A DANGEROUS PARTY.

CIRCUMSTANCES lend unusual significance to the platform adopted by the Ohio Republican Convention last week. Senator Sherman was unanimously endorsed by the body as a candidate for President next year, and the platform was prepared under his supervision and to reflect his ideas. Senator Sherman has always been considered one of the most conservative leaders of the Republican party, and the platform upon which he wishes to appeal to the country in 1888 is therefore as moderate and "safe" as can possibly be expected from the national Convention next year.

The important features of this platform are two. In the first place, it makes extravagance the watchword of the party. Hitherto, political organizations have appealed for the support of voters on the ground that they would give the country an economical administration; and taxation has always been recognized as a necessary evil, which should be reduced to the lowest possible point. It was so with the Republican party in its early history. In 1868, for instance, the Republican national platform declared that "it is due to the labor of the nation that taxation should be equalized, and reduced as rapidly as the national faith will permit." Even so recently as 1884 the traditional belief, that unnecessary taxation was unjust and should be done away with, still held sway, and the Republican party in its national platform "pledged itself to reduce the surplus . . . by such methods as will relieve the taxpayer."

All this has been changed. The surplus, which even Republicans in 1884 admitted was unjustifiable and should be abolished, still remains, because all of the Republicans in Congress, except the Minnesota delegation and two or three stray New Englanders, refused even to permit consideration of a bill designed to do away with it. The taxpayer still needs to be relieved as much as the Republicans admitted that he did in 1884. But the managers of the party no longer regard him as deserving consideration, and no longer even make a pretence of promising economy in administration. On the contrary, they now propose to get rid of the surplus, not "by such methods as will relieve the taxpayer," but by so greatly increasing the running expenses of the Government that there will be no surplus left. Here is the leading plank of the platform:

> "We favor liberal pensions to the soldiers and sailors of the Union, adequate appropriations for the improvement of our national waterways, and national aid to education. If too much revenue be collected to meet these and other public needs, we demand that the first step in the reduction thereof shall be the abolition of the internal tax upon American-grown tobacco."

A subsequent resolution shows that the phrase "liberal pensions to the soldiers and sailors of the Union" covers such a measure as the Dependent Pension Bill, President Cleveland's righteous veto of which is condemned as "unjust and unmerited." It was shown during the discussion of this measure last winter that it involved an annual increase of probably at least $70,000,000 a year in the pension appropriations, which would go far towards using up the surplus. "Adequate appropriations for the improvement of our national waterways" can easily be run up to $20,000,000 or $25,000,000 a year. "National aid to education," according to the scheme of the Blair bill, will take $8,000,000 or $10,000,000 a year, and the New Hampshire Senator would be glad to mark up his figures 50 or 100 per cent. if the surplus were not being made away with fast enough. The evident expectation is, that, by these vast additions to the appropriations, the surplus will be entirely removed, for it is only as a vaguely possible alternative that the suggestion is made of abolishing the internal tax upon American-grown tobacco "if too much revenue be collected to meet these and other public needs." But it is quite safe to say that there would not be too much. When a party which fosters such men as Blair, advertises for proposals to get rid of the surplus for "public needs" which have never before been recognized, there will not be the slightest trouble or delay about its being accommodated. Baldly stated, the important plank of the Republican platform would read as follows:

> "Resolved, That we favor the most extravagant policy required to use up the surplus taxes unnecessarily collected."

But extravagance is not the only bad feature of the Republican policy, nor in some respects the worst. In order to get rid of the surplus without touching the tariff abuses, the party is ready to violate the Constitution and assail the system of a division of powers upon which the Government rests. "National aid to education" means not simply the appropriation of millions of dollars from the Federal Treasury to weaken the spirit of independence in the South, and demoralize the public-school system of that section. It means an encroachment upon State rights which is dangerous to the whole American system. If the Federal Government appropriates money for schools in the States, it must exercise supervision over its distribution, and it must thus interfere with their power to regulate their domestic affairs. This is not the view of a Mugwump. It is the view of Republicans of such eminence as Justice Miller of the United States Supreme Court and Senator Hawley of Connecticut. "The necessity of the great powers conceded by the Constitution originally to the Federal Government, and the equal necessity of the autonomy of the States and their power to regulate their domestic affairs," said Justice Miller in his Ann Arbor address, "remain as the great features of our complex form of Government." And Senator Hawley, speaking of this very scheme, said in his speech at Detroit on Washington's Birthday: "The tendency of the day is to go to the national Government for help in a hundred things. It is asked, for example, that it shall take charge in a very great measure of education, shall dedicate millions of dollars a year to the education of the children of the several States, it necessarily following that in a greater or less degree the Government shall intermeddle with the whole business. . . . This tendency towards a consolidation of the entire powers of Government is one of the strongest to-day, and one of those most dangerous to the Republican experiment, as our fathers understood it."

