

TERMS OF PUBLICATION.

The Bedford Gazette is published every Friday morning by MEYERS & MENDEL, at \$2.00 per annum, if paid strictly in advance; \$2.50 if paid within six months; \$3.00 if not paid within six months.

All advertisements for a less term than three months TEN CENTS per line for each insertion. Special notices one-half additional.

All letters should be addressed to MEYERS & MENDEL, Publishers. A liberal discount is made for persons advertising by the quarter, half year, or year, as follows:

One square - 3 months, 6 months, 1 year, 2 years, 3 years, 4 years, 5 years, 6 years, 7 years, 8 years, 9 years, 10 years, 12 years, 15 years, 20 years, 25 years, 30 years, 40 years, 50 years, 60 years, 70 years, 80 years, 90 years, 100 years.

Attorneys at Law.

JOSEPH W. TATE, ATTORNEY AT LAW, BEDFORD, PA., will promptly attend to collections of debts, bank pay, and all business entrusted to his care in Bedford and adjoining counties.

CHARLES & KERR, ATTORNEYS AT LAW, BEDFORD, PA., will practice in the courts of Bedford and adjoining counties.

JOHN P. REED, ATTORNEY AT LAW, BEDFORD, PA. Respectfully tenders his services to the public.

JOHN PALMER, ATTORNEY AT LAW, BEDFORD, PA. Will promptly attend to all business entrusted to his care.

W. M. ALSPY, ATTORNEY AT LAW, BEDFORD, PA. Will faithfully and promptly attend to all business entrusted to his care in Bedford and adjoining counties.

KIMMELL & LINGENFELTER, ATTORNEYS AT LAW, BEDFORD, PA. Have formed a partnership for the practice of the law.

G. H. SPANG, ATTORNEY AT LAW, BEDFORD, PA. Will promptly attend to collections and all business entrusted to him in Bedford and adjoining counties.

MEYERS & DICKERSON, ATTORNEYS AT LAW, BEDFORD, PA. Office as formerly occupied by Hon. W. P. Schell.

JOHN H. FILLER, ATTORNEY AT LAW, BEDFORD, PA. Office near the Post Office.

Physicians and Dentists. P. H. PENNSYLVANIA, M. D., BLOODY Run, Pa. J. C. CURRIE, M. D., P. V. Y., tenders his professional services to the people of that place and vicinity.

W. W. JAMISON, M. D., BLOODY Run, Pa. tenders his professional services to the people of that place and vicinity.

D. J. L. MARBOURG, Having permanently located, respectfully tenders his professional services to the citizens of Bedford and vicinity.

DENTISTS. J. G. MINSCH, JR., Office in the Bank Building, Juliana St.

Bankers. J. J. SCHELL, REED AND SCHELL, Bankers and DEALERS IN EXCHANGE, BEDFORD, PA.

RUPP, SHANNON & CO., BANKERS, BEDFORD, PA. BANK OF DISCOUNT AND DEPOSIT.

MISCELLANEOUS. DANIEL BORDER, WATCHMAKER AND DEALER IN JEWELRY, SPECTACLES, AC.

H. IRVINE, ANDERSON'S ROW, BEDFORD, PA. Dealers in Boots, Shoes, Queenswains, and Various other Goods from Country Merchants.

R. ANDERSON, Licensed Scrivener and Conveyancer, CENTREVILLE, BEDFORD COUNTY, PA.

EVERY VARIETY AND STYLE OF BOOK PRINTING neatly executed at low rates at THE BEDFORD GAZETTE. Call and leave your orders.

For the Gazette.

PROF. NOTT'S EXHIBITION.—Mr. Editor:—The votaries of fashion, music and good manners, were well entertained at the Court House one evening last week, in your (the editor's) absence, and you will, therefore, excuse a communication from the back corner of the room.

The Spanish dance, El Bolero, as well as the Scottish Highland Dance, both very difficult of execution, were admirably performed by Misses Maggie Shoemaker and Rosa Meyers.

The Waltz, by Masters Ed. Meyers and O. Shannon (each about as tall as a yard-stick) showed what could be done by very small boys.

Also:—Frustrated Parisian's Finish; Demar Varanah; Various other all kinds; Flaxseed Oil (pure); Turpentine and Alcohol.

All kinds of IRON and NAILS. No. 1 CRYSTAL ILLUMINATING COAL OIL. LAMPS in profusion.

Drugs, Medicines, &c. J. L. LEWIS having purchased the Drug Store, lately owned by Mr. H. C. Reamer.

TOILET ARTICLES. STATIONERY. COAL OIL LAMPS. BEST BRANDS OF CIGARS. SMOKING AND CHEWING TOBACCO.

Drugs, Medicines, &c. J. L. LEWIS designs keeping a first class Drug Store, and having on hand at all times a general assortment of goods.

FANCY STORES. REMOVAL.—CALL AND SEE NEW MILLINERY STORE.—Mrs. E. V. REEDY would respectfully inform her friends and customers.

MISS KATE DEAL & MRS. M. R. SCHAEFFER have just returned from the city with a fine assortment of fashionable BONNETS, HATS.

RICHARD LEO, Manufacturer of CABINET-WARE, CHAIRS, &c., BEDFORD, PA.

PRINTERS' INK has made many a business man rich. We ask you to try it in the columns of THE GAZETTE.

