# The Somerset Herald

WEDNESDAY..... May 7, 1879.


SINCE the organization of the Republican party it was never more firmly united. The President, the people, the press are all of one accord. Thanks to the folly and the treason of the Democracy.

NOW for a square back down on the part of the Democracy. The President didn't scare worth a cent. Rant, and fustian and threats were of no avail. The spirit of 1861-62 has been aroused in the country. The Democracy must eat its crow. It daren't attempt the starvation policy it threatened.

WHY is it that while the tide of emigration is pouring and rolling into Kansas, Nebraska, and Iowa, that Kentucky, Tennessee, and Missouri, with their fertile lands, stretch out their hands and invite it in vain? Didn't Mr. Horr answer the query forcibly in Congress the other day when he said what the South wants is "more cotton and corn, and less cussedness?"

THE Democratic papers of this district laid before their readers last week the speech of "our member," General Coffroth, in behalf of the army bill and the new rebellion. This week we give the reply of the President. We invite comparison between them. It is refreshing to see how easily the law and the truth, as marshaled by the President, squelches the mouthing rant of smell potato politicians.

SIGN this bill or we'll starve you out! said the Democrats in Congress to the President.—Never! replied the President.

You nasty, insolent, fraudulent President; how dare you attempt to dictate to Congress the manner in which it shall legislate? cries the Harrisburg *Patriot*, and so say its Democratic cousins, and its aunts throughout the country. Dictation is good! Isn't it?

THE Riot bill investigation at Harrisburg, yet in its incipiency, is developing a mass of corruption and bribery, or attempted bribery that is making it mighty uncomfortable for several members with loose notions of honesty and morality. From present appearances it looks as if bottom would be touched this time, and we trust that punishment will swiftly follow exposure. Let justice be done though the heavens fall.

THE Democratic majority in Congress having failed to scare the President by threats of starving the Government, are now threatening to refuse to count the electoral vote in 1880 of any State where Federal supervision of the election has been taken under the present law, by marshals and supervisors. The dear fellows do badly want a chance to cheat at the next Presidential and Congressional elections. They will have to do it without sanction of law, as usual, and take their chances of the penitentiary. The President is too amiably obstinate to be scared.

WE occupy a large portion of space usually devoted to news items, in this issue of the HERALD, with the President's defense of the Constitution from the second rebellion organized for its overthrow. The present extra session of Congress was forced by the Democratic party, for the avowed purpose of depriving the National Government of the power of protecting the Federal elections by the civil authorities, the professed fear of military interference being the merest pretext. The Republican party in Congress, without a single dissenting voice, opposed the passage of the army bill in its present shape, and the President in this veto message lucidly explains the reasons which induced him in common with all other Republicans to oppose this revolutionary measure. He meets fully and fairly the issue forced upon the country by the Democratic party, and exposes and throws upon it the responsibility for attempting to take away from the national authorities all control over national elections, and to coerce the Chief Executive into this measure by an attempt to withhold supplies and thus starve out the Government. That fear of military interference in elections is a mere bald pretense is so clearly shown by the President's exhibit of the laws as they now exist, that one is overcome with wonder that men claiming ordinary sense and sagacity could hope that so flimsy a screen would hide their revolutionary designs from public gaze. As the law now stands no military officer may, under heavy penalties, interfere in any way with citizens at the polls, nor with election officers, nor prevent free access to the polls by any one, nor can any part of the military force be used as a *posse comitatus*, but this Democratic Congress not content with these stringent laws want to enact that no matter what the danger to the election officers, nor what the peril to the voters, that troops shall not be used to protect them. For instance, let such a riot as that at Pittsburgh occur at the polls, let armed bands like the rifle-clubs and Kuklux of the South take forcible possession of the polling places, intimidate the election officers and shoot down the voters, no man wearing the uniform of the United States army dare appear or be used for the purpose of suppressing the riot, or preserving the lives of the citizens. This is the state of affairs proposed to be brought about by the bill just vetoed, and brought about by the threat to the President "sign this bill or starve." But, read the message; it will force conviction upon any honest and fair mind that the Government has escaped a great peril through the firmness of President Hayes.

