said court in consequence of the inadequate remedies to that end provided. They further allege that the jury law was passed March 13, 1877, and that, in so far as it provides for the appointment of jury commissioners and the method of selecting the jury, it was intended for and operates in favor of white citizens and against those of African descent; and that under it a jury has been drawn for the trial of the petitioners, the effect and intention of the law being to exclude persons of African descent and other unprejudiced persons from the jury and to substitute in their place prejudiced white men, and thereby deprive two of the petitioners, Kenner and Casanave (who are colored men), of a trial by their peers and to bring them to trial by a white and prejudiced jury to the exclusion of men of their own color; and all the petitioners aver that through and by the machinery of said jury law, specially contrived for the purpose, the State officers and the Court and its officers can and have so manipulated said law (as it is capable of) as to deprive the petitioners of an impartial jury, and have organized a jury so prejudiced that defendants cannot have a fair and impartial trial thereby, or by that Court, and would be deprived of the full and equal benefits of the laws and proceedings for the security of their persons in this case. They contend that the jury law is in violation of the constitution of the United States and of the equal civil rights of the petitioners.

QUESTIONS BEFORE THE COURT.

The application now made to the Circuit Court and presented to me raises these questions:—

First—Was the mere presentation of the petition for removal sufficient to arrest the jurisdiction of the State court or had that court the right to examine into its sufficiency.

Second—If the Court had the right to examine into the sufficiency of the application, has the Circuit Court the right to re-examine the same, and, if found sufficient, to issue a writ of certiorari or other writ for the removal of the proceedings from the State Court?

Third—If the Circuit Court has the right; did the petition in this case present sufficient grounds for removing the case?

I think the first and second questions must be answered in the affirmative. The State Court surely is not bound to shut its eyes and yield to every application that comes to it.

THE RIGHT OF REMOVAL.

Though removal (when authorized) is a matter of right and not of favor, yet the Court must have the right to see whether the application to remove comes within the meaning of the law. I have no doubt, however, that the Circuit Court, by virtue of its superior right to try the cause (if subject to removal) is entitled to assert its jurisdiction by proper process directed to the State Court. This view is corroborated by certain express provisions of the statute. Section 716 of the revised statutes declares that the United States Courts may issue all writs which may be necessary for the exercise of their respective jurisdictions and agreeable to the usages and principles of law; and in the very case under consideration it is provided by section 642 of the Revised Statutes that if the defendant be in actual custody on process issued by the State Court and have performed all the acts necessary to a removal of his cause, the clerk of the Circuit Court is authorized to issue a *habeas corpus cum causa*, which the Marshal of the United States is authorized to serve, by taking the body of the defendant into his custody, to be dealt with in the Circuit Court according to law and the orders of said Court or at invitation of any judge thereof. This is the proper writ for removing both the cause and the person in such a case. Of course the writ should not be issued by the clerk without being allowed by a judge of the court, which is the regular course in issuing writs of habeas corpus and certiorari. I think, therefore, that the Circuit Court may issue either a habeas corpus cum causa or a certiorari, according as the defendant is in custody, for the purpose of removing the cause into that court. When this is done it will be the duty of the State court and its officers to yield obedience to such writs, and it will be presumed that they will do so without any further inhibition, either by writ or otherwise. The course pointed out in section 641 for the defendant to docket the case in the Circuit Court if the clerk of the State court refuses to furnish copies of the proceedings is an additional and summary method of proceeding, when only the clerk is delinquent. But it does not meet the exigency of a refusal on the part of the State court itself to recognize the defendant's right to remove the cause. These require the more formal and orderly process of the court as above specified. The removal of causes from one court to another is a form of quasi appellate jurisdiction, well known in the English system of proceedings to which our own has constant reference. The forms of protest necessary to be used for the purpose, and the principles upon which they are framed are familiar to every student of the common law. The only peculiarity in the present case is, that the causes of removal are special and limited, and application therefor must be first made to the Court *a quo*, the reason for which is undoubtedly to be found in the anxiety of the legislative department to avoid every possible cause of jealousy and complaint. I should have no hesitation, therefore, to allow the writ of certiorari in this case if I were satisfied with the sufficiency of the application.

THE LAW COMPLAINED OF.

