

The Centre Democrat.

SHUGERT & FORSTER, Editors.

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

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S. T. SHUGERT and R. H. FORSTER, Editors.

Thursday Morning, April 15, 1880.

THE Hon. Heister Clymer is to be married at St. Louis this week to Mrs. J. B. Clemens, of that city.

AN anti-third-term convention is announced to be held at St. Louis, at which many prominent Republicans, and among them Secretary Schurz, are to speak.

It is claimed that Oregon has chosen five of the six delegates to the Democratic National Convention, in favor of Judge Fields, for President. They are, however, uninstructed, and have also been claimed by the friends of Mr. Tilden.

WITH Indiana Republican, and the western cities all voting the same way, matters will probably be simplified before next November.—*Phila. Press.*

Yes! And if the Heavens were to fall, the *Press* editor might catch larks.

JOHN SHERMAN's bloody-shirt speech in Ohio failed to enthrall the people and he returned to Washington, dejected and unhappy, without making repairs. The Mulligans and third-termers have now a free run over his premises.

SENATOR THURMAN of Ohio has again been chosen President of the Senate—Mr. Wheeler, the fraudulent Vice President, having retired temporarily. The Senators can now felicitate themselves in having a legitimate presiding officer instead of an illegitimate spawn of fraud.

A JUDGMENT has been rendered in the Dauphin county Court against the Pennsylvania Railroad in favor of the Commonwealth, amounting, debt, interest and costs, to \$87,822.81. This was an appeal from the tax settlement for 1877, the amount in dispute being \$66,825.62.

THE Grant machine seems to have got out of repair in Illinois. The Mulligans are evidently tampering with it. The chief engineer, Logan, should be at home. He would perhaps be of more service there than in the Senate, where he is not appreciated. By all means let Logan go home, or recall the Duke from the South.

MR. HAYES has given the Philadelphians, as well as Senators Wallace and Cameron, a surprise, by the nomination of William J. T. White as Census Supervisor instead of Dr. Sherwood, who was twice rejected. The nomination has not yet been acted upon by the Senate, but it is believed, unless objected to by Mr. Wallace, that it will be confirmed.

THE attempt made by a committee of leading Democrats to harmonize the existing discord in the Democratic party of New York has failed. The Tammany and anti-Tammany parties will therefore hold separate conventions, and each have their representatives at the National Convention claiming admission as the true Democracy of New York. The war cry of these factions is Tilden and anti-Tilden, and the prospect of either yielding is not encouraging.

THE Spofford-Kellogg case still hangs fire in the Senate. Why should it? Kellogg is either a very base interloper acting as a Senator wrongfully, or entitled to retain his seat. Why not declare it one way or the other? The investigation of the committee have shown that he obtained the place by disgraceful means from a body without authority to confer it, and the mere fact that he was forced into position by partisan blindness, or corrupt agreement, in disregard of the claims of a legally elected Senator, should at least entitle the cause to prompt consideration and the defrauded Senator to redress.

State and Popular Rights.

