

# The Centre Democrat.



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"EQUAL AND EXACT JUSTICE TO ALL MEN, OF WHATEVER STATE OR PERSUASION, RELIGIOUS OR POLITICAL."—Jefferson.

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## The Centre Democrat.

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### Exercise of Elective Franchise.

Speech of Hon. William A. Wallace, OF PENNSYLVANIA,

In the Senate of the United States, December 17, 1878.

The Senate having under consideration the resolutions submitted by the gentleman from Maine, (Mr. Blaine)—

Mr. WALLACE said: Mr. President—My views upon this resolution well understood upon this side of the Chamber, and the motion I made yesterday to lay the whole subject upon the table was prompted by those opinions. The country is sick of political agitation and sectional turmoil. This resolution initiates a renewal of the bitterness of party and partisan investigation that has cursed the country for years. Every business interest in the State I represent prays for rest from political agitation and for time to recuperate its wasted energy. This cannot be while the country is aroused and shaken up by its investigations based upon rumor and party rancor is stirred to its depths in every section. I would, if I could, have arrayed every one on this side of the Chamber in decided and open antagonism to this reopening of the flood-gates of party strife. But by nearly a unanimous vote the Senate has decided otherwise, and all that is left for us to do is to proceed with the investigation in an honest spirit of seeking for truth. No practical result can come from this inquiry. The Constitution and laws as declared by the Supreme Court settle that. The second section of the fourteenth article of amendments to the Constitution is:

Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice-President of the United States, Representatives in Congress, the executive and judicial officers of a State, or the members of the Legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion, or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State.

In the case of the United States vs. Cruikshank, 2 Otto, 542, and kindred cases, the Supreme Court, commenting on this article and construing it, say:

The fourteenth amendment prohibits a State from depriving any person of life, liberty, or property without due process of law, and from denying to any person within its jurisdiction the equal protection of the laws; but it adds nothing to the rights of one citizen as against another. It simply furnishes an additional guarantee against any encroachment by the States upon the fundamental rights which belong to every citizen as a member of society. The duty of protecting all its citizens in the enjoyment of an equality of rights was originally assumed by the States, and it still remains there. The only obligation resting upon the United States is to see that the States do not deny the right. This the amendment guarantees, but no more. The power of the National Government is limited to the enforcement of this guarantee.

This is the decision of a court unanimous with a single exception, and he a democrat. If this be the law, how can we take representation from a State for what is done by individuals? The investigation, even if the facts be proved, is useless. The remedy is by a contest for the seat, and not by sectional agitation. The purpose of this resolution, stated by its author, are to record frauds and outrages on recent elections in the Southern States and to find a method to prevent them. The newspaper press is given as the authority for their existence. The laws provide a remedy for the wrongs alleged, if they exist, by a contest for the seat held through such

processes, and that peaceful mode of adjustment is, I believe, in the judgment of the country infinitely better than weeping allegations based upon newspaper rumors and passionate partisan appeals which must embitter the sections. Peace and law are the methods now to be sought. Passion and partisanship have ceased to inflame the minds of business men. Business and its cars, the restoration of a market for our products and the means for material growth and development in every locality, are the men's our people seek. I should not enter this arena now, thinking as I do, save to correct error and to vindicate so far as I can, from my standpoint a northern Senator, the truth of recent political history.

It is stated as a fact, based upon newspaper rumor, that elections in the Southern States have been controlled by violence, threats, and intimidations, that they have been manipulated by fraud, and that in one State "there was no election at all in any sense of the term." If these statements be true it is surprising that out of the whole number of Congressmen elected from that section, 105 in number, not more than six members have been notified of a contest for the seats they hold, and the thirty days allowed by law for that purpose have expired. This in itself is a complete and perfect answer to these broad charges of fraud and violence as applied to the whole section. The law provides the remedy. It is largely unsought. The wrong, if it exists, is local and cannot affect general results. Why raise investigating committees? Why arouse sectional bitterness? Why refuse to seek the remedy the law provides? The practical sense of our business people will have no more of this useless and senseless agitation. Their answer will be, let the laws rule, give us rest from political turmoil. It is conceded that practical results cannot come from it unless we can overthrow the constitutional amendment and the decisions of the Supreme Court, and this ought to be sufficient to end the strife.

