a point affecting the very structure of the Government, there are only two ways of settlement—revolution or arbitration. Many Republicans seem to have got it into their heads that if force was used on their side by the President as General of the Army, acting under the orders of the Senate, it would be in some mysterious manner constitutional. But this is a great delusion. The Senate has no more right to use force against the House, or the House against the Senate, or the President against either, than the Legislature of the State of New York or Mr. Tilden. Chandler has just the same authority to use troops to enforce his views of constitutional law as Hewitt to use "Bowery boys" for the same purpose. The crisis is undoubtedly extra-constitutional. The Constitution has not provided for the failure or refusal of co-ordinate bodies to work together. When they reach a deadlock, the rational course is to arbitrate, and though it is easy to conceive of a better body for the purposes of arbitration than that proposed by the committee, we do not know where it could be found. Not among men certainly. Picked members of Congress are the best persons to settle differences between the two Houses of Congress, and there certainly can be no better persons to preside over the deliberations and inquiries of ten such persons, to assure their passions, and supply them with correct legal methods, and give the decision of the majority, whatever it may be, the stamp of impartiality, than five judges of the Supreme Court. We were and are unalterably opposed to making the Supreme Court a permanent Returning Board, but we do believe that the country is to be congratulated on the fact that on the occurrence of a sudden and unforeseen crisis like the present one, which has never occurred before and with proper precautions need never occur again, there should be a body of men to call on for counsel who are as free from prepossession and political ambition as these judges are. Of course, as we have said, they have the ordinary defects of men, but everybody who objects to the proposed tribunal on the ground of partiality or prejudice, is bound to say how a better one could be made up. If he knows of any seceded nok containing a company of persons on whom earthly passions have no hold, and who see with the eyes of supreme justice and wisdom, he is bound to reveal it.

So, also, anybody who says that Tilden or Hayes has been elected, and that it is the duty of that branch of Congress which thinks so to do all in its power to put him in office, forgets the nature of the Presidential office. It is easy enough to fill it. The duties of it could and have been discharged by men of ordinary and even mean capacity. Its leading peculiarity, and that which besides the short term distinguishes it from the corresponding office in monarchical systems, is that its incumbent has to be a man not whom the great body of the people have voted for, for nearly half of them or more than half may vote against him, but who has got the place by what the bulk of the people consider fair and just means, in so far as fairness and justice are ascertainable. People do not expect that an election shall be characterized by perfect purity and justice, but that all reasonable precautions shall be taken against impurity and injustice, so that the result, if not perfect, shall be as nearly perfect as the condition of human nature and the condition of the country will permit. Therefore a President put into the chair by one party in defiance of the other party, and without any better title than the certainty of his own supporters that he was elected, would not be a President at all. He would be a boss or dictator, or anything we please to call him, but not the Chief Magistrate provided for by the American Constitution. The committee has evidently had this in mind. It has tried, therefore, to provide the means not of extracting the eternal and exact truth from the late election returns, but of providing the reasonable portion of the American community with the means of escape from the consequences of an acknowledged defect of a portion of the Constitution, brought about in part by the disorders of the civil war. It has recognized the fact, too, that this is not the time to provide a permanent remedy for the defect thus revealed. The excitement is too great and the interest of the two parties in the result too keen. The tribunal proposed is therefore an extraordinary one, called into existence for a special purpose, and vanishing when the purpose is accomplished, leaving no precedent behind and binding Congress to nothing; and, in fact, doing nothing except helping Congress to seat in the Presidential chair an officer whom the country will accept.

Of course the strong partisans on both sides are satisfied that they are right, and that the Constitution has plainly provided the course which will in this case effect the candidate of their choice. "Let us," they say piously, "take the Constitution for our guide and all will be well." But then the Constitution, like the statute law, needs interpretation to be a guide, and if everybody could interpret it for himself we should need no courts. There have been a great many different constructions of various points of the Constitution. Luckily the Supreme Court is able to settle most of them in deciding private rights in law-suits. The really troublesome points, for which no means of interpretation are provided, are those which affect the relations of the different departments of the Government. For the definitions of many of these no judicial machinery has been provided, but the absence of such machinery does not relieve us to a state of nature or of revolution, or abrogate the rules of common sense or common morality. A man is not entitled to be judge in his own case simply because there is no court ready to decide it. He is bound to create one if he can. Parties are bound by the same rules.