Extravagance and centralization—these are the promises which the Republican party makes in its Ohio State platform of 1887, and can be counted upon to make in its national platform of 1888. The drift that way is now too strong to be resisted. We do not forget that nearly all the leading Republican papers of the country endorsed the veto of the Dependent Pension Bill, but the Republican Congressmen voted solidly to override it, and the Republican managers have resolved to condemn it. We do not forget that Senator Hawley still makes a gallant fight against the centralizing tendencies of his party, but the managers count with confidence upon his eating his own words if they favor what he has repeatedly denounced as "most dangerous." We do not forget that the Minnesota Republicans are outspoken for tariff reform, and that there are many Republicans elsewhere who sympathize with them, but Minnesota is not a State taken into the account by the party managers, and the other Republican tariff-reformers are too scattered to accomplish anything. The men who favor extravagance and centralization are the men who control the party and dictate its policy.

THE ARTHUR KILL BRIDGE DECISION.

THE decision of the United States Circuit Court rendered by Mr. Justice Bradley at Trenton on Monday, if sustained by the Supreme Court of the United States, will settle one more of the many vexed questions that have arisen under the commerce clause of the Constitution. The State of New Jersey, with her extensive water-front, has always been naturally jealous that her citizens should reap full benefit from her geographical position. To her this position has been considered a birthright, and one of no little value, for from sales of her water-front alone, since 1856, she has realized $3,000,000 for the benefit of her common schools. The bridging of the Arthur Kill will diminish the value of New Jersey water-frontage in proportion to the capacity of the water-frontage of Staten Island, in the State of New York. It is against the transfer of the terminus of a great trunk line to the shores of an island in another State that New Jersey protests, but her pretensions are now held to be futile under the constitutional power vested in Congress to regulate commerce between the States.

The history of the growth and development of our inter-State law, from the first assertion of the right of Congress under constitutional provisions to regulate commerce, is of deep interest. The first case of moment arose when the State of New York, by its Legislature, granted a monopoly of the carrying trade by steamboats in the waters of New York. Here was an attempt to appropriate navigable thoroughfares which, at the present day and under the existing exposition of the laws, would find few, if any, supporters even among laymen. But, though the commerce of the country, as well as steam navigation, was then in its infancy, the case was of sufficient importance to call forth on both sides the efforts of the best lawyers of that day. The alleged sovereignty of the States was upheld by

arguments of great length and power, and the first authoritative decision on the extent and meaning of the power vested in Congress to regulate commerce was made by Chief-Justice Marshall in an elaborate and convincing opinion, settling for the future the equal right of all to the use of the navigable waters of the nation, subject only to such regulations as Congress might impose.

With increasing commerce came the necessity for greater facilities, and not the least among these was the erection of bridges across navigable waters. In 1836, Chief-Justice Savage of New York, having before him Marshall's opinion above referred to, in a case relating to a bridge across the Hudson River at Troy, used the following language:

"I think I may safely say that a power exists somewhere to erect bridges over waters which are navigable, if the wants of society require them, provided such bridges do not essentially injure the navigation of the waters which they cross. Such power certainly did exist in the State Legislature before the delegation of power to our Federal Government by the Federal Constitution. It is not pretended that such a power has been delegated to the general Government, or is conveyed under the power to regulate commerce and navigation; it remains, then, in the State Legislature, or it exists nowhere."

This language is particularly pertinent, as the Attorney-General of the United States took part in the argument of the case. There is little question as to what was the existing opinion of that day in relation to the powers of Congress in regulating commerce.

In the Wheeling Bridge case, which came later, a peculiar state of facts arose, and one step further in advance was taken by Congress in the assumption of power under the commercial clause of the Constitution. A bridge had been partly constructed over the Ohio River at Wheeling, under an act of the Legislature of the State of Virginia, when the United States courts were appealed to for an injunction restraining its construction, on the ground that it interfered with navigation. After an elaborate investigation of the subject, it was finally determined that it was an obstruction to the free navigation of the Ohio River. Congress then passed an act declaring the bridge to be a lawful structure, its interference with navigation to the contrary notwithstanding, in terms establishing it as a post-road, and the Supreme Court of the United States upheld this act as within the constitutional powers of Congress.

In a dissenting opinion in this case, Mr. Justice McLean used strong language against the asserted power of Congress, in declaring a bridge which had been adjudged a nuisance and an obstruction to navigation, a lawful structure. Mr. Justice McLean has been quoted as upholding the broadest construction for the commercial clause of the Constitution, but in this case he went slightly out of the way to say:

"If under the commercial power Congress may make bridges over navigable waters, it would be difficult to find any limitation of such a power. Turnpike roads, railroads, and canals might on the same principle be built by Congress. And if this be a constitutional power, it cannot be restricted or interfered with by any State regulation. So extravagant and absorbing a Federal power as this has rarely, if ever, been claimed by any one. It would in a great degree supersede the State governments by the tremendous authority and patronage it would exercise. But if the power be found in the Constitution, no principle is perceived by which it can be practically restricted. This dilemma leads us to the conclusion that it is not a constitutional power."