It is not correct that thirty-five of the Representatives allotted to the Southern States were given them since the war by reason of the negro population. Under the Constitution as originally framed three-fifths thereof were represented, and this representation of the then slave population was attacked with vigor in the heated contest that preceded the war. After the war, and when reconstruction came, the policy of the republican party was reversed, and "manhood suffrage" became the shibboleth of party with them. Under this doctrine the republican Congress of 1872 added not thirty-five but twenty members to the representation of the Southern States in the House of Representatives. The right, the power, and the expediency to do this and to fix unalterably the equality of the black voter of the South and the North with the white voter everywhere was the leading feature of the reconstruction policy of the Senator from Maine and those with whom he acted. The fatal error into which they fell was in failing to qualify the right to the enfranchisement by fastening upon it an educational test. This would not serve their political ends, and reconstruction as they constructed it has proved their own political destruction. The absolute equality in fitness for self-government of the uneducated negro of the South with the trained and educated white man everywhere was the basis of the plan. It was unsound and false, and has returned to plague its authors. The Senator from Maine impales himself by his arguments. Negro suffrage as a political policy, is a failure in the South, and he helped to create it. His arguments are logically an arraignment of the vicious methods of those who acted with him in placing political power in the hands of an unfit agent. The work has been done by you, and its results do not please you. What is your remedy? To overthrow the amendments, nullify the decisions of the courts, and agitate until you succeed? Ours is to obey the amendments in their letter, to sustain the decisions of the Supreme Court, and to protect by law, encourage by fair treatment, educate and elevate the black man until his capacity is fully tested. Yours is to take from him representation, disfranchise and degrade him. Such, at least, is the logical result of your efforts and your arguments. The issue is not whether the white voter of the North shall be the equal of the white voter in the South in shaping the policy of the country. They have always been and are now the equals and peers of each other. The legitimate and lawful influence that each can wield is as much his right as his life. Whether North or South, the brave, intelligent, and upright man is justly powerful, and he who seeks to lesson his power or weaken his influence stabs his country.

It is not correct in point of fact that the white voter of the South wields a greater influence than the white voter of the North. The Senator from Maine gathers together whole masses of population in the North and argues from population and not from voters. I quote his words:

Take the States of South Carolina, Mississippi and Louisiana. They send seventeen Representatives to Congress. Their aggregate population is composed of ten hundred and thirty-five thousand whites and twelve hundred and twenty-four thousand colored; the colored being nearly two hundred thousand in excess of the whites. Of the seventeen Representatives, then it is evident that nine were apportioned to these States by reason of their colored population, and only eight by reason of their white population; and yet in the choice of the entire seventeen Representatives the colored voters had no more

voice or power than their remote kindred on the shores of Senegambia or on the Gold Coast. The ten hundred and thirty-five thousand white people had the sole and absolute choice of the entire seventeen Representatives. In contrast, take two States in the North, Iowa and Wisconsin, with seventeen Representatives. They have a white population of two million two hundred and forty-seven thousand—considerably more than double the white population of the three Southern States I have named. In Iowa and Wisconsin, therefore, it takes one hundred and thirty-two thousand white population to send a Representative to Congress, but in South Carolina, Mississippi and Louisiana every sixty thousand white people send a Representative.