As regards the ultimate effect of the proposed plan of settlement, of course the politicians on each side pretend that if they yield on this occasion and accept any plan of settlement, it will encourage their adversaries to such an extent in their weakness that justice will never again be done. This will, of course, depend on the good sense and good feeling of the American people. If the people do not care whether this imbroglio occurs again or not, it probably will occur again. There will be shouting and screaming at every Presidential election, until at last the process becomes an odious farce and is dropped altogether in disgust, unless means are taken to provide for such difficulties as have now arisen. But we believe means will be taken. We believe that before another Presidential election we shall have distinctly arranged by Constitutional amendment the mode of counting the Presidential vote, and deciding between double returns. We believe this because we believe the American people still retain its capacity for managing its political affairs, and we therefore are unwilling to give it all up now, and declare that unless the Senate is allowed to count Hayes in, or the House is allowed to count Tilden in, there is an end of republican government on this continent. The Joint Committee evidently believes nothing of the kind. It believes we are plunged in a temporary difficulty, out of which we have to get through the exercises of a little patience and ingenuity. It has provided machinery for the purpose which is the best attainable, which will probably accomplish the object in view, which has all the marks of reasonableness and of good intentions, and which will meet with the approval and support of all sober-minded and patriotic men.

WHO ARE THE FRIENDS OF NEGRO SUFFRAGE?

It will soon be ten years since the nation took the tentorous step of conferring on the negro the right of suffrage, without any restriction as to his intelligence or to his personal interest in a wise administration of the Government. Among the supporters of the measure were many who acted more from the pressure of a real or supposed political necessity than from the conviction that the newly-enfranchised race was really well fitted to make a good use of the right conferred upon it. If we look out all who had serious doubts on the latter point, we should find those who really believed the measure to be a good one in itself as a part of the permanent policy of the Government to be in a decided minority. An analysis of the debates on the subject, in which every affirmative speaker was anxious to support his views in every way, would show a very small proportion of efforts to prove that ignorant voters would be able to select wise legislators and administrators.
The National

The great question which every thinking man in the country is now asking himself is: Is this measure a success, or is it destined to be a success, eventually? Ten years ago men's minds were in a state extremely unfavorable to the calm consideration of this question, and, had it been otherwise, no amount of consideration would have enabled them to see clearly what the ultimate results might be. But the time is now approaching when a decision cannot be longer delayed. When we speak of a decision, we do not mean that the question of nullifying the Fifteenth Amendment is likely to be submitted to the States, or that any legal expression of the opinion which the public may reach will be uttered. All modern experience shows that in this age no law can be made so sacred and binding that it will be permanently enforced against the will of a decisive majority of the intelligent community. If the conclusion is once reached by the thought and the conscience of the public that a great mistake was committed in conferring the suffrage on the negro, and that the attainment of the proper ends of government has been impeded by that act, then no kind of legislation will keep political power in his hands. The law may still stand as a statute-book and be recognized in our Constitution, but they will only have the efficiency and vitality of a very perfect and muscular corpse. Indeed, situated as the negro is, it would not be at all surprising if he himself should be among the first to reach an adverse conclusion by seeing for himself that he had not exercised his political rights in such a way as to conduces to his own advantage.

How is a conclusion on this question to be reached? The answer is plain: every political measure must and will, in the long run, be judged by its fruits—not the results which would have been if all men had been good, but by those which actually have been reached. If a good result has been defeated by the machinations of bad or passionate men, that very fact tells against the statesmanship which initiated the measure. Men of prejudice and passion are numerouss every community, and in our Southern States these traits are combined with intellectual force in a degree to which there are few parallels. True statesmanship requires us to make allowances for all the bad qualities of human nature, and to frame our legislation so that they shall be as nearly innocuous as possible. The motives on the part of bad men to defeat our measures must be removed and weakened in every possible way, and if they still oppose us, we must devise restraining forces which it will be practicable to keep in operation. To fail in this, and then complain of the malvolence of our enemies, is as privile under to complain of the storm which has destroyed an ill-bred ship, and to praise the builder for constructing one which would be all right in fair weather. The first test of good government is the protection which it affords to life and property; the most effective friends of negro suffrage are therefore those who can so manage that this object shall be attained by the voice of the negro. It is alike the right and the duty of every community to have its highest administrative duties entrusted to the hands of those men who by ability, integrity, and breadth of view are best fitted to perform them. There is no occasion in having every order of men present in the halls of legislation than in having physicians of every degree of intelligence, or lawyers of every degree of honesty.

