

# The Centre Democrat.

HELLEFONTE, PA.

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## PENSION PRINCIPLES.

Which Are Justly Maintained by the Democrats.

PENSIONS NOT A GRATUITY BUT A DEBT DUE THE GOVERNMENT—EXPOSITION OF THE PRINCIPLES BY HON. GEORGE A. JENKS, DEMOCRATIC CANDIDATE FOR THE SUPREME BENCH.

From the Graphic-Democrat of Brookville.

In view of our rights of soldiers, let us investigate the doctrine adhered to and practiced toward us by the two great political parties now asking our suffrage, our aid and our votes. And in so doing let it be our business to briefly scan the acts and the underlying principles by which the soldier and the invalid pensioner is measured and dealt with. We will first then review the enactments of a Republican Congress in our behalf, during the ten years of Republican rule immediately succeeding the war; then we will place at their side the enactments of the Democratic Congress, for the soldier, during the four years of Democratic rule.

**REPUBLICAN CONGRESS.**  
1st. By act of March 3, 1873, Section 4,692, revised statistics, it was determined who were entitled to pensions at the following rates:  
For total disability, 30, 25, 20, 17, 15 and 10 dollars per month, according to rank. And a private soldier for disability was to receive \$3.00 per month.

**DEMOCRATIC CONGRESS.**  
1st. By act of August 13, 1876, pensioners were allowed, whenever needed, artificial limbs or compensation therefor, at expiration of every five years.  
2d. By act of June 9, 1878, pensioners of the war of 1812 and their widows were all allowed the sum of \$50.00 per month.  
3d. By act of June 3, 1878, pensioners who had lost both feet, both hands or lost both eyes were allowed and raised to \$72.00 per month.  
4th. By act of March 3, 1879, all pensioners were secured arrears of pension to date from the time of wounds received, or disease contracted while in the service.

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country in sustaining that bill. But not upon the ground that the pensioner has a right with the muzzle of a pistol to demand of the country a pension. Good God! are we to have that doctrine presented here or anywhere else that the pensioner has the right to make such a demand of the country? Not at all. It is not upon any such ground. It was upon the ground that these men had rendered efficient service, and it became the country to be liberal to them in turn.

From these extracts it will readily be seen that the Republican party asserts that an invalid pension is not a debt; that it may be granted or withheld at the pleasure of the government; that there is no obligation to pay it; that it is simply a gratuity. Such having been settled as the doctrine of the Republican party, let us hear what the Democratic party urges and insists upon on the same subject, and at the same time and place. Mr. Jenks of Pennsylvania, chairman of the committee on invalid pensions, in the name of the Democratic party differed from the ideas as above held, and in his memorable speech entitled an "Invalid Pension, a Right," fairly established the fact that a pension is a debt of the highest order, and to him belongs the honor of first and fairly establishing as the doctrine of the Democratic party that a pension is a debt. Hear what he said on the floor of the house while a member of the Forty-fourth congress in support of this grandest of doctrines:

It is to refute this view, and that the people may comprehend what is a right and what is a gift, that I propose now to discuss this as the first question in this bill.

A contract, as we are led to suppose from our early legal lucubrations, is an agreement for a sufficient consideration to do or not to do some given thing; a promise for a consideration; an offer for a consideration accepted. This constitutes a contract, as differently expressed by different authors. Now, if the government before the soldier entered the army told that soldier that if he should enter and become disabled he should be paid a pension, that would be a contract, if the soldier entered the army and was disabled, I apprehend that cannot be disputed.

First, in 1776, before the revolutionary war had made its crippled and disabled soldiers, there was a resolution passed in the continental congress, which to be sure might not be binding as a law, but is certainly binding in good faith. I read from Mr. Ruf's pension manual:

"The continental congress by a series of resolutions passed August 26, 1776, provided that every commissioned and non-commissioned officer and private in the army who should lose a limb in any engagement, or be otherwise so disabled in the service of the States, in the war then existing with the mother country, as to be rendered incapable afterward of regaining a livelihood, should receive during life, or the continuance of such disability, one-half of his monthly pay after he should be discharged."

Hence, before the revolutionary war had made its cripples, there was a promise by the government to those who were disabled in the cause of liberty that they should receive a pension. If that promise is binding upon the nation after they were organized under the present constitution, it is a contract as to these soldiers, we will see now whether that was ratified by the United States. In 1790, after the organization of the government, the congress of the United States passed an act, approved April 30, 1790, "for the regulation and formation of the armies of the United States." That act provided:

"That if any commissioned officer, non-commissioned officer, private or musician aforesaid shall be wounded or disabled while in the line of his duty in public service, he shall be placed on the list of invalids of the United States at such rate of pay and under such regulations as shall be directed by the president of the United States for the time being."