The first fallacy in this proposition is the bold assumption that the colored voters had no voice or power in the recent elections. Who gives any one authority to say this? Is it true that the republican party possesses an indefeasible estate in every colored voter in those States? Have they no liberty of thought or right of independent action? Are they votes not to be counted unless they vote the republican ticket? Such a statement as this is utterly unwarranted by facts, for we all know that in very many instances the colored voter is independent in action. Upon the presidential vote of 1876 in those States the seventeen democratic members elected had a total of 272,805 votes and their opponents had a total of 219,610 votes. The minority were just as much represented as they are in any congressional district in the North. They voted and they were outvoted. How unfairly the contrast is put. Iowa and Wisconsin had in 1876 a voting population of 540,108. Of these, 296,595, representing about twelve hundred thousand people, were republicans, and 243,503, representing about one million people, were democrats. If the negroes who voted for the republican candidates in the Southern States named are not to be counted, the democrats who voted for their own candidates in Iowa and Wisconsin ought not to be counted. The democrats elected in the South represent the minority there just as much as the republicans elected in the North represent the minority there.

The eleven States that formed the Confederate Government had by the last census a population of nine and a half millions, of which in round numbers five and a half millions were white and four millions colored. On this aggregate population seventy-three Representatives in Congress were apportioned to those States—forty-two or three of which were by reason of the white population, and thirty or thirty-one by reason of the colored population. At the recent election the white democracy of the South elected seventy of the seventy-three districts, and thus secured a democratic majority in the next House of Representatives. Thus it appears that throughout the States that formed the late Confederate Government sixty-five thousand whites—the very people that rebelled against the Union—were enabled to elect a Representative in Congress, while in the loyal States it requires one hundred and thirty-two thousand of the white people that fought for the Union to elect a Representative.

This is a reassertion of that already shown to be incorrect. It ignores democratic votes and population North and omits the pregnant fact that the colored voters South both voted and were counted in making up results. If negroes are voters and entitled to representation, (and the republican party has made them so,) then they are as much entitled to be counted as are the minorities in any district in the Union. In every close contest since 1872 their votes have given the State of Pennsylvania to the Republicans. They hold the balance of power there and invariably cast it against the democrats. If the Senator from Maine will have one result he must accept the other. The Senator says:

The political power thus appropriated by southern democrats by reason of the negro population amounts to thirty-five Representatives in Congress. It is massed almost solidly and offsets the great State of New York; or Pennsylvania and New Jersey together; or the whole of New England; or Ohio and Indiana united; or the Colorado and Oregon. The seizure of this power is wanton usurpation; it is flagrant outrage; it is violent perversion of the whole theory of republican government. It inures solely to the permanent dishonor of the democratic party. It is by reason of this trampling down human rights, this ruthless seizure of unlawful power that the Democratic party holds the popular branch of Congress to-day and will in less than ninety days have control of this body also, thus grasping the entire legislative department of the Government through the unlawful capture of the Southern States.

If it be "wanton usurpation and violent perversion of the whole theory of republican government," what shall we call the wholesale disfranchisement of the democratic masses North by skillful manipulation of political power? Indiana, with a democratic plurality of over 5,000 in 1876, sent to this Congress 9 republicans and but 4 democrats; 23,120 votes or 115,000 population could choose a republican to Congress, while it required 53,291 votes or 265,000 people to elect a democrat. The home of the Senator—New England with its six States—sends to this Congress 22 republicans and 6 democrats; 16,691 votes or 80,000 people can elect a republican member of Congress there, while it requires 49,321 votes or about 250,000 people to elect a democrat. To the Senator New England sends, 10 republican and 2 democratic Senators. Upon the basis of the vote of 1876 it requires 37,717 votes or 185,000 people to choose a republican Senator from New England, while 147,963 votes or

740,000 people are required to elect a democrat. The six great Middle States—New York, Pennsylvania, Ohio, Indiana, Illinois, and Iowa—contain 3,650,000 voters or about 16,000,000 of people, yet they have but 12 Senators as against an equal number in New England for 663,000 voters and about 3,300,000 people. These are the results of our political system, and there is just as much reason to find fault with it in New England as in the South. We must abide its inequalities and imperfections for the much greater good it contains. Sweeping charges or partisan comparisons can do no good and must do harm. The only important question is, have elections, North or South, been carried by fraud or violence? If they have, the incumbent holding by such a title should be ejected. The remedy is by contest under the statute. Orderly methods, sworn testimony, judicial inquiry, non-partisan judgment. These are the processes the people approve.

