Continued from 1st mage,

Which party was right, and which wrong The conflict must be settled somehow Where was the jurisdiction to determine it Undoubtedly, and by universal admission the power was in the courts of the State from which both claimants professed to derive their authority. The proper State court did determine it; but the Commissioners said that however competent the jurisdiction of the court, it was too late in making its decision, and then they proceeded, in the exercise of a jurisdiction exactly similar, to decide the same questions of fact and law the other way. Now comes the query : If the court's decision was worthless because it was late, what was the value of the commission's judgment, which was later? The eight did actually, not in words, but in substance and effect, give vent to the bald absurdity that it was too late in January to decide the dispute in favor of Tilden, but not too late in February to decide it in favor of

IN PAVOR OF PRAUD EVERY TIME. Another thing they said: This judgment, though it proved the fact that the Haves claimants were not duly appointed, and had no title to the office of electors, did not invalidate the acts previously done by them while they were de facto in the exercise of the powers they usurped. There is a just and necessary rule of law which declares that the validity of acts regularly done by an officer shall not depend on the title by which he holds the office. You may remove a Sheriff by a quo warranto, without destroying the title of all who purchased land at his sales, or a Judge without vacating his decrees, or a treasurer without saying that his payment of a public debt is not satisfaction; but where a person assumes special authority to do a particular thing the validity of the act does depend on the authority to do it. This latter rule applies here. These And now, after this long interval of time, electors claimed a right to vote for the State under a special appointment given them to which all other rights depend-successfully do that one act. When a competent court adjudicated as matter of fact that the Hayes small weapons that Grenville used. If electors had no appointment, it was a logical brute force had crushed it out, we might and legal necessity which declared the unauthorized votes to be null and void. If this to see it circumvented by knavery and pettiwere not the principle, then any imposter, or fogged to death, is too much to be endured any number of imposters, might send up heir with any show of patience. ballots, and one would be as good as another.

But again, let it not be forgotten that the Tilden electors had also voted at the same fact make as much weight for them as for the others? It will excite the wonder of the world to learn that, in the coinion of the eight, a person who voted under an appointment given him by the people according to law could not be even a de facto elector, but laration of a Returning Board was good de doctrine of de facto sanctification, saving acts which have no other "relish of salvation in them," and making the votes of unauthorized men as good as if they came from persons duly appointed, cuts a great figure throughout the whole case. It is not applicable, but the eight apply it everywhere and, strange to say, they do not use it when it does not make in favor of some fraud or other. One who votes according to the public will of the State, legally expressed through the ballot-boxes, is de facto nothing. But if he was defeated or ineligible, he is de facto all he wants to be. One of the Hayes electors in Louisiana was a Federal officer his election was forbidden by the Constitu tion of the United States, and he was no elected but beaten at the polls; de facto strained its utmost power on him, and pulled him through in spite of Constitution and people both. But his Democratic competitor, who had acted as an elector in the same way and to the same extent, was legally chosen by an overwhelming majority; therefore de facto could do nothing for him. FRAUD UNDER THE FORMS OF LAW.

In all the discussions of the subject the men disposed to favor the conspiracy professed a most profound veneration for the. argument of counsel and commissioner on that side. It seemed to be understood among them that a formal cheat was perfectly safe from exposure. If the sepulchre was whited on the outside, it made no difference that it was filled with "corruption, dead men's bones, and all uncleanness." No refuge of lies could be swept away, no hiding place of falsehood could ever be uncovered, if it was built in the prescribed form. Only give it the legal shape, and the overflowing scourge would be turned aside. But legal form, however valuable as a covering for fraud, was, in their judgment, no protection for truth or justice or public right. The will of Louisiana was pronounced at the election with all the solemnities required by the law of the State and of the United States The appointment of the Tilden electors on the 7th of November was a perfectly legal piece of work; there was not a flaw in it as it came from the hands of the appointing power. But it was looked on with perfect contempt. Neither the Visiting Com mittee, nor the Hayes counsel, nor the eigh Commissioners, bestowed on it any of their love. Their affections were otherwise engag ed; they gave the homage and devotion of their hearts to the beautiful regularity, the exquisite precision, with which the Returning Board compounded its false certificate.