The subject of the reservations of the Constitution is one that should at this day enlist the earnest attention of the people of the United States. Regardless of popular rights, and the time-honored doctrine of local self-government, the entire tendency of radical administration has been and is to-day towards an unconstitutional centralization of all power in the general government at the expense of the reserved rights of the people and the States. Unless this tendency towards the exercise of unwarranted power is checked in time it will not be long until the whole practice of government is changed, and we will find ourselves ruled exclusively from above, instead of the people ruling from below according to the true Democratic theory upon which the fathers founded the Federal government. In a timely article upon this subject the *Philadelphia Record* remarks that "the first ten amendments of the Federal Constitution are a decalogue of State and popular rights. Though not embodied in the instrument as originally framed, they were adopted almost simultaneously with it, having every one of them been proposed by some one or other of the States as conditions of their acceptance of it as the compact of organic union. They all operate as general restrictions upon the powers of Congress, and they are for the most part affirmative either of the inalienable rights of individuals, or of the civil and political rights substituted as a compensation for their surrender. They were manifestly adopted from superabundant caution, inasmuch as the rights they guarantee would seem to have been already sufficiently guarded by the State Constitutions and bills of rights. To forestall any infringement of them at the hands of the central Government a patriotic solicitude for the popular liberties and for the cardinal rights of the great municipalities that compose the Union insisted upon their solemn and specific affirmation in that national charter which was to be the 'supreme law of the land.' The 9th and 10th amendments are especially significant. They provide that 'the enumeration in the Constitution of certain rights shall not be construed to deny or disparage others retained by the people,' and that 'the powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively or to the people.' There is an essential unity in these provisions, and they might have been embodied logically in a single statement. The one was intended to anticipate and preclude any perverse ingenious misapplication of the maxim *expressio unius est exclusio alterius*—that an affirmation in particular cases implies a negation in all others. The other merely affirms a necessary rule for interpreting the Constitution, which being an instrument of limited and enumerated powers what is not conferred by it is withheld and retained by the State Governments if vested in them by their Constitutions, and if not so vested remains with the people as a part of their residuary sovereignty. Were it not for this provision color might be found for the claim that unformulated powers—those not defined in either the Federal or the State Constitutions—might be asserted by the national authority.

The utmost that can be claimed by the advocates and promoters of centralization under the tenth amendment is that it does not confine the Federal Government to the exercise of express powers; for implied powers must necessarily have been admitted unless the Constitution had descended to the regulation of the minutest details of legislation. It is a general principle that all bodies politic possess all the powers incident to a corporate capacity without any formal declaration to that effect, and one of the imperfections which led to the abolition of

the Confederation was its denial to Congress of the exercise of any power "not expressly delegated." But while it was not intended by this amendment to abridge any of the powers granted to the Union—whether express or implied, direct or incidental—it manifestly was designed to exclude any construction by which other powers beyond those granted should be assumed. All powers "not delegated"—either expressly or by fair implication—were meant to be reserved.

A resort to equivocal methods under the specious plea of necessity is one of the most formidable dangers which menace the rights of the States and the ultimate sovereignty of the people. Modern statesmen have discovered in the verbiage of the Federal Constitution a vast reservoir of latent powers. The whole protective tariff system, in all its magnitude, hangs upon the two words "general welfare" in the text of the article relative to revenue. And in the single word "manner" in another article is found authority in the General Government to regulate the entire conduct of elections for members of Congress in any and all the States. The same construction which is relied on for the validity of Federal supervision through deputy marshals and other officials over the polls opened to elect Representatives in Congress can be with equal propriety extended to authorize an invasion of State Legislatures for the purpose of superintending the choice of United States Senators. Under the vicious rule of constitutional interpretation which the consolidationists show a disposition to adopt the most revolutionary aims may be accomplished, and our entire governmental system may be vitally changed. Discarding the safe landmarks of contemporaneous exposition, and setting aside the meaning attached by the framers of our organic law to the words they used, these new exponents of the Constitution—much after the fashion of some religious sectaries in dealing with the Scriptures—boldly assert the right to wrest its language by attenuated and flimsy verbal criticism into pretexts for the most unwarranted departures from the known intention of the authors of that instrument. It is high time to call a halt to the vagaries of these modern doctrinaires.

THE election for Governor and Representatives took place last week in Rhode Island. There was no choice of Governor by the people. The election will therefore devolve upon the new Legislature just chosen. The Republican candidate for Governor, Alfred H. Littleton, run behind his ticket, but notwithstanding the voters caught the scratching infection to a considerable extent, the Legislature is doubtless Republican, and will secure his election. How could it be otherwise in Rhode Island, where many of the best men in the State are disfranchised, because they are not in possession of a free-hold estate, and where laborers in manufactories are marched to the polls as chattels of the proprietors to vote the Republican ticket?