The invective hurled at the seizure of power by a solid South may be fitly answered by grouping the six great Middle States I have named and examining political results there. In this Congress (and it is worse in the next) these States, upon a total vote of 1,842,212 republicans in 1876, have "seized" 75 Congressmen, while on a total vote of 1,804,341 the democracy get but 46. Upon a voting majority of 37,871 the republicans have "seized" 29 Congressmen. If we add to these States, New England, we find that 2,339,431 republican voters get 97 Congressmen, while 2,103,268 democratic voters get 52. In these twelve States 109,163 republican majority enables that party to seize 45 Congressmen. If we call a democratic white voter North the equal of a republican white or negro voter North, and as such entitled to equal political power, it appears that each 245 black or white republicans North have chosen one of these 45 republicans to Congress. Or, upon the same basis of equality, each 12,000 people are represented by these voters who are represented by 2,103,268 democratic voters get 52. In these twelve States 22,777 black or white republican voters representing 113,885 people "seize" a Congressman, while it requires 46,672 democratic voters representing 233,360 people to elect one.

The fourteenth and fifteenth amendments were the crystallization of ultra-republican thought as to reconstruction. They did not seek to operate on individuals but upon States. There was no thought then of punishing organized communities for the misdeeds of a single locality, and the safeguard invoked was the only one that could be used without the destruction of our form of government. The plain terms of these amendments and the decisions of a republican Supreme Court thereon are now attacked because under their reconstruction protest to be the dearest kind of a dead failure. They will not reach and cover, and they never were intended to reach and cover, sporadic cases of fraud or violence. Such cases can only be met by the specific remedies given by law, and States cannot be punished by loss of representation because of alleged violence in one district in Louisiana and alleged frauds in two in South Carolina. It would be monstrous to punish a State either north or south by depriving it of representation because negroes failed to register themselves or to pay taxes, or because of irregularities in the election boards. Such is not the remedy for evils of this sort. If it were, we of Pennsylvania might be fearfully punished. In the recent election there fraud and bribery ran riot and thousands were disfranchised for non-payment of taxes. At least two contests are already inaugurated for seats in the House of Representatives, one of which is based upon the corrupt use of money, fraudulent and illegal votes, and the use of forged tax-receipts, while the other rests upon the charge of wholesale bribery and corruption and intimidation of white workingmen. The republicans, polling 289,000 votes upon the congressional issue against 288,000 democratic and 111,000 national votes, have "seized" eighteen out of the twenty-seven Congressmen returned to the new Congress. With an actual majority against them of 110,000 they grasp two-thirds of the congressional delegation. This is partly the result of an infamous apportionment, but it is much more the result of skillful manipulation of the political situation, of the unscrupulous use of enormous sums of money, and of the disfranchisement of masses of democrats for non-payment of taxes. No such political domination has ever existed anywhere as now dominates and controls the republican organization, and through it the political power of that great State. Bold, daring, and defiant, they tolerate no independent thought. They wield their organization as one man, and the end with them justifies the means. Sixteen thousand white and black republican voters in Pennsylvania are sufficient to elect a Congressman, but it requires 44,000 of their opponents to do so. If we carry it still further and look to the inner machinery of State politics it is worse. Forty-six senators and representatives in the Legislature are given to the city of Philadelphia. Upon the vote of 1576 there were 77,000 republicans and 62,000 democrats, yet in the recent election the republicans "seize" thirty-seven senators and members and the democrats get nine. It requires 6,888 democrats to elect a member of the Legislature in Philadelphia while 2,081 republicans are enough to elect one. This too is under the forms of law. But a much graver wrong was perpetrated at the same election there under the forms of law and through the use of money. There were in that city at

least 20,000 voters of both political parties who had paid no taxes for two years. By our constitution no man can vote unless he has paid a tax within two years, and such payment must be made at least one month before the election. The republicans through their organization paid for thousands of these tax-receipts in bulk for distribution among their people, and when election day came they equipped every republican voter, white or black, who had not paid his taxes with one of them, which, by the law, was *prima facie* proof of payment. The democrats had no money for this purpose save in one congressional district, and by reason of their inability to do what the republicans had done it is believed that at least 8,000 white democratic voters were unable to vote. The republican managers gave the most stringent orders to their election officers to reject every vote not fully equipped with tax-receipts and they placed at every poll deputy marshals of the United States, many of them of the most disreputable character, who were ordered to arrest every one who could not fully come up to their standard. So desperate is this management and so obedient to its orders is the Legislature of the State that the common-law right of the sheriff to appoint deputies was taken from him by express statute lest he, being a democrat, should aid in protecting the rights of white democrats.

