

EVENING NEWS.

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CHARLES W. FENROSE, EDITOR.

Wednesday, June 20, 1888.

SMALL WORK FOR A GREAT BODY.

The delay in the action of the United States Senate on the nomination of Melville W. Fuller for Chief Justice does not look well on the part of the Republicans. It shows that they are not very eager to put in practice that civil service reform about which they talk so glibly to "gentlemen on the other side" of the chamber. They have had such a monopoly of the offices for a quarter of a century that they seem to grudge any important position to their political adversaries.

The opposition to Fuller is not so much a question of party as of principle. It is not in regard to Fuller's qualifications, but in regard to the course taken in regard to Fuller's nomination. Senator Edmunds has added nothing to his public reputation by his opposition to Mr. Fuller, and in the recent correspondence between them the Senator does not shine by contrast with the Judge.

It appears that the Judiciary Committee, of which Mr. Edmunds is Chairman, received a communication from some enemy of Mr. Fuller's, alleging that he had been connected with a scheme to make the West Chicago Park Board pay \$100,000 for a piece of land for which the owner was willing to take \$30,000, and that either \$50,000 or \$100,000 of this went into the hands of either Mr. Fuller or one of the clerks in his office, as a fee. Also that as the Judiciary Committee had no authority to arrange matters in a case against the South Park Commissioners as to have the jury so influenced that they returned an improper verdict. And further, that when the record in another case was made up for the Circuit Court, he endeavored to get the fact suppressed that he was acting as the Commissioner at the time the jury was drawn.

All this was set forth in a letter from Senator Edmunds to Judge Fuller, with the remark that any statement he should think proper to make would be gladly received by the committee. But he name was given as authority for these vague accusations, and Mr. Fuller made no denial, and the Senate rules did not permit the disclosure. Mr. Fuller very briefly and very properly declined to notice "anonymous assertions," and informed the Senator that the publication without subjecting him to the humiliation of having to notice them. He thereupon gave the correspondence to the press.

It is rather surprising that the property spoken of in the letter was not purchased by the Park Board, but was acquired by condemnation under the law of eminent domain, that the case was fully tested before a jury, that Mr. Fuller was not a party in connection with the matter and had nothing to do with the transaction. This is testified to by the Judge who tried the case, and who, though a political opponent of Mr. Fuller, declared in his judgment that "no more fit person could have been named by the President for the position of Chief Justice." Other gentlemen, thoroughly familiar with the whole matter, have corroborated the statement of the Judge, and Mr. Fuller himself has maintained a dignified silence, and the other charges have been refuted as emphatically and completely as the first.

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Such exhibitions of partisanship as are made before the country by some of its highest officials is very humiliating. It is admitted, almost universally, that the choice of the President for Chief Justice is a good thing, and no body pretends that anything stands in the way of his confirmation by a Republican Senate but the fact that he is a Democrat. Investigations as to the danger of Democratic investigations of the law are simply absurd, for they form the chief part of the jurisprudence of the country. And it will be found, on investigation, that for several years past the Supreme Court of the United States, though so largely composed of Republicans, has tended in its decisions towards sound Democratic doctrine and the principles enunciated by the eminent Democratic jurists who formerly composed the majority of the court.

If the approaching presidential election shall continue in power the present Administration, it is quite probable that in a few years the political complexion of the Supreme Court will be changed, and that a majority of Democrats will again sit upon the bench. This is one of the contingencies of the campaign, and one that they largely leave to the calculations of the most thoughtful men of either party. But whatever may be the anticipations or forebodings on this question, any factious opposition to the confirmation of Mr. Fuller appears to be very ungracious if not disrespectful. And should the vote of the Senate be postponed until next session, in hopes that a Republican will be elected to the Presidency and the appointment can be pushed off until a Republican Chief Justice can be nominated, the party engaged in such a reprehensible scheme will give much political capital to its opponents to use during the struggle for power. The wisest and most respectable thing for the Senate to do will be to confirm Mr. Fuller, without any further exhibitions of party pettiness and any more attempts to cast unjust reflections upon a character that appears to be irreproachable.

A BRAVE STRUGGLE FOR LIFE.

The indomitable courage and fortitude of General Sherman have enabled him to withstand the ravages of disease, as less than to resist the forces which waged a war against the nation and thus threatened the life of the nation. His gallant stand against the assaults of the grim monster which prostrate on a sick bed, have endeared him to the people as much as his bravery upon the field of battle. He has sustained with a stout and strong will and a stout

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