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Only Morning Daily in Southern Illinois. OFFICIAL PAPER OF THE CITY AND COUNTY. THOS. NALLY, Editor.



Democratic Nominations. FOR STATE TREASURER, EDWARD L. CRONKHITE, of Stephenson. FOR SUPERINTENDENT OF PUBLIC INSTRUCTION, SAMUEL M. ETTER, of McLean.

GOLD 100 3/4 in Wall street yesterday. THE Saline County Sentinel, published at Harrisburg, is a new Republican paper. It is a handsome little sheet, well edited. In a business way we wish it much success.

THE Chicago Railway Review is of the opinion that prosperity is awaiting the railways. And why not? The railways have been awaiting prosperity for a long while. "Fit for fat" is fair play.

THE Secretary of the Treasury has appointed as an internal commerce expert the late Willard C. Flagg. Dead men are not objectionable to the Hayes administration. It is made up of a sorry lot of dead politicians, and properly goes into the grave to obtain corpses to fill the places it has at its disposal.

THE Murphysboro Independent makes a few remarks, in a kindly vein, about the public jackass, sometimes called a Mayor, who brays over the signature of Bliss. This is gentle. In its severe moods the Independent uses language in comparison with which the above would be what the vulgar would call "soft soap."

It is about time the Democratic Congressional candidates were making themselves known. Who are the men desirous of entering the list. Jackson has three candidates, we believe; but the fact is, she might have more. The three are all very quiet. Why? Is each afraid? And when, in all probability, will the scramble commence in earnest?

MR. HARTZELL'S position on the question of Southern Claims cannot be doubted. He is as definite in expressing his disapprobation of the comorants, who are getting ready to feast upon the United States treasury, as Mr. Tilden was. And Mr. Hartzell's position is correct, notwithstanding the fact that his home organ, the Valley Clarion, denounces him in very uncomplimentary terms.

REV. G. W. HUGHES, the well-known Methodist preacher, long a resident of Southern Illinois, has been transferred to the St. Louis Conference, and is now pastor of Trinity church, St. Louis. Mr. Hughes will not enjoy himself in St. Louis. The people of that large village are too lazy to fight, and Mr. Hughes is happy only when he is wrangling in behalf of the Lord.

THE great McCoskey sensation of the Chicago Times threatens to become a vexatious matter to that paper. The ugly little woman, Mrs. Banister, raises her little wrangling voice and denies the serious charge made against her; and the venerable Bishop, with at least apparent indignation, asserts that he is the victim of a conspiracy, and will be defending his character with all his harness on his back. A libel suit against the Chicago sensation-monger may be the result.

MR. JOHN P. HELLY is, we have been informed, in the field for sheriff of Alexander county, and intends to do his best against Capt. W. M. Williams and Mr. John Hodges, who are also determined to obtain the prize. The other gentlemen who intend to make a contest for this office are legion, and will come forward in due time. Mr. Helly got his hand in last fall, and will, no doubt, run with accelerated speed at the coming election. He has had his spindles greased.

THE Alton Democrat is of the opinion that Sam Randall, speaker of the Democratic House of Representatives, is about to become a political corpse. The Democrat is mistaken. Mr. Randall has about him an immense amount of political vitality. He will live to dance upon the political graves of many of the men who are now denouncing him. We have no sympathy with the mean campaign of slander and denunciation of Speaker Randall, inaugurated by the men he defeated for the Speakership.

WHAT WE EXPECT.

We expect liberal patronage from the people of Cairo. In our efforts to provide them with a good local paper we have been compelled to expend a large sum of money—to us a big bonanza; and we shall be unable to stand if the helping hand of the public is retained from us. So far, we have little to complain about. Almost every citizen, who has had an opportunity, has given us encouragement—not a few of them encouragement of the substantial kind. Our columns will show who are the business men to whom we are indebted for more than verbal support.

HARMAN FOR APPELLATE CLERK.