Another parodox of the eight is curious enough to be noted. They declared repeat edly that they had no power to try a contested election case, and for that reason they would not look at the evidence which showed what persons were duly appointed electors by the people. Now mark! The case was this. Each of these notes came accompa nied by what was asserted to be proof that it was cast by electors duly appointed. The conflict was to be determined by the verifying power which Congress unquestionably has, and which the Commissioners expressly assumed when they swore that they would decide who were duly appointed. To decide it one way or the other required precisely the same jurisdiction, and called into exercise exactly the same faculties. Yet they held that if they decided according to the truth in favor of the electors actually appointed they would be trying a contested election; but if they decided in favor of the pretenders who had nothing but a fraudu lent certificate, they would not be trying a contested election; in other words, their ju risdiction was full and ample to decide it falsely, but wholly unequal to the duty of deciding it truly.

INLLIGIBLE ELECTORS RECOGNIZED, Perhaps nothing shows more plainly the animus of the eight Commissioners than the without determination they made upon the case of Brewster, ineligible elector in Louisiana, Keep in mind that their defined duty was to decide who were duly appointed, and what votes were provided for by the Constitution, and think how they performed it in this part of the case. Brewster was not only defeated at the polls like the rest; he was besides a Federal officeholder, and the Constitution expressly declares that no such person shall be appointed an elector. But for the purpose of electing Mr. Hayes his vote was

worth as much as all the others. To get that Dr. Schenck's Pulmonic Syrup, vote for their candidate they were required to go further than they went for any of the modicines have undoubtedly performed more curet and so they held. 1 That the certirest, and so they held: 1. That the certi-3. That this was a vote provided for by the

After all, there was but one question before the commission. Had the American people a right to elect their own Chief Magistrate? They had the right. Their ances tors struggled for it long, fought for it often, and won it fairly. Being embedded in their Constitution, it cannot be destroyed except by a force strong enough to over throw the organic structure of the Government itself. Legislative enactments or judicial decisions are powerless either to strength en or impair it. The legerdemain of lawcraft, the catches of special pleading, the snapperadoes of practice, do not help us to decide a matter like this. A great nation must not be impaled upon a pin's point, Precedents which might bind a Court of Quarter Sessions determining the cettlement of a pauper cannot tie up the hands of the supreme legislature defending a fundamental right of the whole people. When Grenville, in 1766, cited the authority of divercases to show that America might be taxed vithout representation, Pitt answered: "I come not here armed at all points, with the statute book doubled down in dog's ears to defend the cause of liberty. I can acknowledge no veneration for any procedure, law or ordinance, that is repugnant to reason and the first principles of our Constitution I rejoice that America has resisted." So spoke the defiant friend of our race in the presence of a hostile Parliament ten years before the Declaration of Independence we behold our greatest right-the right or assailed in our own Congress with the same

If the majority of that commission could but have realized their responsibility to God and man, if they could only have understood time in the same way. Why did not this that in a free country liberty and law are inseparable, they would have been enrolled among our greatest benefactors, for they would have added strength and grandeur to our institutions. But they could not come by up to the height of the great subject. Party York passion so benumbed their faculties that a another person who had nothing to claim fundamental right seemed nothing to them by except the false, fraudulent, and void dec- when it came in conflict with some argument supported by artificial reasoning, and facto, if he was good for nothing else. This drawn from the supposed analogies of technical procedure. The Constitution was in their judgment, outweighed by a void statute and the action of a corrupt Returning Board.

Let these things be remembered by our children's children; and if the friends of free government shall ever again have such a contest, let them take care how they leave the decision of it to a tribunal like that which betrayed the nation by enthroning the Great Fraud of 1876.

ORPHANS' COURT SALE. OF VALUABLE REAL ESTATE

By virtue of an order of the Orphans' Court of Co-jumbla county, the undersigned Executrix of the last will and lestament of Frederick Isler, late of Greenwood township, Columbia county, deceased will expose to public sale on the premises on

SATURDAY, JULY 28, 1877, A messuage and tract of land situate in Green wood township in said county of Columbia, bounded and described as follows, to-wit: Beginning at a post along line of land of Elijah Lemon and running nce along line of land of Eliza Isler north one "forms of law." This was the keynote and one-half degrees, east one hundred and fity-struck at New Orleans by the Visiting Committee, and it is heard in every subsequent Cox south thirty-five and a half degrees, east thirtycor south tary-hve and a har degrees, east thrity-three and nine-tenths perches to a stone, thence by land of Augustus Wilson south seventy-three and one-fourth degrees, west fourteen and nine-tenth purches to a post, thence by the same south twenty-three and one-half degrees east, sixteen and eightthree-tenth perches to a post, thence by the same south eighteen and one-half degrees east, thirteen and one-tenth perches to a post, thence by the same south two degrees, west one hundred and nine and four-tenth perches to a post at a public road, thence north eighty-seven degrees west seven and nine-tenth perches to a post, thence by land of Elijah Lemon north two and three-fourth degrees east