That was in 1790. Thus at that time the resolution of the continental congress was ratified in the passage of the general army bill, and it was promised that any one disabled in the line of his duty as a soldier should be paid a pension. If that promise was accepted by the soldier and he was disabled, was it not a contract and has he not a right to demand his pension?

In order that there never should be any misapprehension on this subject and that every well informed man should know his rights, prior to every war, with very few exceptions, a similar resolution or law has been enacted. Such re-enactment took place before or in the early stages of every great war. In anticipation of the war of 1812 with Great Britain, and for the very purpose of inducing enlistments, there was passed an act approved January 11, 1812, entitled "An act to raise an additional military force." It provided:

"That if any officer, non-commissioned officer, musician, or private shall be disabled by wounds or otherwise while in the line of his duty in public service, he shall be placed on the list of invalids of the United States at such rate of pension and under such regulations as are or may be directed by law, etc."

So that we find that prior to the revolution an act of this kind was passed, and prior to the war of 1812 it was reiterated. But it may be pleaded that the statute of limitations applies as to all these acts. Since 1865 many statutes of limitations have been passed depriving pensioned soldiers of their rights. It has been assumed repeatedly by this house that these soldiers are not entitled as of right to pensions; that these are a mere gratuity. At a proper time we will consider whether these limitation acts ought to stand upon the statute books or whether they are a disgrace to our legislation. At this time I will say nothing more about them. But I assert here, broadly, that with very few exceptions the rule is that every invalid pension is a debt, and a debt the nation ought not to repudiate.

In 1862 it became necessary, as we supposed, to reiterate the same legislation. Hence we find that on the 14th of July, 1862, an enactment of this kind was passed, which is to be found in the Statute at Large, volume 12,

page 556. Although this principal had been asserted frequently and broadly in many enactments and re-enactments, it was the intention of the government that this matter should be placed beyond doubt. It was intended that no soldier in the army should doubt or hesitate for a moment in the belief that if he were disabled in his country's service he should not be consigned for the residue of his days to penury and pauperism, or in case of death his family subjected to the same fate. This provision was enacted in order that he might feel at ease; that he might rest in the confident belief that if he sacrificed his all for his country, that country would provide for those whom he left behind. Hence in 1862, before very many invalid pensioners had quite died, this act was passed:

"That if any officer, non-commissioned officer, musician, or private of the army, including regulars, volunteers and militia, or any warrant officer or petty officer, musician, seaman, ordinary seaman, flotilla man, marine, clerk, landsman, pilot, or other person in the navy or marine corps, has been since the 4th day of March, 1861, or shall hereafter be, disabled by reason of any wound or disease contracted while in the service of the United States in the line of duty, he shall, upon making due proof of the fact according to such forms and regulations as are or may be provided for by or in pursuance of law, be placed upon the list of invalid pensioners of the United States."

This act was to a large degree prospective. The great mass of those who are now pensioners were then able-bodied men. Under the provisions of this act they stepped into the ranks. They had the assurance of the country whose honor they had always regarded as holy and sacred, if they were disabled or should die in the service of their country they and theirs should be provided for.

Mr. Hurlbut—What is the date of the act which the gentleman has just read?  
Mr. Jenks—July 14, 1862; prior certainly to the time when the great mass of our pensioners had become such.

Mr. Hewitt of Alabama—If the gentleman will allow me I would remind him that in the proclamation of President Lincoln, issued in 1861, and calling for volunteers, a promise was made that such as might be wounded or should contract disease in the war should have a pension; and congress afterward ratified that promise.

Mr. Jenks—The facts are as the honorable gentleman from Alabama (Mr. Hewitt) states them. The pension law of 1862 was not passed before the first soldier went into the army; yet prior to that time the soldiers had the word of a man they had reason to trust, that if they should go into service they should be provided for. Shall that word be disgraced here on the floor of this congress? Shall we disregard that contract in view of which they went into the army? They obeyed the call of their country, and in that view they did only their duty, it is true, as the honorable gentleman from Illinois (Mr. Hurlbut) has said; but it was a duty the performance of which was dangerous, and it was performed under the promise that this provision would be made. Dare we repudiate that promise and say that it is not a contract? Shall we say to a man who asks for a pension, "You are the acceptor of a gratuity; you are a mendicant; we can grant you this or refuse it at our option, and no one can charge us with injustice?" In the name of the two hundred thousand invalid pensioners of the United States, I repudiate this doctrine. If their pension certificates are to be regarded as badges of mendicancy, they would burn them from their backs and hurl them in your face.