In this strong language he denies the existence in Congress of any power to construct bridges, and of course, as stated by Mr. Justice Field, to authorize their construction. These views of Mr. Justice McLean in 1855 do not appear to have met with any dissent from the other judges of the court as then constituted.

In 1881 the question came before the court in a shape somewhat different, in relation to the bridge across the Ohio River from Cincinnati to Newport in Kentucky. The bridge was built by authority of both States, and under the enabling act of Congress; but before its completion Congress passed a law directing that a different structure should be erected. On the matter coming before the Supreme Court, the power of Congress so to enact was sustained. Mr. Justice Matthews did not sit, and Justices Miller, Field, and Bradley wrote dissenting opinions. In this case there was no absolute assertion of the power of Congress to authorize the erection of bridges against the protest of a State, but Mr. Justice Field pointed out, in an able dissenting opinion, the departure from the law of the Wheeling Bridge case, and showed whither the centralization of power in Congress would lead. Speaking of the Wheeling Bridge, he says:

"The court held that it could be legalized, which amounts to no more than declaring that it should not thereafter be treated as interfering with the public right of navigation of the river, so far as that right was under the protection of Congress. This is a very different thing from asserting a power to declare that a structure, lawful when erected, and in no way interfering with the navigation of the river, is an unlawful structure."

He denies the power of Congress so to enact, and further says:

"Yet out of this assertion of a power to legalize a structure which, without such sanction, would be deemed an obstruction to navigation, has grown up the doctrine of an independent power in Congress to authorize the construction of bridges over navigable streams without the permission of the States, and to control them when constructed. In this we are furnished with a striking illustration of the facility with which power is assumed from expressions, loosely or inadvertently used, apparently recognizing its existence. From the use of the word *assent* to the erection of a bridge over a navigable river, or the declaring of one already erected a lawful structure, the transition has been easy and natural to the assumption of an affirmative power in Congress to authorize, independently of the action of the States, the construction of such bridges, and to control them. From the authorities cited and the reasons assigned, it is evident that Congress possesses no such power."

These vigorous protests of Mr. Justice Field have thus far had no effect on the majority of the court, and now the very power so vigorously denied by him has been definitely affirmed by the court at Trenton. The conclusion is, as stated by Mr. Justice Bradley, that in these matters "there are no States."

"*THE BRUTAL AND UNJUST DECREES OF PARTY.*"

THE Executive Committee of the Civil-Service Reform League of Chicago has prepared a report upon the operation of the Civil-Service Law in the Post-office and Custom-house of that city, to be submitted at the annual meeting of the National League at Newport this week. The chief points of this report we will briefly summarize. Mr. Judd assumed charge of the Post-office June 1, 1885, the number of employees covered by the Civil-Service Law being then about 800. Until May 4, 1886, the Examining Board always had at least one Republican member, but at that time he was removed and the Board became completely Democratic. As the removals and resignations among the employees covered by the Civil-Service Act increased rapidly after this change, the Secretary of the Civil-Service Reform League, June 26, 1886, wrote to Postmaster Judd for information as to the number of removals and resignations. Early in July Mr. Squires, the Assistant Postmaster, gave the League such a list. This list showed that while a Republican was on the Examining Board, that is to say, from June 1, 1885, to May 4, 1886, eighty-eight letter-carriers and ninety-eight clerks were appointed by Mr. Judd. The ninety-eight clerks represent so many removals or enforced resignations. The eighty-eight carriers appointed represent about fifty such removals and resignations, as thirty-five of the eighty-eight appointments represent additional carriers allowed the Post-office in the fall of 1885. During Mr. Judd's first year the removals and compulsory resignations numbered about 148, averaging nearly three per week. From May 4, 1886, when the change in the Examining Board rendered it wholly Democratic, to June 30, 1886, the list furnished by Mr. Squires shows that thirty-one clerks were removed and nine resigned, thirty-one letter-carriers were removed and one resigned—being seventy-two removals and resignations in eight weeks, making an average removal, counting the resignations as removals, of nine per week, or about three every two working days after the Board consisted of three Democrats, as against one every two working days when the Board had one Republican member.

Early in July, 1886, the Secretary of the League wrote to the United States Civil-Service Commission at Washington, asking further information as to the number of removals and resignations in the Post-office, and calling their attention to the fact that the Examining Board at the Post-office consisted of three Democrats, and that since this change the number of removals had greatly increased. The latter suggestion was promptly acted upon, the Examining Board being increased to five, and two Republicans appointed to fill the two new places. In the latter part of July the Commission sent lists of those persons appointed under the Civil-Service Act to places in the Post-office who had been removed, or who had resigned, from the time of Mr. Judd's appointment down to June 30, 1886; but not the total number of resignations and removals in the whole force of the classified service, whether appointed under the Civil-Service Law or not. Taking the information as it is, however, the lists showed that from the clerks appointed under the Civil-Service Law forty-six were removed or resigned, and from the carriers appointed under the law thirty-two were removed or resigned from the date that Mr. Judd took charge