We believe John Q. Harman should receive the nomination of the Central Democratic Convention for Appellate Clerk. He is, in every way, qualified for the place; and as the choice of lower Egypt should receive the indorsement of the Democratic party. The lower part of the State has been very badly treated by both parties. It has been made to hew political wood and draw political water; but it has only on rare occasions been permitted to get at the political flesh pots. The Democrats of this Grand Division have now an opportunity to make some reparation for the unkindness with which the party has treated the Democrats of the Eighteenth District. By the nomination of Harman they can make the score even, and secure to the Appellate Court the best clerk that could be found in the State.

WHO IS THE COMING MAN?

Our Republican friends of this Congressional district are not exceptions to the weakness that induces men to hope for the best. They hope, and some of them actually expect, to carry the district at the election in November next. To them the handwriting on the political wall, dooming their party, here and everywhere else, to perpetual defeat, is not apparent. They are blind to the logic of events, and propose to fight for results sensible men would never seek to obtain. They will consequently go to the trouble of putting up a candidate for Congress, and endure the mortification of seeing him knocked down by the Democratic party.

Who is the approaching victim? Is he our good townsman, Geo. Fisher? He is in every way worthy of the Republican nomination, for there is no other Republican in the Nineteenth District more firmly rooted in the political faith of that party. He has been one of its most earnest advocates; and, in season and out of season, has talked for it and worked for its success. But it is quite probable that Mr. Fisher will be slaughtered by the McKevig-SumDavis faction, which is never tired of aiming its little arrows at the men who will not dance to the music of its furnishing.

Is Col. Geo. W. McKevig the unfortunate man? He is, at least, the possible victim. Not mindful of President Hayes' order, he manages the political machine of this part of the district; and this he does with considerable ability. He has control of the colored Republicans, and acts as their bellwether. When he jingles his bell, waggles his tail, bah-bahs and jumps over a fence into somebody's pasture, the colored Republican lambs of his fold waddle their tails, bah-bah, and all follow his example. Probably he will use his bellwether abilities in his own interest in the pending canvass. But the lambs may not help him to the position he so much desires.

Is the wretched man the venerable Col. John E. Deitrich? He is willing. He has said so. To John C. Boyle, James B. Anderson, James Gordon and others, having fully considered a request made by them, he says: "I will say in response thereto, that, if nominated by a Republican Congressional Convention, I will accept the nomination." Rash man! The weight of years is heavy upon him, but he is more reckless than the sprightly Isaac Clements, who, with fire in his eye and late twigs, has wooed discretion to become his adviser, and has declared his intention to adorn the society of Carbonade as an ex-Congressman and a present Southern Illinois Penitentiary Commissioner.

Is he Mr. C. N. Hughes? He is not. All the factions of the party arise at once and say: "C. N. will not do." He was once a Democrat. He may be one yet. He will not do. Is the victim Hon. T. T. Fountain? Probably Fountain will not be offered up; a fact we regret. He would make a beautiful victim. Absalom, in his best days, was not more comely than he is now in his best days. His hair is black as the raven's wing

or a crow's tail, and his mustache is like Gen. Logan's—resembles it to a hair. In Congress he would be a distinguished presence; but he will never get into Congress. The Republican leaders, envious of his personal appearance, will not permit his nomination; and, if he should obtain the nomination, the Democrats would leave no stone unturned to secure his defeat. They could not tolerate this Apollo Belvidere in the halls of the National Legislature. He would eclipse them all, and they cannot endure eclipse.

Is Capt. J. C. Willis likely to be offered? Doubtful. The Captain would make an interesting race, but he cannot get the consent of the managing men to his candidacy, and must therefore bide his time blushing in the bashful retirement of the internal revenue service.

