

Louisiana Sentinel.

THE STATE CONSTITUTION.

[N. O. Morning Star.]

The people of this State are unanimously of the opinion that they should have a new Organic Law. The defects of the present State Constitution are, on its face, so glaring, and experience has revealed so many hidden defects in its dispositions—so many ways of evading and preventing what would seem to be the spirit and intent of its most important articles—that it is natural for the people to demand a Convention in order to make a better one. It is now very plain that its provisions were carelessly drawn by a set of incapables; or deceptively worded by a rascally gang of conspirators. At any rate, its left openings and pretexts available to the latter class, which they used to their hearts content in carrying out their nefarious designs. We only need to look at the decisions rendered by that precious set, Ludeling, Howell and Taliaferro, when they were the majority of the Supreme Court, to see how true this is. They applied the broadest or the narrowest rules of interpretation, adhered to the letter or pretended to seek the spirit, an occasion required, in order to give judicial sanction to all the outrages on honesty, propriety and liberty perpetrated by the Governor, the officials and the Legislature they were appointed to serve. They defeated all the substantial purposes for which Constitutions are made at all.

It would be a work of considerable labor to recall and rehearse one by one all the instances in which popular and individual rights were subverted under the late regime by means of the insufficiency and unrighteousness of the existing constitution. We will, therefore, content ourselves with only such references as may be useful while we attempt to show what evils should be removed, and what benefits should be secured by a new constitution.

First in order, and of essential importance in general, is the wording—the choice of terms and phraseology. The form of words in which any dogmatic or legislative matter is exposed—the form in which the parts of a constitutional charter are put together with the design of making it a consistent and harmonious whole—must certainly be of primary advantage, for on this, of course, depends the efficacy of the body and members of the system conceived. The greatest care, attention and skill should be applied to the logical construction of such a document, for it is the most serious of all temporal instruments—it is the basis on which all legislation must rest—it builds the fabric of the State—it is or should be the guarantee of the safety of the few against the tyranny of the many—the last citadel of individual rights—the refuge of the weak—the palladium of liberty; but if it be loosely or inaptly worded—if a word necessary to make its meaning precise and certain is omitted—be assured the defect will be taken advantage of to serve the passions or interests of those who are in power. The interpretation will be one way or the other, as it may happen to suit them. "Hold to the form of sound words which thus hath heard of me in faith," said St. Paul to Timothy; and hence the Church has, in the spiritual order, been extremely careful in the phraseology of its teaching. So should it be in the temporal order, and this more particularly in the wording of the organic law of the State than in any other writing. To the neglect of this requirement can be traced the possibility of almost every perverse and servile interpretation that the judiciary or the legislature has been guilty of. Hayes is now de facto President in consequence of there being no express phrase in the Federal Constitution to say who shall count the electoral vote; and then when it was thought that the Act of Congress creating the Electoral Commission had supplied this omission and had provided for ascertaining who had been elected President, another cunning neglect to express the purpose in due form of words, enabled Joe Bradley to decide that he was commissioned not to ascertain who was elected but only what credentials were technically formal; and that no authority or jurisdiction had been conferred on him to enquire whether or not the credentials were fraudulent and false. Many similar, though less momentous instances of the necessity of a form of sound words have occurred. For example, there are the decisions of Ludeling and his associates recognizing the omnipotence of the Returning Board; the abolition of inconvenient courts and judges; the

legality of the bonds issued to his Shreveport and Vicksburg Railroad, etc. These decisions would not have been possible if the instrument had been carefully worded and the framers had done their work in view of the danger of leaving a loophole for a dishonorable party or judiciary to get through.

This is all we need say, at present, on this first essential requisite of a constitution. In considering the other requisites, the correctness of the above remarks will be more and more apparent. We therefore pass on and ask ourselves the question: "Why are constitutions made?" Certainly not to say that the majority shall be omnipotent. If that were the sole object, minorities and individuals would soon be deprived of property and liberty to glut the avarice and gratify the malice or prejudice of the majority. A short term of power would suffice for the elect of a deluded people to perpetrate innumerable wrongs—enrich themselves at the sacrifice of the prosperity of the country—squander or appropriate to the themselves the revenues of the State—indulge in nepotism—create an onerous public debt—foster extortion—oppress the weak—persecute their enemies—perpetrate their power, etc. No, if a constitution is established at all, its main object should be to provide against the abuses of power which majorities and their favorites are always prone to commit.

Of these, the most commonly experienced are frauds in election, a subservient judiciary, a dilatory administration of justice unequal taxation and invidious local or class legislation.

If a constitution does not provide effectually against these, it is worse than useless. Anarchy would be less injurious than legalized robbery and oppression.

But our space for to-day is already exhausted. We will therefore defer to our next number our remarks on each of the above mentioned abuses, and on the manner in which they should be treated.

THE OUTLOOK.

