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EFFIE'S TRIAL.

From dawn to dusk you might have heard the clang of Merrick Masters' hammer on the anvil of Hammersly. Oft long after the dusk of the winter's day, have I watched the golden sparks as they flew away into outer darkness, thro' the wide open door, like so many long imprisoned spirits, just set free after years of bottling up. And ever and always, while work was doing under the sloping roof, I could hear a sort of anvil chorus, either whistled or sung by the rich voice of Merrick Masters.

Effie for washing our dishes. She's as good as you, and a deal better than me, rich or poor. And Merrick Masters had his way and the whole place knew they were engaged in a fortnight. Now when he went into tea the first question both asked him was about his customer. "Effie says he's the handsomest man she ever saw," says the old woman. "So he is," said Merrick, not one whit jealous, "but who he is I don't know. He came and went, and had his horse shod, that's all I know, and he asked me who you were, Effie." "And I had this dreadful old apron on too," said Effie.

know, so you need not fret about him, Effie. For all that, Effie's conscience smote her when Merrick was kinder than usual, and so full of joy, as the time was now near at hand when she was to be his wife, as they sat together on the porch on that Sunday, and when Monday came she broke more china and made more blunders generally than had ever been laid to her charge in years before. Mrs. Masters thought that the girl quite knew how to make poor Effie really was. Tea was on the table and Mrs. Masters busy with some dish she prided herself upon, and the sound of Merrick's whistle grew louder every instant as he tripped homeward from the forge, when she slipped up to her room, and putting on her things, slipped down the back stairway, and away toward the village. If Mrs. Masters missed her, she knew that she would be only too glad to have her son to herself, for a little while, and there was no probability of Merrick's following her.

"Only me—Effie," said a voice. Then she crept up to him. "How did you come here?" he inquired. "I saw the wagon on the road and got in," she said. "Oh Merrick, I'm so frightened. It's so lonesome and dark and wretched there. I'm so glad we are going back to the forge." So she was. He never knew how glad for she never told him all, not why, until years after, when they had been married for years, and the strong love that comes with married life, had grown up between them, she used to start up from her sleep, sometimes in terror, and cling to him sobbing, "Thank God, I'm back again at the forge." The National Intelligencer of yesterday publishes the following letter from the Hon. O. H. Browning, addressed to a committee at Quincy, Illinois, in reply to an invitation to address his friends and neighbors on the political issues of the day. It is a calm and powerful argument against the constitutional amendment, and a triumphant vindication of the restoration policy of Presidents Lincoln and Johnson. The Radical press has filled the air with rumors that the President intends to abandon the Constitution because a majority of Congress has abandoned it. This letter is the voice of one of his most trusted advisers, assuring the country of the firm and immutable purpose of the President, as "the executive head of the nation, to maintain and preserve the Constitution as it is."

Constitution be adopted, new and enormous powers will be claimed and exercised by Congress as warranted by such amendments, and the whole structure of our government will perhaps gradually, but yet surely, be revolutionized. And go with the judiciary? If the proposed amendments be adopted, they may, and certainly will, be used substantially to annihilate the State judiciaries. The first section of the proposed article contains, among others, the following provision: "Nor shall any State deprive any person of life, liberty, or property without due process of law." Why insert such a provision in the Federal Constitution? It already contains the following: "No person shall be deprived of life, liberty, or property, without due process of law." This is identically the same, except that it is a restraint upon the powers of the general government alone, and has no reference or application to State governments. And most of the State Constitutions, I believe all of them, contain a similar provision, as a limitation upon the powers of the States respectively. Now, when, in the Federal Constitution, there is this guaranty against arbitrary and oppressive invasions of the rights of the citizen by Federal authority, and a similar guaranty in the State Constitutions against like oppressive action by the State governments, why insert, in the Federal Constitution, a new provision which has no reference to the powers of the general government, and imposes no restraints upon it, but is simply a repetition of a limitation upon the powers of State governments which is already present in State Constitutions? The object and purpose are manifest. It is to subordinate the State judiciaries in all things, to Federal supervision and control—to annihilate the independence and sovereignty of State judiciaries in the administration of State laws, and the authority and control of the States over matters of purely domestic and local concern. If the State judiciaries are subordinated, all the departments of the State governments will be equally subordinated, for all State laws, let them relate to what department of government they may, or to what domestic or local interest, will be equally open to criticism, interpretation, and adjudication by the Federal tribunals, whose judgments and decrees will be supreme, and will override the decisions of the State courts, and leave them utterly powerless. The Federal judiciary has jurisdiction of all questions arising under the Constitution and laws of the United States; and by virtue of this new provision, if adopted, every matter of judicial investigation, civil or criminal, however insignificant, may be drawn into the vortex of the Federal judiciary. In a controversy between two neighbors about the ownership of a pig, the unsuccessful party may allege that the State tribunals have deprived him of his property without due process of law, and take the case before the Federal tribunals for revision. So if a man be indicted for larceny, or other crime, convicted, and sentenced, upon allegation of deprivation of liberty without due process of law, he may bring the case before the Federal tribunals for revision and reversal. So, too, if a murderer be arrested, tried, convicted, and sentenced to be hung he may claim the protection of the new constitutional provision—allege that a State is about to deprive him of life without due process of law and arrest all further proceedings until the Federal government shall have inquired whether a State has a right to punish its own citizens for an infraction of its own laws, and have granted permission to the State tribunals to proceed. Under such a system the liberties of the people could not long be maintained. As already remarked, free governments can be preserved only by keeping the power near the people, to be exercised through local agencies. Under this new system State and local authority would not at once disappear. For some time they would contest jurisdiction with the Federal government; but the inevitable and constantly increasing tendency would for the control of domestic affairs to steal away from the people, the States, and local municipal bodies, and centralize and concentrate in the hands of the Federal government; and as party conflicts intensified, and party victories alternated, the power would be more and more inexorably used by the dominant party to punish its enemies, reward its friends, and strengthen them, and perpetuate its hold upon the power and patronage of the government. Be assured, if this new provision is inserted in the Constitution, it will in time change the entire structure and texture of our government, and sweep away all the guarantees of safety devised and provided by our patriotic sires of the Revolution. It is impossible to maintain our wise and happy form of government without preserving the independence and sovereignty of the States within their appropriate and constitutional spheres. They are of primary and vital importance. The States may exist and perform all their functions without the Union of the Federal government; the Union and the Federal government cannot exist without the States, and they must be States of equality.