This brings us to that question as regards the law complained of, passed March 13, 1877, prescribing the mode of selecting and drawing jurors. I have carefully examined its provisions and am unable to see anything in it open to any constitutional objection. It provides for the appointment by the Judges of the principal courts in New Orleans of the Commissioners, whose duty it is made to select impartially from the citizens of the parish qualified to vote the names of not less than one thousand good and competent men to serve on juries. These names are to be placed in a box and from them is to be drawn the general panel for each term. This is the principal feature of the law. Substantially the same method is in use in several other States. The Commissioners, it is true, may abuse their trust, but no system can be devised that will not be liable to abuse.

NOT WITHIN THE STATUTE.

The allegations with regard to the manipulation of the law in such manner as to secure a jury inimical to the petitioners and with regard to the existence of a general prejudice against them in the hands of the court, the jurors, the officials, and the people are not within the purview of the statute authorizing a removal. The Fourteenth amendment to the constitution which guarantees the equal benefit of the laws, on which the present application is based, only prohibits State legislation violative of said right. It is not directed against individual infringements hereof.

THE CIVIL RIGHTS BILL.

The Civil Rights bill of 1866 was broader in its scope, undertaking to vindicate those rights against individual aggression, but still only when committed under color of some law, statute, ordinance, regulation or custom. And when that provision in this law, which is transferred to section 641 of the revised statutes, gave the right to remove to the United States courts a cause commenced in a State court against a person who is denied or cannot enforce any of the rights secured by the act, it has reference to a denial of those rights or impediments to their enforcement arising from some State law, statute, regulation or custom. It is only when some such hostile State legislation can be shown to exist, interfering with the party's right of defence, that he can have his cause removed to the federal court. This being my view of the act it follows that I cannot grant the application. If I am wrong the petitioners, having claimed the right of removal and it being denied by the State Court, may carry the case, after final judgment of the highest Court in the State, to the Supreme Court of the United States and obtain its judgment on the question.

The application is refused.

JOSEPH P. BRADLEY, Associate Justice.

IMPORTANT INTERESTS DEMANDING THE ATTENTION OF CONGRESS—SMALL CHANCE OF THEIR GETTING IT—THE MISSISSIPPI LEVEE QUESTION AS A CASE IN POINT.

A wise but also anxious merchant, who visited Washington a few days ago, remarked to his Representative:—

"If Congress would adjourn and not assemble again for five years I believe it would at the end of that time find the country at peace and prosperous. But you gentlemen make prosperity almost impossible."

The Congressman laughed at what was certainly an uncomplimentary remark, but presently replied, being himself a business man:—

"I don't know but what you are right."

And yet there are a number of measures before the present Congress which, if they could get attention and if they could be enacted into proper laws, would greatly benefit the country. Positive legislation of a character beneficial to the country has become almost unknown since the war. The Southern question and the currency question have monopolized the time of Congress for so many years that there are now a number of what Senator Lamar once called "real questions" demanding action, and with very little prospect that the present session will see them get that kind of attention which they deserve.

First, and perhaps of the most immediate importance, is a constitutional amendment of the method of electing a President and counting the electoral vote. Two committees have this matter in charge, but it is doubtful if their report will get a hearing in this Congress. We passed safely through a great peril last winter, and the disposition now is to believe that we shall always do so. It was at one time proposed that the amendment should include a change in the time of meeting of Congress, so that the House of Representatives chosen next November should meet on the 1st of January instead of, as now, more than a year after the people chose it, and when, perhaps, the questions on which they elected members have passed away or been settled contrary to their will. But this matter, too, has apparently been forgotten.

A good law for the preservation of American forests is needed, and a committee is charged to report on this subject. A proper revision of the Patent laws is demanded by public opinion, and the Patent committees are hearing evidence and will bring in a report and bill, but nobody now believes that anything will be done. The question of postal savings banks deserves consideration, but will hardly get it. The Levee committees are considering various plans for the permanent embankment of the Mississippi and its most important tributaries, and there is little doubt that the country would consent to a well matured plan, to be carried out systematically, even at great expense. But it is probable that the present Congress will have time to spare from silver bills and Pacific Railroad quarrels only to pass hastily the usual wasteful appropriation to repair the present patchwork levees; millions which will be as good as flung away.

It is generally agreed that the Indian and Pension bureaus ought to be transferred to the War Department; this change would relieve the overburdened Interior Department and place these interests in the best hands; but there is little probability that it will be done at this session. The disorderly condition of society in Utah calls for attention; but only hasty and probably imperfect legislation on this subject will be had. Then there is the tariff—a measure framed with the central idea of increasing our commerce and enabling our manufacturers to sell their surplus products abroad. It may pass, because it is a subject that will be debated, being a revenue measure; but in what shape it is absolutely impossible to foretell. It would not be surprising to see it beaten and the old patchwork tariff re-enacted. And there still remain measures reorganizing the army and the navy and increasing their efficiency.