The New York Commercial and Shipping List says that trade continues to increase in all the leading departments, and merchants, as a rule, take an encouraging view of the situation based upon a thorough canvass of the surrounding circumstances; and notes as some of the causes for this improvement, the freedom from disturbing causes of a political nature; prices having reached a minimum inviting fresh business enterprises, and a general increase in our agricultural resources. With large agricultural yields it argues that the way is paved for a resuscitation of trade, but adds:

There must, however, be a reasonable prospect that there will be no great fluctuation in the value of the currency, and some degree of harmony between capital and labor, before even luxuriant crops can restore prosperity. Business enterprises require stability in monetary and public affairs for their promotion and profitability. With all the favorable circumstances exhibited in our creation of wealth by the cultivation of the soil, there are yet hindrances which delay new undertakings of magnitude. The capital of the country is watching and waiting for the opportunity for profitable employment. Our national law-makers ought by this time to have made themselves sufficiently familiar with the country's requirements in the shape of legislation, such as it belongs to them to supply. They ought to be convinced that the fiscal law needs overhauling, to the end that we may have at the earliest possible moment a stable currency and tariff reform, and that the country needs an enlarged market for its manufactured products, in which there is no fear that it cannot successfully compete. Common sense is all that is required to go about the securing of this market with the least possible delay. Statesmanship is not needed to prove a proper appreciation of a fact that sooner or later will present itself to us in its full weight and impressiveness. It is to be sincerely hoped that the ensuing session of Congress will witness a movement in legislation in the direction indicated. The present demand is for new industries, fresh enterprise, and an enlarged field for skilled labor.

A CURIOUS AND PROPHECIC LETTER.

From reminiscences of the late Senator Bogy, we reproduce the following:

As an illustration of his fixedness of views upon any subject, his course in running for the Senate is remarkable. When he left home to study

law in the year 1832, he placed in the hands of his mother the following singular document:

"St. JENEVIEVE, }
Jan. 16, 1832. }

"On this day I left home, under charge of Mr. Shannon, an old friend of my father, to go to Kaskaskia, to read law in the office of Judge Pape. My education is very limited, but, with hard study, I may overcome it. I am determined to try it, and my intention is to return to my native State to practice law, if I can qualify myself, and, while doing so, to work to become United States Senator for my native State, and to work for this until I am sixty years old. I will pray God to give me the resolution to persevere in this intention. I have communicated this to my mother and given her this paper to keep. So help me God.

LEWIS V. BOGY."

Oddly enough, it was in his sixtieth year that he was elected to the Senate. Previous to that he had held various positions from the Democratic party, but could scarcely be deemed to rank among the great men of the State. Still, in the race against Frank Blair, immeasurably his superior in ability and prominence, he was from the first confident of success, and took his election to the Senate by the remarkable Missouri Legislature of 1873 as a matter of course. His belief in the destiny of the thing was remarkable. So, now, as one who knows him thoroughly lately remarked, "if he has determined that he is going to die, he will die."

LETTER FROM THE POST OFFICE DEPARTMENT.

In reply to interrogations addressed to the Post Master-General, Mr. J. B. McGehee has received the following reply which imparts important information for the public:

WASHINGTON, D. C. Sept. 18, 1877.

SIR.—Your letter of the 4th inst., has been received. In reply you are informed that a letter, having no postage stamps affixed thereto whatever, may be carried outside the mails by railway, provided such letter relates to some part of the cargo or to some article being carried at the same time with such letter.

In reply to your inquiry as to whether letters allowed under the law to be carried outside the mails only in U. S. stamped envelopes should be "cancelled on the stamps, before delivery," you are informed that section 239 of the Postal code provides that in addition to the directing and sealing of such envelopes, "the date of the letter, or of transmission, or receipt thereof shall be written or stamped upon the envelope." This is to be done, of course, by the party transmitting it, and not by a U. S. Route Agent, or Postmaster, as from your letter you seem to apprehend.

While the department cannot advise the evasion of any part of the section referred to, its real object is to provide against the subsequent use, in the transmission of letters, of such postage-paid envelopes.

The postage stamps of the envelopes referred to should in every case be of a denomination sufficient to cover the postage due on the letter enclosed, if it were sent by mail.

Very respectfully, etc.
JAMES H. MARR,
Act'g. 1st Asst. P. M. G.
To J. B. McGEHEE,
Pres. W. F. R. R.

"This summer ladies are going to dress their hair as they did 300 years ago," says an exchange.—This makes some of the ladies pretty old.

ED. W. **WHITEMAN.**
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3d Report.—WHEELER & WILSON SEWING MACHINE NEEDLEWORK.
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[Signatures of Judges.]
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NOTICES OF THE PRESS.
One contemporary, the Boston Globe, speaks very highly of both advertiser and goods, as honorable in his dealings, and reliable in his goods, a commendation so heartily rendered.—Louis Dispatch, Dec. 7, 1876.
The house is a thoroughly reliable one in every respect.—Boston Globe, Oct. 26, 1876.
His reputation for honesty, fair dealing, and liberality is unequalled by any advertiser in the city.—N. Y. Day Book, Dec. 16, 1876.
Advertiser more and sells cheaper than any man in New York.—Herald, April 13, 1877.
F. STOCKMAN, 27 Bond Street, N. Y.

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