THE Local circulation of the BEDFORD GAZETTE is larger than that of any other paper in this section of country.

EVERY VARIETY AND STYLE OF BOOK PRINTING neatly executed at low rates at THE BEDFORD GAZETTE.

Bedford Gazette.

BEDFORD, PA., FRIDAY MORNING, JULY 20, 1866. VOL. 61.—WHOLE No. 5356.

The Bedford Gazette.

From the Climber. FOR EVERY STATE A STAR. Air—"BONNIE BLUE FLAG." Come all good Union Democrats and join the column strong.



ANDREW JOHNSON, PRESIDENT OF THE UNITED STATES.

Decision of the Supreme Court.

The following opinion of the Supreme Court in the case of Huber vs. Kelly, was ready Justice Strong:

The act of Congress under which the defendant below justifies his refusal to receive the vote of the plaintiff is the one approved on the 3d day of March, 1865. The twenty-first section is the only one applicable to this case.

The act of Congress is highly penal. It imposes forfeiture of citizenship and deprivation of the rights of citizenship, as penalties for the commission of a crime.

The constitutionality of the act has been assailed on three grounds. The first of these is that it is an ex post facto law, imposing additional punishment for an offence committed before its passage.

In the view which we take of this case, and giving to the enactment the construction which we think properly belongs to it, it is unnecessary to consider at length either of these objections to its constitutionality.

It is not a correct view of the act of Congress now before us to regard it as an attempt to override state constitutions or to prescribe the qualifications of voters.

knowledge of powers of Congress, and which applies the forfeiture of citizenship to the new offence described as failure to return to service.

The second objection also assumes more than can be conceded. It is not to be doubted that the right to regulate suffrage in a State, and to determine who shall, and who shall not be a voter, belongs exclusively to the State itself.

But this is a different thing from taking away or impairing the right itself. Under the laws of the Federal government, a voter may be sent abroad in the military service of the country.

But it is not a correct view of the act of Congress now before us to regard it as an attempt to override state constitutions or to prescribe the qualifications of voters.

Even if they were to assume jurisdiction of the offence described in the act of Congress, and proceed to try whether the applicant for a vote had been duly enrolled and drafted.

ment meant to the constitution to ordain "that no person shall be held to answer for a capital or other infamous crime, unless on a presentment, or indictment of a grand jury."

What then, is its true meaning? As already observed, forfeiture of citizenship is prescribed as a penalty for desertion, an additional penalty, not for an offence committed before the passage of the act.

The act of March 3d, 1865, is not to be considered apart from the other legislation respecting the crime of desertion. It is one of a series of acts pertaining to the same subject matter.

It follows that the judgment of the court below upon the case was right. The plaintiff not having been convicted of desertion and failure to return to the service or to report to a Provost Marshal, and not having been sentenced to the penalties and forfeitures of the law, was entitled to vote.

And now, to wit, June 20, 1866, the judgment of the Court of Common Pleas of Franklin county is affirmed. GEO. W. WOODWARD, Chief Justice.

tion by that other tribunal of the full punishment prescribed by law.

Moreover it is not in the power of Congress to confer upon such a tribunal, which is exclusively of State creation, jurisdiction to try offences against the United States.

If, therefore, the act of March 3d, 1865, really contemplates the infliction of its prescribed penalty or part of it without the process of law, or if it attempts to confer upon the election officers of a State the power to determine whether there has been a violation of the act.

But such is not the fair construction of the enactment. It is not to be presumed that Congress intended to transgress its powers, and especially is this true when the act admits of another construction entirely consonant with all the provisions of the Constitution.

It may be added that this construction is not only required by the universal admitted rules of statutory interpretation, but it is in harmony with the personal rights secured by the constitution, and which Congress must be presumed to have kept in view.

On the other hand, if a record of conviction by a lawful court be not a prerequisite to suffering the penalty of the law, the act of Congress may work intolerable hardships.

It follows that the judgment of the court below upon the case was right. The plaintiff not having been convicted of desertion and failure to return to the service or to report to a Provost Marshal, and not having been sentenced to the penalties and forfeitures of the law, was entitled to vote.

And now, to wit, June 20, 1866, the judgment of the Court of Common Pleas of Franklin county is affirmed. GEO. W. WOODWARD, Chief Justice.

military post for trial by court martial, unless upon proper showing that he is not liable to military duty, the board of enrollment shall relieve him from the draft.

It is to such a code of laws, forming a system devised for the punishment of desertion, that the 21st section of the act of March 2d, 1865, was added.

It may be added that this construction is not only required by the universal admitted rules of statutory interpretation, but it is in harmony with the personal rights secured by the constitution.

On the other hand, if a record of conviction by a lawful court be not a prerequisite to suffering the penalty of the law, the act of Congress may work intolerable hardships.

It follows that the judgment of the court below upon the case was right. The plaintiff not having been convicted of desertion and failure to return to the service or to report to a Provost Marshal, and not having been sentenced to the penalties and forfeitures of the law, was entitled to vote.

And now, to wit, June 20, 1866, the judgment of the Court of Common Pleas of Franklin county is affirmed. GEO. W. WOODWARD, Chief Justice.

WOODWARD C. J.—I concur in the conclusion stated in the above opinion, and in most of the reasoning by which that conclusion was reached.