There is thus a good deal of really important work which this Congress might do, but which it will probably either totally neglect or do in a hasty and perfunctory manner. And this not because it contains no able and wise men, but because other questions, agitating and destructive to the best interests of the country, have the preference, and also because there is a multitude of men ready with plans and projects, crude, hopeless or mischievous, which absorb the time of committees and work confusion in council.

Here is, for instance, the Mississippi levee question. Congress has a report on this from the ablest engineers in the country, but the committee have six bills to consider. General Banks' bill proposes to set apart all moneys which shall be paid to the government by the Pacific railroads as a fund to be used for "the improvement and construction of such railroads, canals and levees" as Congress may direct; the loans so made to be repaid by special assessment or taxes upon trade and commerce. Of this peculiarly wild proposition it is hardly supposable that anything more will be heard. Mr. Gibson's bill proposes the appointment of a commission of engineers to prepare plans and estimates for repairing the Mississippi levees and appropriates $4,500,000 for such repairs, which would be money flung away. Mr. Darrall's bill appropriates $3,000,000 for the same purpose and divides it among several States. Mr. Hatcher's bill appropriates $4,202,000 for the same purpose, also distributing it among the States interested. Mr. Knapp's bill appropriates $75,000 to repair the Suy Carty levee, on the Mississippi, in the State of Illinois. Senator Kellogg's bill is a copy of Mr. Gibson's. Finally comes Mr. Casey Young's bill, which is the only real attempt at a comprehensive work. It constitutes the lands of Illinois, Missouri, Arkansas, Tennessee, Mississippi and Louisiana subject to overflow, the "levee district of the Mississippi Valley," creates a commission, consisting of three army engineers and two civilians, to be selected by the President to have charge of this district, and to determine upon a comprehensive plan for reclaiming and protecting from overflow all the lands in this district; appropriates $250,000 for the preliminary work, and when their survey and report shall have been approved by Congress and when the States interested shall have ceded to the federal government the right to enact such laws as may be necessary for the construction and maintenance of the levees, then the Treasury is to raise money by the sale of bonds for the construction of the whole work, and the government is to collect a tonnage tax and an assessment on lands improved when all is completed. This bill is extremely crude, it covers too much ground and has not sufficient limitations; but if the committee choose to ask the advice of General Humphreys and other engineer officers who have surveyed the river they might come to a wise conclusion.

THE DEBATE ON THE BLAND BILL IN THE SENATE.

The silver debate reopens in the Senate to-morrow, Mr. Bayard leading off. Mr. Blaine, who expects to speak about Wednesday, will, it is understood, support a proposition in favor of the remonetization of silver with a dollar of greater value than the Bland dollar, but against interference with the debt or past transactions. It is not yet certain that Mr. Conkling will speak on the subject.

MINISTER FOSTER ON THE SILVER QUESTION—A LESSON TO BE DERIVED FROM MEXICO.

Minister Foster, who arrived here yesterday from Mexico, where he has been stationed several years, is an influencial republican in Indiana, and, in conversation with Indiana republicans here, has warned them against falling a prey to the silver movement. He expressed his belief very positively to them that it would be fatal to them, and that there is no political future for anybody or party taking it up. He has been living in a country which has unlimited silver as its currency, and, as he points out, a better dollar than the Bland bill proposes to give the people of this country, and he says it is universally felt in Mexico that silver is the most inconvenient and the most costly and oppressive currency that can be imagined, subject to constant fluctuations which derange all prices, and which force the merchants and dealers to add a considerable percentage to the prices of the goods they sell, in order to insure themselves against loss. He gave an amusing account of the annoyances which silver inflicts on daily life. If a man travels he must carry a valise on purpose to hold the dollars for his travelling expenses. If he goes to the bank or a commercial house to draw a check he takes with him either a stout porter or a hack, or, if the check is for a considerable amount, a wagon. Exchange between the different cities of Mexico is very costly, ranging from five to ten per cent; exchange on New York ranges from eight to eighteen per cent, and the merchants, of course, add all this to the price at which they sell goods. Gold and silver, he says, are both and equally legal tender in Mexico, but the gold has all gone from the country; even a small amount, needed by travellers leaving the country is got with difficulty and only for a large premium, from four to ten per cent. All commercial transactions are unsettled, and nobody buys or sells without previous reference to the daily cabled quotations of silver in the London market, prices of all articles changing as the value of silver bullion in London goes up or down.