Are not these denials and abridgment of the right to vote, so fully guaranteed by the fourteenth amendment, if the Senator from Maine is correct? The negro voter was provided with a tax receipt paid for by the men who claim to own him North and South, and the white man, too poor to pay his taxes, was driven from the polls. Federal authority entrenched itself on the election ground in the room of the official whom common right and ancient custom places there, and the democratic party polled at that election but 53,000 votes against more than 62,000 polled in 1876. Would it be just to deprive Pennsylvania of her fair share of representation in Congress by reason of these deeds of unscrupulous political managers? The remedy for these wrongs must come through the wrath of an outraged people. It may come tardily, but it will come surely. Our wrongs come upon us in the full blaze of an intelligent northern sentiment. Their authors have enjoyed immunity so long that they think the people will always submit. Party rule and sectional hate are invoked to maintain and perpetuate the disgrace of an intellectual and proud people. This is the toxin that is sounded by these terms of this resolution. This is the feast to which the northern people are invited. The condition of the South is infinitely better than it was five years ago. Fewer outrages, less violence, more of normal and law of abnormal condition come to it year by year. The wrongs complained of by this resolution are located in the States in which carpet-bag rule lingered last, and we hear of none in the States longest under control of the white man. We must be content with our progress, until we can fully test the capacity of the negro for self-government. It will be time enough when he shall have utterly failed to come up to the standard of capacity to initiate the process foreshadowed by these resolutions.

The people North and South want rest from political and sectional agitation. Business relations, business interests, and business success can grow only when such rest is given them. Would you divide a solid South? Would you reconstruct your party there? Cease to persecute and begin to help them; appeal to administrative questions. Arouse the cupidities of their leaders by aiding them in material progress and internal development. Make it the interest of their people to act with you. Loose the bands of sectional prejudice that bind you, and aid by every constitutional power in reconstructing their highways and opening to your own people a market for their manufactures. May we not recognize the fact that political reconstruction has failed of its primary purpose, but that business reconstruction and material progress are the aims of the South and the interest of the North and that those whose principles and practice follow the path that leads to these will be esteemed the best friends of their whole country.

Mr. BLAINE. Before the Senator sits down I should like to ask him a single question; I did not want to interrupt him during his speech. If there is this great tyranny that has held Pennsylvania in its ruthless grasp and ruled that State so mercilessly in the interests of the republican party, how does the Senator, a leading democrat, happen to be on this floor?

Mr. WALLACE. Mr. President, there always comes an earthquake when the elements become convulsed. An earthquake sent me here; nothing else could be in that State. [Laughter.] Mr. BLAINE. And the Senator is still in a state of eruption. [Laughter.] Mr. WALLACE. The Senator from Maine with his incisive questions and magnetic bearing prevails upon the Senate to sympathize with him; but I beg him to understand that while in that great State there may be two hundred thousand "stalwarts" who look to him for leadership, who sympathize with him, there are one hundred and fifty thousand men of his party who do not sympathize with the attacks upon the section with whom their business interests are connected, but who will follow him if he will point a path to restoration of business interests to a people suffering from deprivation of employment, starving for the means of

livelihood, seeking a market for their manufactures; and just such men as the Senator from Maine these people look to for leadership in that path.