Is Capt. John R. Thomas likely to play the role of the victim? Maybe. He is willing—as willing as Col. Deitrich; and he is a worker. He has a winning way with him. No other man puts his finger into another man's button hole with more ability, and no other man talks in a more persuasive way. He tells a good story with ability, hates a Democrat, believes in Grant, swears by Logan, and wants to get into Mr. Hartzell's shoes. Of course, we do not dislike Capt. Thomas. On the contrary, we have a friendly feeling for him; but we hope he will not receive the Republican nomination for Congress. We should dislike to be a party in his defeat; and, to be candid about the matter, are a little fearful that it would be a more difficult task to slaughter him at the polls than it would be to slaughter some of the other gentlemen above mentioned. The Captain is a stubborn fellow and might die his political death reluctantly. We desire the nomination of a man who will expire with decent easiness, and we fear Capt. Thomas is not such a man. But no matter, whoever the Republican candidate may be he will be defeated by the Democratic "standard-bearer" whoever he may be. The die is cast.

ABOUT BOB WILBANKS.

The bitter attacks being made upon Mr. R. A. D. Wilbanks are to be deprecated. What has he done to merit the denunciations so many Democrats are now pouring upon him? Belted? Well; admit that Mr. Wilbanks, acting the part of an insubordinate Democrat, has been guilty of the political crime of bolting. Is it therefore required, by Democratic usage, that he must be forever shut out from Democratic fellowship? Let us see, now. Who did Mr. Wilbanks bolt? Hon. S. S. Marshall. For whom? Gen. Wm. B. Anderson. Mr. Marshall was a Democrat with peculiar ideas about the currency. He was of the old school. He swore by gold and protested by silver, and was anxious to hasten the day of resumption. Gen. Anderson was also a Democrat with peculiar ideas about currency. He was of the new school. He swore at gold and was anxious to stop all attempts at resumption. He dreamed of a new monetary system in which paper would be absolute money. Upon this rock Marshall and Anderson, who had not been the Jonathan and David of the Democracy of the Nineteenth District, split. They commenced to wage war upon each other, and Bob Wilbanks fell in behind Bill Anderson. He was, in fact, Bill's right hand man. The result of the fight was the defeat of Marshall. Last year the battle was resumed. The Marshall men ran Mr. Townsend, and the Anderson men their own leader, who was ably led by Mr. Wilbanks. The result of the fight was the defeat of Anderson, who thereupon retired to his farm, where he is now biding his time, and it may be, is praying for the good of Rome. Mr. Townsend went to Washington and captured all the Anderson Democrats by going over to them on the money question. Whereupon the Anderson Democrats, in great agitation, asked the Marshall Democrats if they had a strawberry mark on their right arm; and, upon being told that they had not, the Anderson Democrats declared that the Marshall Democrats were their long lost brothers, and rushed into their arms. The Democratic family of the Nineteenth District was thus reunited—all but Bob Wilbanks. He had been guilty of nothing but Bill Andersonism. He had never been un-Democratic in his utterances. He had been weak only in one spot—Bill Andersonism. But he had been the managing man of the anti-Marshallites—the Andersonites—their brains, and he had been industrious with his tongue. He had waggled it against the great lights of the Marshallites, and they could not forgive him. They more than pointed. They were angry. They would unite with all the Andersonites but Bob Wilbanks; and with him they would not unite. This they are still refusing to do; and, in their zeal to hate Bob, they are injuring their party! Outside and inside of the Nineteenth District a big crowd of Democrats have an affection for Bob Wilbanks and desire to have him nominated for Clerk of the Supreme Court. They hope he will be. And why not? Down with Sammarshallism and Bill Andersonism, and up with the Democratic party! Let the past go. Let us nomi-

nate Bob, drink lemonade with a ribbon in it, become thoroughly united again in Southern Illinois and have a political love feast. Bob will be a good boy in the future and never go off after Bill Anderson again—never.

FOR SUPREME JUDGE.