They are their right; and when I sit in my committee adjudicating whether a pensioner be entitled to a pension or not, I do it upon the principle that the claimant comes there asking for his legal right, and I am bound to grant it if he brings himself within the provisions of the law. Hence I hope it may never be again asserted on the floor of this house that a pension is a gratuity.

I ask that on the broad principle of right and wrong, that in the name of the aged veteran who followed the chivalric Scott at Lundy's Lane, or the heroic Jackson at New Orleans, whose palsied limbs now tremble on the limit of the grave; in the name of the disabled heroes of Buena Vista and Cerro Gordo; in the name of the boys in blue, who on the long, weary march, in the crowded hospital, on scores of battle fields, amid the death dealing storm of war, with their lives and blood sealed their devotion to their country and her flag—I ask that it never again in this house be asserted that a pension is a gratuity.

Thus we find that by the Democratic party it was first established and maintained that the pensioner is a creditor of the government, and not a mendicant begging for alms. His pension is a debt due him and not a gift that may be granted or withheld at the option of the giver.

**A Hancock Campaign Song.**

The Hancock tide is rising fast,  
From shore to shore it swells,  
And as it reaches o'er the land,  
Of victory it tells—  
Of victory it tells, my boys,  
For Hancock's bound to win;  
The people's free, untrammelled voice  
Will surely bring him in.

The Hancock fires are burning bright,  
On all the hills they blaze,  
Too bright and high for such a fraud  
As stole the seat for Hayes—  
As stole the seat for Hayes, my boys;  
And never shall we see  
Such a fraud as four short years ago  
Insulted Liberty.

The Hancock banner proudly waves,  
And greets the morning light,  
And round it rally those as friends  
Who once were foes in fight—  
Who once were foes in fight, my boys,  
But in a better day,  
Around the Hancock banner throng  
Alike the blue and gray.

The Hancock men are staunch and brave,  
No truer anywhere,  
And they can boast a candidate  
Whose name is clear and fair—  
Whose name is clear and fair, my boys,  
And onward in his course;  
For now the people mean to rule,  
In spite of fraud and force.

## Practice vs. Profession.

A ONE-LEGGED SOLDIER REMOVED FROM OFFICE BY REPUBLICAN STATE OFFICIALS. From the Harrisburg Patriot.

When the political complexion of the two houses changed, the Republicans howled themselves hoarse about the discharge of crippled soldiers. But when the facts came to be known it was found that all the crippled Republican soldiers in office had been retained. It seems, however, that the Republican authorities of this Commonwealth have less regard for the soldier, as the following will serve to show: D. A. Whitesell, of Easton, enlisted as a private in the Fifth United States Artillery in September, 1861, when not quite eighteen years of age. He was shortly after promoted to sergeant. He was in every battle in which his battery was engaged. At Gettysburg he fought under Hancock, and about an hour before the battle ceased, on the 3d of July, 1863, he was severely wounded and lost a leg. His name had already been mentioned for promotion to a lieutenant and bore the cordial endorsement of Major-General Seymour. The loss of his limb necessitated a discharge, and the commission did not issue. When Sergeant Whitesell was discharged, his papers bore the rare endorsement, "Conduct Excellent," which is the highest grade, showing he had not received a black mark during his whole term of service. His was the maximum record of a soldier. When a Democratic Auditor General and State Treasurer demanded the resignation of one of their appointees for his part in the riot bribery cases, Sergeant Whitesell was appointed to the vacancy. The complexion of the board was politically changed last spring by the induction into office of the new State Treasurer, Hon. Samuel Butler, and the result was the prompt dismissal of this crippled soldier to make room for a Republican partisan. The Governor and State Treasurer testify over their own signatures to the faithfulness of Sergeant Whitesell. The Governor told him that it was only for political reasons that he was dismissed.

This will serve to show that Republicans have no use for the soldier aside from his vote. The shriekers against a "sold south" were in the rear during the war, but now they are at the front and the soldier is in the rear where the leaders are determined to keep him unless he was a political brigadier and votes the Republican ticket. Longstreet and Mosby get fat offices because they have become Republicans, but men like Sergeant Whitesell, who were crippled in fighting Longstreet and Mosby, are turned out of office because they refuse to abandon their principles.

**Frank Hurd's View of It.**

From a Cincinnati Commercial Interview.