# ARMY BILL VETO.

**The Message of President Hayes to the House of Representatives, Setting Forth His Reasons for Disapproval.**

WASHINGTON, April 29.—The following is the message of the President of the United States, returning to the House of Representatives the bill entitled, "An act making appropriations for the support of the army for the fiscal year ending June 30th, 1880, and for other purposes."

*To the House of Representatives:*

I have maturely considered the important questions presented by the bill entitled "An act making appropriations for the support of the army for the fiscal year ending June 30th, 1880, and for other purposes," and I now return it to the House of Representatives, in which it originated, with my objections to its approval. The bill provides, in the usual form, for appropriations required for the support of the army during the next fiscal year. If it contained no other provisions it would receive my prompt approval. It includes, however, further legislation, which, attached, as it is, to appropriations which are requisite for the performance of some of the most necessary duties of the Government, involves questions of the gravest character. The sixth section of the bill is amendatory of the statute now in force in regard to the authority of persons in the civil, military and naval service of the United States at the place where any general or special election is held in any State.

EXISTING LAW.

This statute was adopted February 25, 1865, after a protracted debate in the Senate, and almost without opposition in the House of Representatives, by the concurrent vote of both of the leading political parties of the country and became a law by the approval of President Lincoln. It was re-enacted in 1874, in the Revised Statutes of the United States, sections 2 002 and 5 528, which are as follows: "SEC 2,002—No military or naval officer, or other person engaged in the civil, military or naval service of the United States shall order, bring, keep, or have under his authority or control, any troops or armed men at a place where any general or special election is held in any State, unless when it be necessary to repel the armed enemies of the United States, or to keep peace at the polls.

"SEC 5,528. Every officer of the army or navy, or other person in the civil, military, or naval service of the United States who orders, brings, keeps, or has under his authority or control any troops, or armed men at any place where general or special elections are held, in any State, unless such force be necessary to repel armed enemies of the United States, or to keep peace at the polls, shall be fined not more than $5,000 and suffer imprisonment at hard labor not less than three months nor more than five years."

THE PROPOSED LEGISLATION.

The amendment proposed in this statute in the bill before me, omits from both of the foregoing sections the words "or to keep the peace at the polls." The effect of the adoption of this amendment may be considered:

First—Upon the right of the United States Government to use military force to keep peace at elections for members of Congress.

Second—Upon the right of the Government, by civil authority, to protect these elections from violence and fraud. In addition to the sections of the statute above quoted, the following provisions of the law relating to the use of military power at elections are now in force:

"SEC 2,003. No officer of the army or navy of the United States shall prescribe or fix, or attempt to prescribe or fix, by proclamation, order, or otherwise, the qualifications of voters in any State, or in any manner interfere with the freedom of any election in any State, or with the exercise of free rights of suffrage in any State.

"SEC. 5,528. Every officer or other person in the military or naval service, who, by force, threat, intimidation, order, advice, or otherwise prevents, or attempts to prevent, any qualified voter of any State from freely exercising the right of suffrage at any general or special election in such State, shall be fined not more than $5,000, and imprisoned at hard labor not more than five years.

"SEC 5,530. Every officer of the army or navy who prescribes or fixes, or attempts to prescribe or fix, whether by proclamation, order or otherwise qualifications of voters at any election in any State, shall be punished as provided in the preceding section.

"SEC. 5,531. Every officer or other person in the military or naval service, who, by force, threat, intimidation or otherwise compels or attempts to compel any officer holding an election in any State, to receive a vote from a person not legally qualified to vote, or who imposes, or attempts to impose, any regulations for conducting any general or special election in any State different from those prescribed by law, or who interferes in any manner with any officer of election, in the discharge of his duty, shall be punished as prescribed in sections 5,229.

"SEC. 5,532. Every person convicted of any of the offenses specified in the five preceding sections shall, in addition to the punishment therein severally prescribed, be disqualified from holding any office of honor, profit or trust under the United States, but nothing in these sections shall be construed to prevent any officer, soldier, sailor or marine from exercising the right of suffrage in any election district to which he may belong, if otherwise qualified, according to the laws of the State in which he offers to vote."

PEACE AT THE POLLS.