The First Judicial District of this State is composed of the following counties: St. Clair, Clinton, Washington, Jefferson, Edwards, Wayne, Wabash, White, Hamilton, Franklin, Perry, Randolph, Monroe, Jackson, Williamson, Saline, Gallatin, Hardin, Pope, Union, Johnson, Alexander, Pulaski and Massac. At this time the district is represented on the Supreme Bench by Hon. Sidney Breese, a venerable and distinguished jurist and statesman. On the first Monday in June, 1879, Judge Breese's term of office will expire, and on that day the people of the First District will elect his successor. Full of years and honors, he will probably retire at the end of his present term of office and obtain that rest his declining years so much require. It will therefore become the duty of the First District to put into the place on the bench made vacant by the retirement of Judge Breese a man who will adorn it, as he has done, by profound learning in the law, judicial acumen of a high order and inflexible integrity. Such a man may, in our opinion, be found in the person of Judge John H. Mulkey, of this city, a gentleman well-known throughout the State as a lawyer of unquestioned ability. Within the circle of our acquaintance we know of no other man possessed of so many of the qualities of mind and heart essential to the judicial position; and, among the members of the bar who know him, he is generally acknowledged to be one of the best and most learned lawyers of Illinois. In our opinion, made up by no partial contemplation of his acquirements, he stands at the head of his profession in Southern Illinois. There are other men who can excel him in some of the qualities of mastership at the bar; but none are more thoroughly versed in the principles of jurisprudence, or have more of the distinguishing marks of what has been called the judicial mind. Added to his legal qualifications are all the other qualities that go to make up the good judge; and we have no doubt that, if he should be elected to Judge Breese's place, he would distinguish himself and honor the bench. He is now in the maturity of his intellectual powers, and has arrived at that time of life and professional service when a place on the highest bench of the State would not be, in all probability, an unpleasant position to him. We hope the office may seek and find him.

THE GREAT FRAUD.

Because, forsooth, Mr. Montgomery Blair is anxious to have tested the right of Mr. Rutherford B. Hayes to the presidential office, a great outcry has been raised against him, and he has been denounced and vilified with both ability and industry. Not only Republicans, but also Democrats, have distinguished themselves in the business of denouncing the suggested movement to question the right of Mr. Hayes to occupy the executive chair of the republic—not because any of them believes that the amiable gentleman from Ohio is entitled to that chair—not because any of them does not believe that Mr. Tilden was cheated out of the presidency—not because any of them has a doubt that, upon a fair investigation, the fact would be demonstrated that Acting-President Hayes in an official fraud, and the Republican party an organized political rascality, but because some of them are third sons, others office-holding people fearful of their places, and still other men who cannot understand why a fraud established should be thrown down. With these denouncers of the proposed presidential swindle investigation we do not sympathize. We cannot understand why the swindle should be covered by silence. All the world knows that Mr. Hayes has no right to the office he is now filling with the bland mediocrity of a gentle-minded rascal engaged in the Sunday school business; and what all the world knows should be put into proper shape for the hand of the future historian who will be compelled to write "Fraud" upon this page of the history of the Republican party. The late confessions of Mr. Lincoln and Dennis are proofs conclusive that Mr. Tilden was deliberately cheated by the Republican rascals, while Mr. Hayes stood by, rubbing his good hands—washing them in imaginary water—and saying, in a meek sort of way: "Cheat honestly, boys; give me the office I should not have, but give it to me religiously. Pray wipe your swindle, and the Lord will bless you. He always blesses the cheaters who cheat with meekness and in humbleness of spirit." This rascal should be exposed. We are on Mr. Blair's side of the presidential question.

DAVIS ON LOST CAUSE.