equal in dignity—equal in rights—equal in power—equal in the control, absolute and unconditional, of all things pertaining to their internal and local policy and interests. Another blow which the proposed amendment aims at the government which our fathers founded, is in the change of the basis of representation. This would be of very pernicious effect. Aggregate population is the true basis of representation. No matter how the elective franchise be disposed of, whether exercised by few or many, all classes of the community are represented. The interests of all classes of people in the same community are so interwoven and commingled that they cannot be separated, and whoever yields the representative power must do it for the good or ill of all—perhaps not precisely in the same degree, but he cannot use it so as largely to benefit one class without to some extent benefiting all, or to injure and oppress one class without, to a greater or less extent, injuring and oppressing all. There are always, even in this country, where the right of suffrage is most widely extended, large numbers who do not vote at all, whose interests nevertheless, are cared for, and whose numbers, being computed in the apportionment of representation, widen the foundations of the representative assemblies. Such are all persons under twenty one years of age, females of all ages, and unnaturalized foreigners. Why are they not permitted to vote? And not being permitted, why are they counted in fixing the ratio of representation? They are not allowed to vote, because they are not supposed to be sufficiently instructed in political economy and governmental affairs to be entrusted with the elective franchise. They are counted in fixing the ratio, because they are part of the same community with those who do vote, having interests in common with them; and their influence ought to be felt in shaping the laws by which their rights of life, liberty, and property are to be determined. And although they do not vote, their influence is felt and their interests are cared for, precisely because they are counted in fixing the relative weight of the communities to which they belong in the legislative assemblies, although their voices are not directly heard in determining who shall represent them. It is not true, as is constantly alleged, that the relative strength of the States which were in rebellion will be increased by the results of the war if they are now allowed representation in the National Councils. The present ratio of representation is adjusted by the census of 1850, and cannot be changed until after the census of 1870. Till that time, therefore, the relative strength of the several States of our country must remain precisely as it was under the census of 1850. After the census of 1870 the positive and relative strength of the Southern States in Congress and the Electoral College will both be diminished, even if the non-voting black population be included in the basis. In 1860 three fifths of all the black population of the Southern States was counted. The census of 1870 will show the whole of the non-voting black population to be less than the three fifths of 1860. Nor is it true that a vote in the South will outweigh a vote in the North, if the non-voting negro population be included in the basis of representation. If the proposed amendment be adopted, all the non-voting black population of the South will be excluded, while all the non-voting, un-naturalized foreign population of the North will be counted. The great preponderance of un-naturalized, and consequently non-voting foreigners, in Northern and Northwestern States, they and their families number hundreds of thousands, perhaps millions, and yet they are all counted in fixing the ratio of representation. This is right. I do not object to it. They are a part of the community. They help to make up the strength and productive wealth of the State, and ought to be computed in fixing its political power. But if it is right to count non-voting population in one State it is equally right to count it in another. And if counted in one and not in the other, it gives the one an advantage over the other incompatible with the equality of the States, and of dangerous and revolutionary tendency. While the un-naturalized, non-voting population of one section of the country will be constantly increasing the non-voting black population of the other section, by obvious causes, not now necessary to be mentioned, will be as constantly decreasing. It would be better for all parties and interests, and far more hopeful for the perpetuity of our government, if something like an equilibrium of strength between the different sections of the country could be maintained. The 3d section of the proposed amendment disfranchises the great majority of the educated men of the States which have been in rebellion, excludes them from any participation in the affairs of the State and Federal governments. The entire control of the government of these States will be placed in the hands of a meager minority of the men of all qualifications for such control; and they, as a general thing, not of the most intelligent and capable