What, then, should have been the course of the real friends of negro suffrage during the past eight years? Evidently they should have done everything in their power to induce the negro to vote for the best men in their respective communities, and to restrain him from voting for bad ones. They should have reasoned: these wards of the nation are now peculiarly liable to be led astray by demagogues, and to become the dupes of unprincipled men; we must therefore do all in our power to guard them against evil influences. We must send among them political missionaries who shall teach them the elements of governmental science, and warn them of the dangers to which they are exposed. The first lessons to teach them are, that the work of legislation cannot be entrusted to any hands other than those of educated men, that it is better to vote for a good man opposed to them in politics than for a bad one on their side, and that they must vote according to their individual judgment of who are the best men, and must look with extreme suspicion on men who assume to dictate nominations to them. They must be taught that all the dignity of the suffrage consists in the independence of action and judgment which it is designed to afford them, and that if they are disciplined and marched up to the polls like a company of soldiers they are not a whit better off than without any vote at all. The fate of the Fifteenth Amendment depends on the negro learning these lessons, and he is the friend of the amendment who most effectively teaches them.

On the other hand, the worst and most effectual political enemies which the negro has to encounter are those who encourage him to vote for men of doubtful character or bad reputation. The very fact that he does not readily see the injury they are doing him, because the injury is of a kind which is felt only with extreme slowness, makes it more surely fatal in the long run. Even now it is a serious question whether the colored vote has not entirely ceased to be a political power in the whole South. In one State after another intelligence and force, or perhaps we might say the last of Anglo-Saxon descent, is departing to the North, and it does not seem possible that a similar result can be long delayed in the two or three States which are still doubtful. Only two ways of regaining this lost power present themselves. One—which we shall not stop to discuss—is to station a sufficient military force at every polling-place in the South to see that every colored voter comes up and votes the Republican ticket. The other is to teach the colored voter the lessons we have suggested, and rid him for ever of the lead of the men whose names have become bywords of reproach. The day when the voters of one race are to be found voting in a body for one party, and those of the opposing race for another, has passed away for ever, and all the friends of the negro can now do is to hasten the day when there shall be no more distinction of race or color between political parties than in legal rights.

THE ELECTORAL CRISIS.

Washington, January 90.

For the past week people have been going to the Capitol and patiently waiting in the galleries of the Senate and House for something sensational to happen. What was generally expected was some kind of a break in the electoral dispute, and it is a curious illustration of the utter silly public anticipations are likely to be in an excited political atmosphere like that of Washington, that not only nothing of the sort has taken place, but the exact reverse has occurred; that instead of a row we have perfect peace, that instead of the sensational we have had the solemn, and that the interest which at the crisis of the electoral dispute has disappeared its Scope not to be, the hot, nervous excitement of an approaching political death-struggle, but the grave and serious yet hopeful feeling which sober the passions of angry litigants when they have finally submitted their quarrel to the decision of a trusted judge, clothed with all the power and all the terrors of the law. This may sound extravagant, but it is not so in reality. Down to the last moment there had been a general expectation of a disagreement, and even so late as the 17th, although the newspapers had given reports which would certainly have seemed to furnish grounds for hope, the matter was not by any means considered decided by the committee itself, and was given the balance on Wednesday by one of its members that an agreement or general confusion was a question of twenty-four hours. The plan was published in the papers of Friday morning, and its details were therefore generally known before the report came up in the House. But such was the impatience of everybody to hear the report officially read that Mr. Proctor Knott's speech (with which he insisted on attempting to forestall, or to appear to forestall the Joint Committee's report) on the power of the privilege of the floor was received with great dissatisfaction by all on the floor, the general feeling among both parties being that it was merely throwing away time to listen to it, while among the newspaper correspondents the feeling developed itself that Mr. Proctor Knott was an obstacle to "news," and, as one of them observed, that the time had come for self-respecting newsmen to throw aside all reserve and "go for Proctor Knott." When Mr. Knott sat down, and Mr. Payne of Ohio, one of the best men in Congress and Chairman of the House branch of the Committee, rose to make the report, a dead silence...