But that part of section 6 of this bill, which is significant and vitally important, is the clause which, if adopted, will deprive the civil authorities of the United States of all power to keep peace at Congressional elections. Congressional elections in every district, in every important sense, are justly a matter of political interest and concern throughout the country. Each State and every political party is entitled to the share of power which is conferred by legal and constitutional suffrage. It is the right of every citizen, possessing the qualifications prescribed by law, to cast one untimidated ballot, and to have his ballot honestly counted. So long as the exercise of this power and enjoyment of this right are common and equal, practically as well as formally, submission to suffrage will be accorded loyally and cheerfully, and this department of the Government will feel the true vigor of the popular will thus expressed. Two provisions of the Constitution authorize legislation by Congress for the regulation of Congressional elections.

Section 4 of article 1 of the Constitution declares "The times, places and manner of holding elections for Senators and Representatives shall be prescribed in each State by the Legislature thereof" But Congress may, at any time, by law, make or alter such regulations, except as to places of choosing Senators" The fifteenth amendment of the Constitution is as follows:

SEC 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States, or by any State, on account of race, color, or previous condition of servitude.

SEC 2 The Congress shall have power to enforce this article by appropriate legislation.

The Supreme Court has held that this amendment invests citizens of the United States with a new Constitutional right, which is within the protecting power of Congress. That right the Court declares to be exemption from discrimination in the exercise of the elective franchise on account of race, color, or previous condition of servitude. The power of Congress to protect this right by appropriate legislation is expressly affirmed by the Court. National legislation to provide safeguards for free and honest elections is necessary, as experience has shown, not only to secure the right to vote to the enfranchised race at the South, but also to prevent fraudulent voting in the large cities of the North. Congress has therefore exercised the power conferred by the Constitution, and has enacted certain laws to prevent discrimination on account of race, color, or previous condition of servitude, and to punish fraud, violence and intimidation at Federal elections. Attention is called to the following sections of the Revised Statutes of the United States, viz:

SEC 2,004, which guarantees all citizens the right to vote without distinction on account of race, color, or previous condition of servitude.

SECS 2 005, and 2 006, which guarantee to all citizens equal opportunity, without discrimination, to perform all acts required by law as a prerequisite or qualification for voting.

SEC. 2 022, which authorizes the United States marshal and his deputies to keep the peace and preserve order at Federal elections.

SEC 2 024, which expressly authorizes the United States marshal and his deputies to summon a *posse comitatus* whenever they or any of them are forcibly resisted in the execution of their duties under the law, and are prevented from executing their duties by violation.

SEC 5,522, which provides for the punishment of the crime of interfering with supervisors of election and deputy marshals in the discharge of their duties at elections of Representatives in Congress.

These are some of the laws on this subject, which it is the duty of the Executive Department of the Government to enforce.

TAKES AWAY CIVIL AUTHORITY.

The intent and effect of the sixth section of this bill is to prohibit all civil officers of the United States, under a penalty of fine and imprisonment, from employing any adequate civil force for this purpose, at a place where their enforcement is most necessary, namely, at places where Congressional elections are held. Among the most valuable enactments to which I have referred are those which protect supervisors at Federal elections in the discharge of their duties at the polls. If the pending legislation should become a law, there is no power vested in any officer of the Government to protect from violence the officers of the United States engaged in the discharge of their duties. Their rights and duties under the law will remain, but the National Government will be powerless to enforce its own statutes. The States may employ both military and civil power to keep the peace, and to enforce the laws at the State elections. It is now proposed to deny to the United States even the necessary civil authority to protect National elections. No sufficient reason has been given for this discrimination in favor of State and against National authority. If well founded objections exist against the present National election laws, all good citizens should unite in their amendment. Laws providing safeguards at the elections should be impartial, just and efficient. They should, if possible, be so nonpartisan and fair in their operation that the minority party out of power will have no just grounds to complain. The present laws have in practice unquestionably conduced to the prevention of fraud and violence at elections.