"Did you see Tilden while you were East?"  
"Yes, but only for a short time, not long enough to talk to him."  
"Is his heart in this campaign?"  
"Undoubtedly, and he earnestly desires the election of Hancock."  
"Did you call on Gen. Hancock?"  
"Yes, I spent a delightful afternoon with him. I was fearful that I would not like him. Owing to his military training I was prejudiced against him, but I was happily disappointed in him. He is social, straightforward and enterprising, and wins you by his natural, easy manner. I was surprised at his conversation on law and civil subjects. His talk demonstrated that he is a great student."

"Is he confident of his election?"  
"Yes. There is no question apparently in his mind about the result. He talks as if his election were a foregone result. He takes a deep interest in Ohio, and is anxious that the National committee shall make a fight to carry the State."  
"Do the attacks made on him by the press annoy him?"  
"No, I should judge not. He never alluded to them in his conversation."  
"Will the Republicans carry New York?"  
"No, of course not. All such claims on their part are nonsensical. The New York Democracy are United, and the State is safe."

**Sherman Fatally in Discount.**

From the New York Herald.

The Shermans were always an impulsive race; we suspect the Secretary will see presently that he has gone too far. The less the Republicans say in praise or justification of the Louisiana returning board the better for them. Mr. Sherman has persistently stood by those shameless swindlers, by no means to his credit, and it is amusing to see how easily Mr. Hendricks has now drawn him into a controversy which is pretty sure, if it is continued, to damage the Republicans. It is not prudent for them to help revive the infamous story of the Louisiana returning board.

There was at that time an amusing story current of his zeal. He remarked to a very eminent citizen of Washington: "Sir, the members of the returning board are gentlemen; they are honorable men; they are as honest as I am; as honest as you are." "Hold on, hold on," cried the gentleman he was addressing, "hold on, Sherman; you may compare them with yourself, but you must not compare them with me. I can't let you do that."

While the radicals are howling over the late election in Alabama they would do well to study the recent history of that State a little. In 1874, (under the Republicans) the debt and liabilities of Alabama amounted to upward of \$30,000,000. Under Democratic rule this debt has been reduced by a fair and just settlement with the State's creditors to less than \$10,000,000. The amount required under Republican rule in 1873 to conduct the State Government was \$1,100,000. In 1879 the amount required for the same purposes was less than \$600,000. Public schools have been opened in every township, and the money appropriated for them has been honestly and faithfully applied. Crime has been constantly on the decrease. The number of prosecutions for larceny in 1879 was 50 per cent. less than the number in 1873.—*Charleston News and Courier.*

## THE CENSUS.

GENERAL WALKER ON THE RECENT COUNT.

HE SAYS THE RETURNS ARE ABSOLUTELY CORRECT, AND DEFILES THE RADICALS TO SHOW A LITTLE ERROR IN THE LISTS RETURNED—WHY THE RETURNS SHOW SO MUCH INCREASE OVER 1870.

New York, September 9.—General Francis A. Walker, superintendent of the United States Census, is in town. "Have you given any attention, General, to the current rumors of an exaggerated census in South Carolina?" asked a newspaper representative to-day. "Oh, yes, I have seen them in print! The republican papers have been making a great deal of noise about what they call fraud in the enumeration, but they advance nothing tangible in support of such an assertion. They base all statements simply on the discrepancy between the censuses of 1870 and 1880 in certain localities specified in South Carolina and Mississippi. In some counties the increase in population is seventy-five, one hundred, and even one hundred and fifty per centum over the figures given in 1870. This by no means proves, however, that the enumeration just taken is fraudulent. My critics have failed to show a single name placed wrongfully on the lists.

"Do you account for this great increase on natural grounds, such as immigration and returning prosperity?" "No; I am inclined to think that if the census of 1870 had been properly taken no great disparity would exist in the showing. A morning republican paper of this city states that I took that census also, which is true as far as it goes. Now I will state for myself, that I was not allowed by law in 1870 to appoint enumerators in those States. The United States marshals, some of whom were colored and others of whom were northern men unacquainted with the country, were given the work to do. These officials were independent of me. I had no authority or semblance of control over their actions. There was every reason why the census should be defective in those localities where incompetent or ignorant assistants were employed."

"Is the census office entirely satisfied that no blame rests on the officers of the 1880 census?" was further asked.

General Walker replied to this with emphasis: "The census office is dissatisfied with any returns that are not absolutely correct. We are proud to say that the census is to be perfect. If it is not so now, we will make it so at the earliest possible moment. I consider it is my duty to investigate this matter, and it is now being looked after.