Mr. President, I am about as serious as a Senator who deliberately on this floor attacks the fourteenth amendment of the Constitution and the decisions of the Supreme Court—a republican Supreme Court—made thereunder, which in their very terms deny the right to take representation from a State for the causes alleged in this resolution, and undertakes to initiate an investigation, which investigation must inevitably be fruitless and powerless to bring any such result. I am about as serious in my charges, surely, as he is in the initiation of such an investigation as this.

We of Pennsylvania have initiated contests alleging intimidation and fraud and bribery, and they will be settled before the tribunal created in the other House. The Senator, on the contrary, alleges intimidation and violence and fraud, and he uses a power that has no right, that can in no way apply a remedy, that is not given the authority in any form to correct the wrong. It is a *brevis fulgur* if it is done. We, on the contrary, whose voters were intimidated—I re-assert what I have said—whose voters were bribed—and I re-assert what I have said—whose voters were deprived of the right of suffrage by being driven away from the polls in masses because they had not paid their taxes when the republican organization had paid taxes for masses of black and white voters—

Mr. BLAINE. But did not the law require the taxes to be paid?

Mr. WALLACE. Certainly. I am not complaining of the law; it is a guard. I am simply complaining of the use of money in the way in which it was used, the purchase of tax-receipts in bulk to equip a black voter and to drive away a white voter from the polls in the city of Philadelphia. That is what I complain of, a denial and an abridgment of the right of suffrage, if you please, but not such a denial or such an abridgment of the right of suffrage as under either the Constitution or the laws can deprive the State of Pennsylvania of any single member in her representation in the other House. And here I come back to the point to which I direct attention, that this proceeding is utterly fruitless; that it can result in no good; that the law as declared on the statute-book, in the Constitution, and by the Supreme Court, demonstrates that if all this were done no result can come save political agitation, sectional turmoil, representation of employment in business, while of the other line, the line of appeal to law, to a contest under the power of the House, be taken, all the wrongs can be shown, everything can be made patent, and right and law can prevail. That is what this people want, orderly methods, appeals to law, sworn testimony, non-partisan judgment.

### How Secretary Sherman Increased the Bonded Debt.

(From the Philadelphia Times.)

When the Times said that Secretary Sherman had been steadily increasing the interest-bearing debt of the United States and that he had been over-ridding the laws that he might check the feather of resumption for his cap, the organs rushed to his defense and showed, to their own satisfaction, that the Times was all wrong and that the Secretary was all right. Perhaps they can now be induced to speak out and explain again, to their own satisfaction, if this little sum in subtraction is not correctly performed:

Total debt, bearing interest in coin, January 1, 1878.....	\$1,279,300,000
Total debt, bearing interest in coin, January 1, 1879.....	1,899,300,000
Increase in debt, bearing interest in coin.....	620,000,000

Let us anticipate the explanation that they will offer. It is the same that they made before—*that* the increase is only apparent; that the sixes have been called, and the money is in the Treasury to pay for them. Indeed, did not the Secretary himself for the first time incorporate into the January statement this explanation in order to anticipate objection? But there were called bonds due and unpaid on the 1st of January, 1878, just as there were on the 1st of January, 1879. Let us see how the statements compare:

Debt on which interest has ceased, January 1, 1878.....	\$2,312,500
Debt on which interest has ceased, January 1, 1879.....	2,248,000
Increase.....	64,500

Less than a million more of called sixes out on the 1st of January, 1879, than on the 1st of January, 1878. This explanation will hardly do. It throws us back to the facts in the case—that the bonded debt of the United States on Wednesday last was \$83,913,220 greater than it was one year before. Fifty millions of this increase was confessedly to get coin with which to resume, for which we paid a bonus to the Syndicate of about one million. But on what pretext has the remaining thirty-three million been issued?

Too many CUCKLES CORKING.—At a meeting of the Cabinet last week, it was decided that Secretary Evarts is to open formal negotiations with the Government of China for a modification of the Burlingame treaty, with a view of restricting immigration from that country.

The net profits of three week's silver coinage was \$870,000, which the Mint Bureau handed over to the Treasury on Thursday of last week. This was the margin over all expenses of the coinage between the actual value of silver itself and the nominal value stamped upon it by the United States.