Mr. Foster seems to be annoyed that so many people in this country want to bring upon it what he believes to be a serious calamity and very costly inconvenience. He has no doubt that if silver is introduced into the currency here there will be speedily such a reaction against it as will cause the political funeral of every man who has had anything to do with it, and he advises the Indiana republicans that they had much better suffer temporary defeat by opposing the Bland bill and the silver movement generally than to give in to it.

PECKARD STILL AFTER THE NEW ORLEANS COLLECTORSHIP.

Mr. Packard has returned here to help in securing the defeat of General Williamson, whose nomination as Collector of New Orleans is still before the Committee on Commerce, and whose rejection is sought not only by Mr. Packard but also by Senator Eustis. Mr. Packard's friends still cherish the expectation that if Williamson is rejected the President will be persuaded to nominate Packard for the Collectorship.

GENERAL WASHINGTON DESPATCHES.

WASHINGTON, Feb. 3, 1878.

THE SILVER BILL IN THE SENATE—AMENDMENTS TO BE ACTED ON.

The pending question on the Silver bill, now before the Senate, is upon the amendment reported by the Finance Committee to strike out of the House bill the clause allowing any owner of silver bullion to deposit the same at any mint or assay office to be coined into silver dollars for his benefit, upon the same terms and conditions as gold bullion is deposited for comage under existing laws. The next amendment, also reported by the Finance Committee, directs the Secretary of the Treasury to purchase from time to time silver bullion, at the market price thereof, not less than $2,000,000 nor more than $4,000,000 per month, and cause the same to be coined into silver dollars. Any gain or seigniorage arising from this coinage to be accounted for and paid into the Treasury, as provided under existing laws relative to the subsidiary coinage: provided, That the amount of money at any time invested in such silver bullion, exclusive of such resulting coin, shall not exceed $5,000,000.

Another amendment, reported by the Finance Committee, directs the President of the United States immediately after the passage of the bill to invite the governments of the countries composing the Latin Union, so called, and of such other European nations as he may deem advisable, to join the United States in a conference to adopt a common ratio of legal tender as between gold and silver for the purpose of establishing internationally the use of bi-metallic money, and securing fixity of relative value between those metals. This amendment also provides for the appointment of three Commissioners to attend such conference on behalf of the United States; the conference to be held in such place in Europe or the United States, within six months, as may be mutually agreed upon by the Executives of the governments invited to participated therein.

After these amendments of the committee shall have been disposed of those submitted by individual Senators will be voted upon. Mr. Burnside has already submitted one to the clause declaring that the silver dollars shall be a legal tender for all debts, public, private, &c., so as to provide that they shall be such legal tender for all debts and dues, public and private, amounting to sums over $500. Mr. Burnside states his purpose in offering this amendment is in the interest of the laboring men of the country. The next amendment is that of Mr. Cameron, of Wisconsin, which proposes that the silver dollar shall be of the weight of 420 grains standard silver instead of 412½ grains.

Mr. Christiancy's amendment is next in order. It provides for a silver dollar of 434 grains, to be a legal tender for all debts except when otherwise provided by law or by contract. It further authorizes the Secretary of the Treasury to purchase not less than two million dollars nor more than four million dollars' worth of bullion per month, to be coined, &c., this part of the amendment being the same as that reported by the finance committee above mentioned. It also provides that the bill shall remain in force only one year, unless renewed by Congress.

The next is Mr. Booth's amendment, which authorizes any holder of coin to deposit the same with the Treasurer or any Assistant Treasurer of the United States in sums not less than $10 and receive therefor certificates. The coin deposited for the certificates shall be retained in the Treasury for the payment thereof on demand, and the certificates shall be receivable for customs, taxes and all public dues. The object of this amendment is to obviate the cumbersomeness of silver coin in business transactions.

The amendment of Mr. Morgan, next in order, allows the free coinage of silver by permitting any holder of bullion to deposit it in an assay office or mint, not less than $100 in a single deposit nor more than $100,000 worth during a calendar month by the same depositor, the bullion to be valued at its market price for legal tenders at the date of deposit. Certificates are to be issued to the owners of the bullion payable by the Secretary of the Treasury in legal tender notes or silver dollars, in not less than thirty nor more than ninety days, and after one year the coinage of silver shall be on the same footing in all respects with the coinage of gold.