> eighty-nine and one-fourth degrees west fourteer EIGHTEEN ACRES,

twenty-four perches to a post, thence by same north

and one hundred and seven perches on which are creeted a house, banvand other out-buildings. TERMS OF SALE.—Ten per cent of one-fourth of ne purchase money to be paid at the striking down fourths in one year thereafter, with interest from ELIZABETH ISLER, July 6, TT-4W

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THE CROSS & THE CRESCENT

rost, and so they held: 1. That the certificate of the Returning Board was proprior rigore an appointment. 2. That it was a due special than any other remains a substitution of the American public. They are compounded of vegetable ingredients, and contain nothing which can appoint ment, though corrupt and dishonest. in all cases, and if taken freely by consumptive pe Constitution, though the Constitution in plain words provided against it,
THE FULL EXTENT OF THE OUTRAGE.

THE FULL EXTENT OF THE OUTRAGE. cie of optum: It is composed of powerful but harm-less herbs, which act on the lungs, liver, stomach, and blood, and thus correct oil snorbid secretions, and expel all the suscessed matter from the body. and expel all the siscussed matter from the body, fleese are the only means by which consumption can be cerred, and as Schenck's Pulmonte Syrup. See west Toule and Maderiake Fills are the only medi-tines which operate in his way, it is obvious they for the only gentific eurie for Pulmonary Consump-tion of the Consumption of the Consumption of the Consumption of the Interestine, but the companied by full directions. In: Schenck is pro-cessionally at his principal office, corner sta and existence of the Consumption of t

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For Scrofula, and all scrofulous diseases, Erysiscrotulous diseases, Erysi-pelas, Rose, or St. Antho-ny's Fire, Eruptions and Eruptive diseases of the skin, Ulcerations of the Liver, Stomach, Kidneys, Lungs, Pimples, Pustules, Boils, Blotches, Tumors, Tetter, Salt Rheum, Scald Head, Ringworn, Ulcers Head, Ringworm, Ulcers, res, Rheumatism, Neuralgia, Pain in Bones, Side and Head, Female

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each is assured, and while it is so mild as to be harmless even to children, it is still so effectual as to purge out from the system those impurities and corruptions which develop into loathsome disease. The reputation it enjoys is derived from its cures, and the confidence which prominent physicians all over the coun-

try repose in it, prove their experience of its usefulness.

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May 4, '77-0m

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PO TEACHERS. Notice is hereby given that the Directors of the Bioomsburg School District, will meet on the EVI NING of JUNE 27, 1877, for the purpose of employing teachers. All persons desiring situations i teachers in the District will please hand to the Screenzy a written application before that time. caply printed at the Cours

June 15, 77-2w

RAIL ROAD TIME TABLES

DHILADELPHA AND READING ROAD ARRANGEMENT OF PASSENGER

TRAINS. May 21, 1976,

RAINS LEAVE RUPERT AS FOLLOWS (SUNDAY EXCEPTS For New York, Philadelphia, Reading, P. Tamaqua, &c., 11,33 a. m Por Catawissa, 11,33 a. m. 5,47 and 7,32 p. m. For Williamsport, 6,38 6,84 a. m. and 4,06 p. m.

TRAINS FOR RUPERT LEAVE AS FOLLOWS, (SUNDAY EX-Leave New York, 8,45 a. m.

Leave Philadelphia, 9,15 a. m. Leave Reading, 11,35 a. m., Pottaville, 12,15 p. m. and Tamaqua, 1,25 p. m. Leave Catawissa, 6,05 a,25 a. m. and 4,06 p. m. Leave Williamsport 5 % a.m., 12,00 m. and 2,00 p. m. Passengers said from New York and Philade, phila go through without change of cars.

C. G. HANCOCK, General Ticket Agent, Jan. 14, 1876—1f.

NORTHERN CENTRAL RAILWAY On and after November 20th, 1873, trains will leave SUNEURY as follows: NORTHWARD.

Renovo accommodat ion 11.10 a. m. arrive William

rt 19.55 p. m. Elmira Mali 4.15 a. m., arrive Elmira 10.20 a. m. SOUTHWARD. Suffalo Express 2.50 a. m. arrive Harrisburg 4.50 a. m

** Baltimere 6.20 **
** Washington 5.30 ** arrisburg accommodation 5.40 p. m. arrive Harris arrive Baltimore 2,45 a. m

Erie Mail 12.55 a. m. arrive Harrisburg a. 05 a. m. Baltimore 8.46 "Washington 20.35" All daily except Sunday. D. M. BOYD, Jr., General Passenger Agen

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