

# FROM OUR REGULAR CORRESPONDENT.

WASHINGTON, Dec. 11, 1878.

## THE CASE OF CONGRESSMAN SMALLS—WRIT OF ERROR GRANTED BY THE UNITED STATES SUPREME COURT—IMPORTANT QUESTIONS TO BE DECIDED.

Chief Justice Waite, of the United States Supreme Court, to-day granted the petition for a writ of error to the Supreme Court of the State of South Carolina, filed by Messrs. W. A. Cooke and C. C. Cole, of counsel for Congressman Robert Smalls, of South Carolina. Mr. Smalls (who is a colored man), it will be remembered, was tried and convicted on the charge of bribery and corruption, and sentenced to a term of imprisonment in the Penitentiary of South Carolina. He made application under section 641 for a removal of his trial to the United States Circuit Court, on the ground that he could not have justice under the law guaranteeing equal civil rights to all citizens of the United States. The criminal court denied his motion and the case was appealed to the State Supreme Court, which likewise denied the motion and affirmed the action of the lower court. Chief Justice Waite received the petition of Mr. Smalls' counsel, and, after carefully considering the same, in consultation with the associate justices, granted the motion, which is made returnable without delay. This writ is to determine the true meaning of the constitutional amendments in relation to civil rights as well as the Congressional acts in support of civil rights measures, and whether the United States courts have jurisdiction of State criminal trials. The importance of this action may be judged by the fact that similar motions have been denied in the State courts of Delaware and North Carolina in the cases of federal officers who have been indicted for criminal offences alleged to have been committed in the discharge of their duties as revenue officers. The writ of error granted in this case involves the whole question, which has been a mooted one for many years. Mr. Smalls' term in Congress expires on the 4th of March, but he will not return to South Carolina, preferring to await the result of the hearing of the cause before the Supreme Court.

## EUGENE HALE'S POLITICAL ADVANCEMENT—PROGRAMME AS LAID DOWN BY NEW ENGLAND DEMOCRATS.

It is said by New England democrats that, in case of a vacancy in the Cabinet to be occasioned by the resignation of Attorney General Devens, the vacant position will not be sought by Mr. Eugene Hale. The reason they give for his disinclination to enter the Cabinet is the agreement upon a programme of Maine republicans to nominate and run Mr. Hale for Governor of the State at the next election, as a preliminary to his election to the United States Senate as the successor of Mr. Hamlin.

## THE RAILWAY MAIL CAR SERVICE.

Postmaster James is in Washington, and will have an interview with Postmaster General Key to-morrow on the subject of the proposed withdrawal of postal cars. A number of journalists are here on the same business and to protest against a measure which will be a great public inconvenience and will seriously embarrass the carrying and distribution of the mails. Mr. James had an interview this evening with several members of the Appropriations Committee on the subject.

## THE PRICE OF STAMPED ENVELOPES—MANUFACTURERS DISSATISFIED.

A delegation from the New York and Philadelphia envelope manufacturing companies called on Postmaster General Key to-day and urged him to adopt higher rates than those at which the government sold stamped envelopes. They stated that the present price makes the government a monopoly against which private companies cannot compete, and wish a restoration of at least the old standard of selling prices, which were thirty per cent higher than the present. As the rates now adopted were fixed by law any change, were it desired or advisable, cannot be made. The manifest advantage to the private purchaser by the present system is deemed by the department so apparent that the companies are believed to have no ground for hope that the law can be changed. This law requires that the department shall sell envelopes at the lowest price at which they can be procured.