AMONG the many articles we have seen in praise of Gen. Grant by his admirers, we cannot discover that any one has claimed for him the merit of successful statesmanship. He has been twice in the Presidential chair, and if his public acts in that capacity would bear criticism, one would naturally suppose they would be brought forward to prove his claims and fitness for a third term. This omission on the part of his advocates may well challenge the reflection of those who desire the affairs of the government to be properly administered. His success in arms, by an immense and perhaps reckless sacrifice of life, is not sufficient in times of peace to commend him to thoughtful men who believe that enlightened statesmanship is a desirable factor in managing the affairs of a great government.

THE case of Whittaker, the colored West Point cadet, who was found in his room one morning last week in an apparently unconscious condition, with his feet and hands bound and his ears cut, is undergoing a searching investigation by a board of army officers. Whittaker tells a plausible story about the outrage upon him, and he stood up well under a sharp cross-examination; and yet there are certain circumstances in connection with the affair that have given rise to grave suspicions that all the injury this young man suffered was self-inflicted, or inflicted with the aid of an accomplice for a purpose. This may of course be mere conjecture, but as yet no clue has been found to fix the perpetration of the cowardly deed upon any one connected with the school. The cadets as a body indignantly disavow any knowledge, lot or part in it. Whoever the guilty parties may be, they deserve not only exposure but rigorous punishment, and it is to be hoped that the board of inquiry will be successful in discovering the truth in order that all parties may receive strict justice.

THE name of Hon. Charles A. Mayer, President Judge of this judicial district is mentioned in very complimentary terms in various sections of the State, in connection with the democratic nomination for Judge of the Supreme court. The State convention could not select a better candidate or one more worthy to occupy a place on the Supreme bench. Judge Mayer is an able, upright and thoroughly trained jurist who would honor the position. He has had many years of experience upon the bench, and is acknowledged to stand in the front rank of the Common Pleas Judges of the State, and would prove a splendid acquisition to the strength of the higher court. The nomination could not fall in a better quarter.

THE missing riot bill briber, William H. Kemble, put in an appearance at Harrisburg on Monday, shadowed from Philadelphia by a detective. Of course he received the same treatment from Judge Pearson that had been dealt out to his four companions in trouble the week previous. That is, he was permitted to renew his bail, on condition of appearing before the court for sentence on the 26th instant. The bail was fixed at \$5,000, and J. C. Bombarger, the wealthy banker of Harrisburg, became his bondsman. It is not improbable that through some hocus-pocus of "addition, division and silence" these men may yet escape the penalty of the law for the crime of which they have been adjudged guilty, and if they do in the end get off without punishment, we trust there will be a day of reckoning for the officials who thus make a farce of the administration of justice.

THE action of the democratic State convention of Louisiana, says the *Harrisburg Patriot*, places Gen. Hancock in the field as a candidate for the democratic nomination for president. It was Gen. Hancock who liberated the people of Louisiana from the military despotism established in that State by the republican party, and his recommendation for the presidency by the Louisiana democrats is an act of gratitude which challenges the admiration of the whole country. It proves that the democrats of the South respect and admire a northern soldier who fought for the Union and who believes in constitutional government.

THE proposition to fuse the Republicans and re-adjusters in Virginia, is denounced in very strong terms by the *New York Times*, as a measure fraught with great danger to the Republican party. The *Times* expresses the opinion that such a representation to the Chicago Convention would not be admitted, and if it were, would do the party more injury than could finally accrue, even if the State of Virginia were carried against the Democracy by the fusion.

GENERAL NEWS.

Louisiana will send Hancock delegates to the Democratic National Convention.

There is at present quite an exodus of the young men of Halifax, N. S., to the United States.

It is reported that frost last week ruined the peach crop of Delaware on the lower peninsula.

Mike McKee, a well known character in Oil City, committed suicide on Friday by taking hydrate of chloral.

The Delaware peach crop last year was 4,000,000 baskets, and the Wilmington *Evening* says there is reason to believe that this year it will reach 7,000,000 baskets.

The St. Louis Young Men's Christian Association has purchased, for the purposes of their organization, the Union Methodist Church.