The above is a brief epitome of all the amendments of which notice has been given up to this time, though it is known that a number of Senators propose to submit amendments before the final vote shall be taken.

EX-GOVERNOR WELLS' SURRENDER.

NEW ORLEANS, Feb. 3, 1878.

Governor J. Madison Wells, in accordance with an arrangement made to-day, surrendered to Sheriff Houston at Rigolet's Station, on the New Orleans and Mobile Railroad, where he has been sojourning since his departure from New Orleans about a week ago. The Governor will return to New Orleans to-morrow and give bail for his appearance when wanted.

POST OFFICE SAVINGS BANKS.

A PLAN TO INVEST THE PEOPLE'S SAVINGS IN THE FOUR PER CENT LOAN.

TO THE EDITOR OF THE HERALD:—

The Secretary of the Treasury has terminated the contract with the syndicate for placing the four per cent coin loan, and has given notice that subscriptions will be received for portions thereof in sums of $50 or its multiples. To a certain extent this may prove a success, but it does not meet the wants of the people so far as the majority of those who are the customary depositors in savings banks are concerned, and who were alluded to in Mr. Sherman's report to Congress on the 3d of December last.

To provide for the safe keeping of the savings of the people is clearly the province of a good government, care being taken that it does so without risk to itself and that it surrounds its system with proper security to the depositor. The plan adopted in England of post office savings banks is eminently successful; but to be adapted to the needs of this country requires modification. I beg to suggest a plan of which the following is an outline, omitting the details of its inner machinery, which it is not necessary here to enumerate. I propose that Congress empower the Secretary of the Treasury to issue a four per cent loan, principal and interest payable in legal tender or national bank notes, and receive payment for same in like funds. That the Postmaster General shall issue and sell at all money order offices adhesive stamps, convenient in form for the purpose intended and of varied denominations, from ten cents to $50; that he shall also issue passbooks so ruled as to receive the stamps above referred to in regular order, in which the depositor can adhere the same as soon as purchased. These passbooks are to bear a distinguishing number, as well as the owner's name. Whenever the owner chooses he can send his book to any money order office, and it shall be the duty of a designated officer there to register the number of the book, the owner's name, the amount of stamps uncancelled and the date on a convenient blank form provided for the purpose, forwarding as often as may be needful a copy of such register to the general office at Washington. At the time of registry it shall also be the duty of the officer to cancel such stamp or stamps by perforation, with the name of his office and the date. From that time the amount, large or small, is to bear interest at 3.65 per cent per annum. The book can be used for the purposes of deposit at any money order office in the United States, so that it would be equally serviceable to the owner if he "opened his account" in New York and by reason of travel or change of residence desired to make his deposit at San Francisco, New Orleans or Chicago.

For the withdrawal of funds—which, like the deposit, can be done at any money order office—it will be necessary that the person presenting a book for such purpose shall be personally known or reputably identified as the owner of such book, or entitled to the amount represented therein or any part thereof.

The Postmaster General shall invest all moneys received by him from this source in the four per cent loan provided for above, shall collect the interest on the same, and the difference between the four per cent received and the 3.65 paid shall be appropriated to pay the expense of maintaining this branch of his department, the surplus, if any, to be refunded to the Secretary of the Treasury and used for the reduction of the national debt.

Full printed directions to depositors will accompany each passbook and the individual accounts will be kept in Washington.

The advantages of the stamp system are that it enables the depositor to readily secure an entry on his book (much time is often consumed in waiting in turn to make deposits); a child is a competent messenger, after the stamp is adhered in the book, to get the same registered; it is a perfect safeguard against wilful or careless omissions and other clerical errors on the part of employés, and is a convenient form of concentrating funds for the Postmaster General.

By such a system as I propose the government and the people are both benefited. The loan is popularized, and every man, woman and child has an opportunity of sharing in the public funds according to his or her individual ability; the "passbook" is virtually a government bond, duly registered; each mite saved is bearing interest to the owner, with absolute security.

It has been urged that legislation in this direction would cause the withdrawal of funds from the existing establishments for savings and the consequent sacrifice of their securities. Such has not been the experience in England; it has rather stimulated the people to habits of thrift. None of the really sound institutions would oppose such a measure—those that are shaky had better be wiped out—the sooner a dangerously diseased limb is amputated the better for the whole body, however temporarily painful to the patient.