MR. JEFFERSON DAVIS has been indulging a marked propensity of his—that of giving utterance to sentiments both foolish and miscellaneous. In a letter to the Memorial Association of Macon, Georgia, in re-

sponse to an invitation to deliver an address, Mr. Davis indulged in a vindication of the rebellion and appealed to posterity in characteristic language. The government of the United States waged war upon the South, if Mr. Davis is correct, for the robber-like purpose of conquest, and the Southern people fought only for the high purpose of defending their hearts and altars, and to maintain their laws and liberties. "Such," adds Mr. Davis, "was the war in which our heroes fell, and theirs is the crown which sparkles with the gems of patriotism and righteousness, with a glory undimmed by any motive of aggrandizement or intent to inflict ruin on others." No one will seek to impugn the motives of the Southern heroes who fell in the war of the rebellion, but it needs no ghost from their graves to tell us that, if they could return to the living, their voices would be loud in condemnation of the ambitious designs of the leaders of the disunion movement of 1861. Upon those leaders the judgment of mankind has written "Failure" in very distinct characters, and their motives have been, by the general voice, pronounced unpatriotic. They moved in the interest of an oligarchy of slave holders, and their footsteps were marked by ruin and fraternal blood. They should, at least, let their bad tongues rest from the unprofitable business of defending their bad cause.

THE INTERIOR FEDERAL COURTS: THEIR JURISDICTION.

The Thirteenth Resolution adopted by the late Democratic Convention of Illinois, is as follows:

That the courts should be brought as close to the homes of litigants as economy in government will justify, and that, therefore, the judicial power of the United States should be so regulated as to prevent, in controversies between citizens of different States, the transfer of causes from the State to the inferior Federal courts, which are so far removed from the people as to make justice therein inconvenient, expensive and tardy; and, further, that not less than \$5,000 should be fixed as the minimum jurisdiction in such controversies.

This resolution announces a doctrine of more than ordinary importance, and the people should become informed about its meaning and import.

The evident intention of the convention, in the adoption of this resolution, was the commencement of an agitation against the jurisdiction of the inferior Federal Courts that should result in the repeal of all laws of the United States authorizing the removal of causes from the State Courts to those of the United States. To determine whether there is anything in the existing condition of affairs demanding action of this kind by a great political party, a knowledge of the law authorizing the transference of causes to the United States courts is essential.

The judicial power of the United States is vested in the Supreme Court and such inferior courts as may be established by Congress, and extends to all cases in law and equity arising under the national constitution and the laws of the United States and treaties made, or which shall be made, under their authority; to all cases affecting ambassadors, other public ministers and consuls; to all cases of admiralty and maritime jurisdiction; to controversies to which the United States shall be a party; to controversies between a State and citizens of another State, between citizens of different States, between citizens of the same State claiming lands under grants of different States and between a State or citizen thereof and foreign states, citizens or subjects.

After the adoption of the Constitution of the United States, it soon became apparent that some of the powers granted to the Federal Courts were unjust, oppressive and threatening to the independence of the States, some of which remonstrated against the exercise of such powers. As a result of this agitation the Eleventh Amendment of the Constitution of the United States was adopted, as follows:

"The judicial power of the United States shall not be construed to extend to any suit, in law or equity, commenced or prosecuted against one of the United States by citizens of another State, or by citizens or subjects of any foreign State."

It would have been a fortunate thing for the country if this amendment had included "all controversies between citizens of different States." If this had been done then, much wrong and vexation would have been saved to the citizens of the United States. But this judicial power of the United States still remains, and we must consider it as it is. No one denies the power of Congress, under this provision of the constitution, to give the Federal Courts jurisdiction over all controversies, in law or equity, arising between citizens of the different States, even if the amount in controversy only amounted to one cent; but the jurisdiction, when conferred, is not an exclusive jurisdiction. It is a concurrent one with that of the State Courts, as the history of jurisprudence in this country attests.

The Congress of the United States regulated this jurisdiction by the act of 1789 establishing the courts of the United States. The eleventh section of this act gives to the United States Circuit Courts, in all cases between a citizen of a State where the suit is brought and a citizen of another State, concurrent jurisdiction of all suits at common law and equity with the courts of the several States, and fixes the minimum jurisdic-

tion at five hundred dollars. From 1789 to 1866 this act remained without change, but in that year and since then it has been amended so as to extend the jurisdiction of the inferior Federal Courts to the extreme limit of constitutional power. Every amendment has been to extend the jurisdiction of these courts and diminish and subvert the jurisdiction of the State Court.