On Friday the sales at the Oil Exchange, in Oil City, aggregated 1,500,000 barrels, which, according to the *Derrick* was the largest day's business ever accomplished there.

The April elections have badly used up the Greenback party in Michigan. Indeed the spring elections everywhere have indicated that the Greenbackers have nearly ceased to be a factor in politics.

James R. Dodge, who died recently in New York, was a nephew of Washington Irving, whom he closely resembled both in personal appearance and in that beauty of character which rendered the author an object of universal esteem.

The suit of James A. Whalen, at New York, against General Phil Sheridan, for \$420,000, the value of the personal property on the Killone plantation in Louisiana, from which he was rejected by General Sheridan's military order, has been appealed to the U. S. Supreme Court.

Governor Colquitt, of Georgia, recently asked a gas company to reduce an excessive bill for gas for the Georgia State House. The gas company refused and the Government has ordered the gas to be shut off, and directed the purchase of eight lamps for the use of offices of the government.

The strike in the Allentown rail mill continues. The heaters say they were promised an increase, and they are merely contending for what they consider is due them. It is understood that the Glen rolling mill, lately leased by the Allentown rolling mill company, will not start up until the strike in the mill ceases.

Certain California capitalists have succeeded in evading the operation of the anti-Chinese law. The Oakland jute grain sack factory, when told that all corporations must discharge Chinese hands, complied with the law and gave up its corporation charter, but started a week afterward as a private company, with 750 Chinamen—the old hands.

The arrival of emigrants at New York during the month of March was 21,658. This is 15,943 in excess of the number arriving during the same month of last year. The excess of immigration for this year may be accounted for by the continued depression of business abroad and the failure of crops. England furnishes 3,591, Ireland 4,007, Germany and Austria 7,184, Sweden, Norway and Denmark 3,068, and other countries, 3,000.

Judge Henderson of the Dauphin county court, filed an opinion on Monday last sustaining the Auditor General in his appraisal of Pennsylvania railroad shares at their average value, from the 1st to the 15th of November, 1879. The company had made the appraisal at the average during the entire year. The difference in the appraisal is eleven dollars a share, and the whole amount involved is \$470,000. As it is a test case the decision will put into the treasury \$150,000 in dispute.

The old and unsightly Monongahela suspension bridge at Pittsburgh is at last to give place to a more modern structure fifteen feet higher. The present bridge was built in 1845, immediately after the great fire which destroyed the previous structure. When the coal interests became prominent it was discovered that the structure was too close to the water to allow ordinary tow-boats to pass under, and the coal men have long anathematized it as a nuisance.

About 11 o'clock Sunday forenoon fire was discovered on the roof of the old McClintock Hotel, Petroleum Centre, seven miles north of Oil City, supposed to have originated from a defective flue. The town being wholly unprovided with a fire apparatus and a strong wind blowing from the southeast at the time, the flames spread rapidly through the heart of the town, destroying nearly all of what remained of what was at one time one of the leading towns of the oil country.

Saturday afternoon the Harrisburg Car Shop Company's planing mill was destroyed by fire. A high wind made it spread rapidly from building to building. The fire was first discovered on the corner of the roof over the engine. It is supposed that a spark ignited a quantity of shavings on the roof, and at that particular time while the men were either in the mill or at their homes eating their dinner, it was unnoticed until too late.

A correspondent of the *New York Herald* who was on the vessel with Gen. Grant during the storm that threatened the loss of its precious freight, writes respecting the condition of affairs in the department where the General was. He says: "That while the country was convulsed with fear lest the hero of Appomattox might find a watery grave, and

thousands of pious people all over the land were down on their knees praying for his safety, Grant himself was snugly ensconced in the steamship's cabin puffing his cigar and playing poker, utterly oblivious to the surrounding danger.

Horatio Seymour occupies a position that adds more than ordinary weight to his words of advice and counsel. In a recent interview he spoke of the young and middle aged, those in the prime and zenith of their strength of body and mind as the hope of the country and the world. With them rested our hopes in all departments of work. He, therefore, was willing to give of his experience, leaving the practical developments to grow under the training and culture of young, strong and energetic men. The political fossils, the decrepit and infirm, both in body and mind, are not suited for harness work.