I ask you to give publicity to the rough outline I give you, feeling that some such plan would find favor with the masses and enable the Secretary of the Treasury to place a large amount of the national debt at reduced rates of interest. At the present time there is on deposit in savings banks in the United States $343,154,804. It is reasonable to suppose that with the undoubted security the government would offer the people would be still greater savers of money in the future.

A four per cent currency loan as suggested could also be utilized by economic life assurance associations and other friendly societies for people of moderate means as a security for the investment of their funds on hand. ROBERT L. FABIAN.

NEW YORK, Feb. 2, 1878.

REDEEM THE SILVER.

A PRACTICAL STEP TOWARD SPECIE PAYMENTS SUGGESTED—HOW TO PLACE THE HOARDED GOLD IN CIRCULATION.

UTICA, N. Y., Feb. 2, 1878.

TO THE EDITOR OF THE HERALD:—

Why should not the government come to a gold basis as well as individuals? The laborer receives nearly one-third less for his services; the farmer sells nearly two pounds of butter for the price of one; the land owner his two lots on the same ratio, and so on with all mercantile exchanges. In the face of these facts government comes along offering its silver currency worth only ninety cents on the dollar.

The silver currency has been roughly estimated at $100,000,000, the bringing of which to a gold basis would be but a mere bagatelle compared with the losses that would be incurred in reducing the gold to the silver standard.

Should Congress pass a law redeeming the present silver currency in a year or so with new coinage it would be a practical step toward specie payments and would go much toward unlocking the $150,000,000 of gold now hoarded and held unproductive (just as so much merchandise) by its trifling premium of one per cent. With this gold thrown into the currency it would be a greater stimulus to commercial life than a new California and would permit the present generation to enjoy the fruits of their sacrifices. LABOR.

SUSPENDED STREET CARS.

HOBOKEN, N. J., Feb. 1, 1878.

TO THE EDITOR OF THE HERALD:—

I have no patent, no axes to grind, even the idea is not original with me, but came to me years ago from a German engineer, intended to be used in another way; but I do wish you would suggest to whoever thinks out that sort of thing for the HERALD the following notion, and think if it is not worth while in the public interest to write it up:—

First—Elevated railroads at least in the Sixth and Third avenues are a fixed fact.

Second—They (elevated railroads) will do the longer travel, the horse cars under them will continue to do the shorter travel, and the business will almost immediately grow to fill both lines.

Third—The posts of the elevated railroads are a nuisance, so will be the passing trains, but they must be submitted to for the accommodation of the mass of the public, &c., and cannot be dispensed with; but the present rails are also a nuisance and can be done away with with benefit to every interest.

Proposition:—Suspend rails under the present elevated structure and place the wheels of the horse cars over their roofs—*i. e.*, hang the body of the car to a track running overhead. These lower rails to be so hung that the horse car will always be the same distance from the pavement they now are, the horses, of course, to travel on the pavement as now.

The advantages are:—

First—Removal of the rails from the street.

Second—No snow to be removed and no detention from snows.

Third—No one to be hurt by being run over by cars, there being no wheels that can run over them.

Fourth—The roadbed will be less costly than the present ones and will be almost imperishable, there being no wear upon it except the rolling of the car wheels.

Fifth—The hung rails can be made a narrow gauge, so that the curves will not be so hard on the horses.

All that the elevated railroads would receive for this privilege would be almost clear gain, and the horse car companies could afford to pay a very considerable sum. W. W. SHIPPEN.

COAL MINERS AT WORK.

PITTSTON, Pa., Feb. 3, 1878.

The 5,000 employés of the Pennsylvania Coal Company resume work to-morrow.

FIRE OR SMOKE?

Rev. Robert Ingersoll Has His "Misgivings."

HELL THROUGH A MICROSCOPE.

No Respect for Any Man Who Believes in It.

"AN INFAMOUS DOGMA."

Some Other and More Orthodox Opinions.

Colonel Robert G. Ingersoll lectured on the popular subject of "Hell" last night at Chickering Hall. Before the doors of the audience hall were opened a crowd thronged the stairs of the building, waiting for tickets, and extended into the street below. Indescribable confusion prevailed, and it was long after eight o'clock before all were seated. In the meantime the organist amused the audience by playing "Branigan's Band" and selections from "La Fille de Madame Angot," with variations, sacred melodies having been explicitly forbidden. Mr. Ingersoll, at a little after eight o'clock and after the welcoming applause, brusquely began his address:—

The idea of hell, said he, was born of revenge and brutality on the one side and ignorance on the other. In my judgment the American people are too brave, too generous, too magnificent, to believe in the infamous dogma of eternal hell. (Applause.) I have no respect for any human being who believes in it, nor for any man who preaches it, or who pollutes the imagination of childhood with that infamous dogma. I have no respect for any who put that infinite cloud, that infinite shadow in the heart of humanity. I want to be fair at the outset. I dislike this doctrine; I hate this doctrine. A good many intellectual men have been examining into the religions of other countries and have found out that they were baseless and fraudulent. From the religion of other countries they turned to our own religion, and by the same arguments they will overturn it. Every religion in this world is the work of man; every book has been written by man. If books had existed before men I might admit that there was such a thing as a sacred volume.