"We shall endeavor to see whether the abnormal increase can be accounted for by the defection ten years ago. In pursuance of this policy we have taken, in counties subject to question, the description of every family, on a separate card, from the returns of 1880, 1870 and 1860. If in any county of the state of South Carolina we find one thousand families returned in the census of 1880 and in that of 1860, but not in that of 1870, we shall conclude that the last enumeration was defective, and shall abandon the investigation."

**Governor Curtin on Governor Bigler.**

From the Clearfield Republican.

In the remarks made by Governor Curtin, when the serenade was tendered him on Monday evening of last week, after speaking of the early history of Clearfield town, and of the many friends he had here when he was practicing his profession at our bar, he recalled to the memory of the people who stood in his presence, the name of a number of the prominent, useful and influential men who are dead. In the course of his remarks he spoke of Gov. Bigler in language so truly in harmony with those of this locality that we think it worthy of publication:

In thus reminding you of your useful and influential citizens who are dead, I can refer with sentiments of the highest respect for Governor Bigler during his life; I can unite with you in honoring his memory when dead. I knew him well in his boyhood and formed with him personal relations, marked by a sincere friendship, which no change of circumstances and interest, or difference in political sentiment ever marred or in the least interrupted. Governor Bigler was distinguished in the faithful discharge of all his official responsibilities and duties, in the enjoyment of the exalted positions to which he was assigned by the partiality of the people. I need not speak of his private character; you all knew him well and appreciated his virtues, his integrity, his beneficence and his public spirit in the purity of his Christian character. In his public life there was no taint. In all the asperities which, in this country, are the necessary outgrowth of political life, neither his integrity nor the want of sincerity in his convictions of right, were ever assailed. In his last official position, it was my good fortune to be called by him in his assistance in the work he had so generously undertaken as a member of the Board of Finance of the Centennial enterprise; his services, although appreciated at the time, were never properly recognized or remembered. In the passage of the bill by Congress he did more service and evinced more skill and infused more earnestness into the friends of the measure than any man living or dead, and I have no hesitation in saying from my knowledge of all that occurred, that to him more than any of the earnest men who bore an active part in that wonderful exhibition of the progress and power of this country, we are indebted for the success at Washington, without which the Exposition might have been a failure. He labored with untiring zeal in the collection of money for the enterprise and twice he called me to New York to render such assistance as I could give him; there to contend with the jealousies of a rival city if not the opposition of wealthy and influential citizens; but his success was acknowledged by the contributions he received by his colleagues. Other men connected with the centennial were made the recipients of compliments, of valuable presents, of adulation and public demonstrations of respect and gratitude, whilst the man who did so much, whose work was so clean and

well done was left as a reward, the consciousness of a full performance of all his duties, and now, when he too has bit the dust, his friends and neighbors of Clearfield county, will fully realize the purity of his character and will feel that they were honored by the citizenship of such a man, and should never fail to remember him and mourn his loss. My friends, he leaves his blameless life as a benefaction to you, and I trust you will all so endeavor to imitate his example, so as when you go you may leave to your neighbors and friends such an example as he has to those who may follow you, so that another generation may rise up and call you, too, blessed.

**\$50,000 a Day.**

Columbus (O.) Times (Dem.), September 2.

Hayes and nearly his entire Cabinet have gone on a stumping tour for Garfield that will extend over a period of about five weeks. During this period they are discharging no official duties but are being paid their salaries for making Republican stump speeches. Hayes draws a salary of \$1,000 a week and the rest of them a weekly salary of \$200 each. The Government also pays all their travelling expenses. When we take the 15,000 other Federal office holders and clerks who, instead of discharging any official duties, are working for the Republican candidates, we find that the people are being taxed at the rate of \$50,000 a day to run the Republican campaign. And yet Mr. Sherman thinks there should be "no change." Of course, the Republican politicians can get along swimmingly without a change—but how about the people?

**The De Golyer.**

The following is an extract from a letter written to his principals by one Chittenden, agent for the Chicago firm of De Golyer & McClellan, contractors for wooden pavements under the infamous Shepherd Ring at Washington, in 1872:

"To-day's and to-morrow's work has secured the assistance of Gen. Garfield. You need not overrate the importance of this accession. His chairman of the committee on appropriations and holds the purse strings of the National Treasury. Through him must come every dollar of appropriations. I need not say that I am full of power, I need not say that I have the faith of Gen. Garfield's easy conquest was well founded. For the sum of \$5,000 the man who held the purse strings of the nation used his influence to unloose them for the benefit of a gang of plunderers.

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