Francis Murphy, the temperance lecturer, held a reception at his new home on Saturday evening. A large number of ladies and gentlemen called to welcome Mr. Murphy to a permanent home in this city. For the first time in nine years Mr. Murphy had all his children together—William, aged 22, who has just finished his education and will enter the counting room of one of the great manufacturing firms of this city; Edwin, the second son, who is now bending his energies to the study of law; Mary, an accomplished young lady of 20, who takes the place in the household that her mother would have filled had she lived; Robert, like his brother Edwin, a law student in the office of District Attorney W. Horace Rose, of Johnstown; John, a handsome lad of fourteen, still busy with his school books, and finally Josephine, a refined little lady, aged ten years.—*Phila. Times.*

It appears by the annual circular of Messrs. R. S. Dun & Co., that the number of failures in business kept annually increasing until from 4,679 in 1872 it reached 10,498 in 1878. But now the tide has turned. The number of failures in 1878 was 3,820 less than during the previous year, and the amount of liabilities involved declined from \$234,383,132 to \$98,149,052—by far the smallest amount since 1870. In 1872—the year before the crash—the total amount of liabilities was \$121,056,000. The circular speaks of the past year as "phenomenal" both in the extent and rapidity of its profits, resulting from the advance in values and an increased volume of trade, and in the decrease in losses from bad debts. The statistics of failures show that in the Western States only one trader in every 159 failed, as against one in every 100 in the Middle States, one in 93 in the Southern States, and one in 85 in the Eastern States, while in the Pacific States the failures have reached one in 45. The improvement is shown more clearly by recalling that in 1876 every sixty-ninth man succumbed; in 1877 every seventy-third; in 1878 every thirty-fourth, while in 1879 it was only every one hundred and fifth trader who surrendered to adverse fate.

Call for Harmony.

BY A DEMOCRATIC EDITOR WHO FAVORS TILDEN.

From the Bristol (Bucks county,) Observer.

The silly war of faction between the personal followers of Senator Wallace and Speaker Randall, which has threatened demoralization to the Democratic party in this State, seems to be in a fair way of ceasing, and promises to result advantageously to the entire organization. The basis of compromise as foreshadowed in the *Philadelphia Times*, is so fair that as yet no Democratic politician has entered an objection. Senator Wallace is the recognized leader of the party in the State, and with the united support of the active politicians, satisfactory results may be predicted in the coming campaign. Wallace has been abused by the opposing factions most bitterly, and his record justifies what he says in a private letter to the editor of this paper when he remarks that "I do not strike back, but go forward steady in my purpose to serve the best interests of my party and unite its forces. I may err in judgment, but I will not yield that judgment to violence and abuse. If my party prefers the views, purposes and leadership of others, I am content, and will gladly take my place in the ranks of its soldiery." The party should not attempt to change the leadership, but unite the forces in a grand effort for victory. We are aware that Wallace is opposed to Tilden, but we firmly believe that his best efforts will be tendered the nominee of the Cincinnati convention.

Exports and Imports in February.

From the New York Evening Post.

The monthly statement of the Bureau of statistics shows a continuance of the increase in the imports of the country, without a corresponding gain in the exports, which has been the case for some months past. During February the imports of merchandise amounted to \$55,600,000, against \$35,400,000 for the same month of 1879—the increase being at the rate of 57 per cent. The exports of produce and merchandise for the month aggregate \$61,200,000, compared with \$64,800,000 in 1879. For the first eight months of the fiscal year the imports of merchandise alone amount to \$397,300,000, against \$587,500,000 for the same months of 1878-9, showing an increase of \$190,200,000. Adding the imports of specie to those of goods, the total for the eight months reaches \$484,500,000, against \$302,300,000 for the like period of 1878-9—showing an increase of \$182,200,000, or over 60 per cent.