NATURE THE ONLY TEACHER.

Man never had an idea, nor will ever have an idea, that was not suggested to him by his surroundings. You can imagine an animal with the head of a bison, jump of a kangaroo, wings of an eagle and beak of a bird, but every part of this monstrosity you have borrowed from nature. There is nothing in this world coming from any other source whatever. Man has produced every religion of the world; barbarism has always produced a barbarous religion. We are engaged in making religions now—that is, we are changing religions; civilization has changed them and education has changed them, as well as the growing heart of humanity. If the fight against orthodoxy is continued fifty years from now it will have to be remonetized or it will not be a legal tender. Every religion in the world had denounced every other religion.

The speaker made an illustration from an imaginary dialogue between Smith and Brown. Smith said that he had seen a person rise from the grave. Brown said he had seen the same thing. Smith said to Brown, "You're a liar!" Brown said, "You're another!" Why? Because Smith had not seen any one arise from the grave, and therefore supposed Brown had not. If he had really seen any one arise from the grave he would have believed what Brown told him and regarded him as his principal witness." The speaker then analyzed Moses and Brahma, each denouncing the other, and putting their cases in the same light. Mr. Ingersoll believed they both told the truth of each other.

I believe in living for this world—this is my idea—and let the future take care of itself. If I ever touch the shores of another world I will be just as ready and anxious to enter some remunerative employment as any other man. The doctrine of hell has been preached for 1,800 years, and in proportion as religion has grown small men have grown rich. If they believed the doctrine to-night as they once believed it I would not be allowed to speak in this city of New York. It was from the coldness and infidelity of the Church that I got my right to speak, and I say it to their credit.

AGAIN A FAILURE.

The Church said if it had not been for the first sin of Adam death would never have entered into the world. For his part, he was glad of that death, for if it did not exist the world would have been full long ago. That death gave him some chance; when it came to him he would make room for others. Adam was put forward as a kind of representative. He had an idea that a representative should live about the same time as he did, and that he should have a voice in his election, and he thought he would never have voted for the gentleman called Adam. The doctrine of the incarnation was next taken up, and the speaker said it was absurd that God Himself should come into the world. He had been told that the Bible was the foundation of liberty and civilization. I say that the Bible is the foundation of hell, and we will never get rid of the dogma of hell until we reject this inspired book. What does the Bible really teach? As very few people read the Bible now-a-days, I will read a few passages for you. This is the book that is to be read in all the schools in order to make the children charitable and good, and to give them ideas of mercy and justice.

He then quoted from where God was described as making His arrows blunt from the blood of His victims and taking delight in seeing dogs lap the blood of His enemies, and other passages of a similar nature. Instructions were given by God to the Jewish armies of invasion to slay and destroy, and the people that were murdered were guilty of fighting for their homes and their country. Yet these directions were given by the most merciful God.

This is contrary to reason, and by that civilized standard I will live and die, and if that standard takes me to perdition then I will go there with reason rather than to heaven without it. Does the Bible teach of political freedom? It taught man's submission instead of resistance to oppression. It taught man to cower before the throne of the tyrant, or crowned thief or robber called the king. When George Washington resisted George III. he resisted the ordinance of God. I deny this wretched doctrine. Wherever the sword of rebellion is drawn to protect the rights of man I am a rebel; wherever the sword of rebellion is drawn to give man liberty and all his just rights I am on the side of that rebellion. The rulers are of the people and the rulers and presidents are only the servants of the people.

MAN AND WOMAN.