The twelfth section of the act of 1789, providing that, "if a suit be commenced in any State Court against an alien, or by a citizen of the State in which the suit is brought, against a citizen of another State, and the matter in dispute exceeds the sum of five hundred dollars," &c., by the filing of a petition by the alien or citizen of the foreign State the cause shall be removed into the Federal courts. This section like section eleven, was but little felt at first, as comparatively few aliens or citizens availed themselves of the privilege of the statute. It was claimed (in Gordon vs. Longest) by the Supreme Court of the United States, that the object of the statute was to have, in each State, a tribunal presumed to be free from local influences. This may have been the reason, but the high authority from which it emanates does not make it the true reason. The judges of the United States courts are chosen from the bench or bar of the States and are no more eminent or learned than many that are left behind. The jurymen are chosen from the body of the people of the State, and are no less subject to prejudices against foreigners than the juries of the State Courts. If any prejudices exist in this country against foreigners, it arises more from national than local matters. If one should assert, at this day, that the Judge of a United States Court would be less prejudiced against a subject of Great Britain than the Judge of a State Court, the author of such an absurd proposition would be answered by a laugh in his face.

Section twelve remained unchanged in every essential particular until 1866, and would not have practically done much harm as amended, if it had not been for the construction put upon it by the Federal Courts. It will be noticed that the Constitution of the United States, and sections eleven and twelve of the statute of 1789, use the words or phrase: "When an alien is a party, or the suit is between a citizen of the State where the suit is brought, and a citizen of another State." The language of the Constitution is plain and unambiguous. The words alien and citizen had, at the time, each a well-defined and well-understood meaning. The word "alien" meant one born in a foreign country and not naturalized; and the word "citizen" meant an inhabitant of the Republic or State who enjoyed the rights of a citizen—a freeman who enjoyed the right to vote for public officers. This is the sense in which these words are used in the Constitution and statutes of the United States, and they were so recognized and pronounced by the Supreme Court of the United States in several decisions, and adhered to for many years after the passage of the statute of 1789. But the corporations, not daring to ask admission to the Federal courts through the Congress of the United States, commenced knocking at the doors of the Federal Courts for admission by the rule of construction. At first they were refused, the United States Supreme Court in one case using the very strong and emphatic language that a corporation aggregate created by a State could not, in any sense, be regarded as a citizen of that state. It followed, as a logical conclusion, that corporations could have no standing in the Federal Courts under sections eleven or twelve of the statute of 1789.

But the corporations were not to be driven back by an absolute refusal, and they continued their knocking at the door until, in the case of Louisville Railroad Company vs. Letson, decided in 1844, the rule laid down in former cases, and that had been adhered to for nearly half a century, was reversed and corporations declared to be citizens for purposes of jurisdiction within the meaning of the Constitution and the eleventh and twelfth sections of the judiciary act. The United States Courts have, since 1844, been open to corporations of every kind, and they were not slow to avail themselves of the advantages thus accorded to them. The result has been that since that time, corporations, such as insurance companies, have used the law as an engine of oppression. They establish themselves in every State, under the laws of the State; do business of great profit to themselves; and, when sued by a citizen for five hundred dollars or more, invariably deny the jurisdiction of the State Court, and transfer the cause to the Federal Courts. And the more inconvenient the Federal Court, the more certain the removal to that court.

The jurisdiction of the Federal Courts was, as we have intimated, greatly increased by amendatory acts in 1866, and since that time. We have not space in this article to refer specially to those acts. It is sufficient that, under them and the decisions referred to, the business of the Federal Courts multiplied so rapidly that the complaint of over-work is heard from every United States Court in the land, and the United States