Did the Bible teach the rights of women? "Let the women learn silence with all subjection." If any woman was ignorant, let her ask of her husband. Imagine the ignorance of a lady who has only got this one source of information. The reason for this subjection is—Adam was the first born, then Eve. Magnificent reason! (Laughter.) It was a man's entire that was taken, but not a woman's. Man was not created for woman? Then, what was he created for? Under the old law a man could divorce his wife, but a woman could not divorce herself. What did the Bible teach about polygamy? It was defended by Luther and Calvin. It took from us those sweetest words, "father, mother, husband, wife and child," and left only the slimy serpent of loathsome lust. Did the Bible teach the existence of devils? Of course it did. And they must have a place to put them in, too. If there never had been any volcanoes in the world nobody would ever have had the idea of hell. He next read some quotations from the New Testament describing the temptation of Christ by the devil when Christ was placed upon the pinnacle of the Temple."

"Is it possible," he asked, "that anybody can believe that the devil absolutely took God Almighty, set him on the pinnacle of the temple and endeavored to persuade him to jump down? 'Then the devil took Christ into a high mountain and asked him to fall down and worship him.' Now the devil must have known at that time that He was God, and God must have known that he was the devil and couldn't give him any of the kingdoms that he promised when he didn't have a tax title to one inch of land. If my salvation depends on my believing this I am lost. The Bible also speaks of witches. Witches were born of the fear and ignorance of men, and I am going to do what I can to rid the world of these institute monsters."

WHO HELL IS FOR.

Who was afraid of the punishment of hell? Not the rich or powerful, but the weak, despised and lean. Did one ever hear of a millionnaire going to hell or any one whose income was $25,000? "The rich man says, "Hell is not for me; it is for the poor. I have all the luxuries I need. Give that to the poor." (Laughter.) The speaker next related a fable of all the animals, who after a great rain storm consulted together to find out who caused the bad weather. It was the fox who was first called upon to confess his faults, but he cunningly shifted the responsibility on the lion, who was chairman of the meeting. The king of beasts demurred at this, but at last stated that he had no faults to acknowledge. True, he had eaten a score or two of people, but that was only a peccadillo. The wolf said that he had killed only shepherds, who had always been enemies of his race. In like manner all the animals had some slight faults which they easily explained away. A demure donkey at length arose who claimed to have no memory of wrongdoing save this:—He had come upon a country churchyard covered with clover that afternoon and finding the gate open had intruded. But he said he was heartily sorry for his offence and would never do it again. On this the whole gathering arose with a clamor of "He's the offender," and poor Dogberry was summarily disposed of. Those are the kind of people that go to hell.

The speaker asked whether it had occurred to any of his audience that it was a contradiction for the devil to persecute his own friends. The infliction of eternal punishment is simply unadulterated revenge. All the punishment in the world would not reform a man unless he knew it was done for his reformation and the person inflicting it desired his good. Punishment might make men afraid, but it would not make them better. The three reasons given for eternal punishment were that God would vindicate His majesty, glorify His justice and show His grace. Every time the saints viewed the miseries of the damned their love and gratitude was increased. The speaker then drew a picture of the believing husband in heaven leaning over the sapphire battlements and looking upon his unbelieving wife in hell and feeling a thrill of ineffable delight at the contemplation. That was the doctrine of former days, but civilization had altered it. The argument was that the sight of the opposite misery greatly increased any particular happiness—that is if you are eating a good dinner nothing will add so much zest to your enjoyment as the knowledge that some poor wretch is starving at the door.

SPECIMEN TORMENTS.

It was folly to believe that finite man could commit an infinite offence. He had seen pictures of hell from Stratford, Shakespeare's birthplace. In one of them a train of the wicked were represented passing in doleful procession down the throat of an immense idol, where were cauldrons in which the lost ones simmered and boiled. In one corner a number of the blessed appeared, each of whom wore a grin from ear to ear, as if they were saying, "Ha, ha! what did I tell you?" In another punishment the devil was shown jerking souls out of hell and pitching them into a snow-drift. "Here's a Russian bath for you." The speaker next read from a tract by a Mr. Furness—"Appropriate name, by the way," said he—a description of the torments of a little child in a furnace. God was very merciful to that little child. He foresaw if it grew up it might grow worse and He would have to punish it still more, so God in His mercy took him out of the world in his early childhood. I recollect the first time I ever read that, said Mr. Ingersoll, was when one of my daughters, about seven years of age, was lying in the room, presumably asleep, and I read it aloud. She sat up in bed and asked, "Who says that?" "That's what they preach in some of the churches," I answered. "Do they preach that?" I told her they did. "Then," she said, "I shall never step into a church while I live. Good night." And she never has yet.

Mr. Ingersoll said he would next take up the New Testament—the "tidings of great joy," where servants were taught to obey their masters with f