In several of the States members of different political parties have applied for safeguards, which they furnish. It is the right and duty of the National Government to enact and enforce laws which will secure free and fair Congressional elections. The laws now in force should not be repealed except in connection with the enactment of measures which will better accomplish that important end. Believing that section 6 of the bill before me will weaken, if it does not altogether take away, the power of the National Government to protect Federal elections by civil authorities, I am forced to the conclusion that it ought not to receive my approval. That section is, however, not presented to me as a separate and independent measure, but is, as has been stated, attached to the bill making the usual appropriations for the support of the army. It makes a vital change in the election laws of the country which is in no way connected with the use of the army. It prohibits, under heavy penalties any person engaged in the civil service of the United States from having any force at the place of election, to preserve order, to make arrests, to keep peace, or in any manner to enforce the laws. This is altogether foreign to the purpose of an army appropriation bill. The practice of tacking to army appropriation bills measures not pertinent to such bills did not prevail until more than forty years after the adoption of the Constitution. It has become a common practice. All parties, when in power, have adopted it. Many abuses and a great waste of public money, have in this way crept into appropriation bills. The public opinion of the country is against it. The States which have recently adopted new constitutions have generally provided a remedy for the evil by enacting that no law shall contain more than one subject, which shall be plainly expressed in its title, and the Constitutions of more than half of the States contain substantially this provision. The public welfare will be promoted in many ways by a return to the early practice of the Government and to the true principle of legislation, which requires that every measure shall stand or fall according to its own merit. If it were understood that to attach to an appropriation to a measure irrelevant to the general object of the bill, would imperil and prevent its final passage and approval, a valuable reform in the parliamentary practice of Congress would be accomplished.

GROUNDLESS APPREHENSION.

The foregoing enactments would seem to be sufficient to prevent military interference with elections, but the last Congress, to remove all apprehension of such interference, added to this body of law, Section 15 of the act entitled, "An act making appropriations for the support of the army for the fiscal year ending June 30, 1879, and for other purposes," approved June 18, 1878, which is as follows:

"SEC. 15 From and after the passage of this act, it shall not be lawful to employ any part of the army of the United States as a *posse comitatus*, or otherwise, for the purpose of executing the laws, except in such cases and under such circumstances as such employment of said force may be expressly authorized by the Constitution, or by act of Congress. And no money appropriated by this act shall be used to pay any of the expenses incurred in the employment of any troops in violation of this section, and any persons willfully violating the provisions of this section shall be deemed guilty of misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding $10,000, or imprisonment not exceeding two years or both."

This act passed the Senate after full consideration without a single vote recorded against it on its final passage, and by a majority of more than two-thirds it was concurred in by the House of Representatives. The purpose of the section quoted was stated in the Senate by one of its supporters as follows:

"Therefore I hope, without getting into any controversy about the past, but acting wisely for the future, that we shall take away the idea that the army can be used by a general or special deputy marshal, or any marshal, merely for election purposes, or posse, ordering them about polls, or ordering them anywhere else, where there is an election going on, to prevent disorder, or to suppress disturbances that should be suppressed by peace officers of the State, or if they must bring others to their aid, they should summon unorganized citizens, and not summon officers and men of the army as a *posse comitatus* to quell disorders, and thus get up a feeling which will be disastrous to peace among the people of the country."

In the House of Representatives the object of the act of 1878 was stated by the gentleman who had it in charge in similar terms. He said:

"But these are all minor points and insignificant points compared with the great principle which was incorporated by the House in the bill in reference to the use of armed men in peace. The Senate had already included what they called and what we might accept as a principle, but they had stricken out the penalty and had stricken out the word 'expressly,' so that the army might be used in all cases where implied authority might be inferred. The House committee planted themselves firmly upon the doctrine that, rather than yield this fundamental principle for which for three years this House had struggled, they would allow the bill to fail, notwithstanding the reforms that we had secured, regarding these reforms of but little consequence alongside the great principle that the army of the nited States in time of peace should be under the control of Congress, and obedient to its laws. After the long and protracted negotiation the Senate committee have conceded that principle, in all its length and breadth, including the penalty, which the Senate had stricken out. We bring you back, therefore, a report; a report with the alteration of a single word, which the lawyers assure me is proper to be made, restoring to this bill the principle for which we have contended so long, and which is so vital to secure the rights and liberties of the people. Thus have we this day secured to the people of this country the same great protection against a standing army which cost a struggle of two hundred years for the Commons of England to secure for the British people."

From this brief review of the subject, it sufficiently appears that under existing laws there can be no military interference with elections. No case of such interference has, in fact, occurred since the passage of the act last referred to. No officer of the United States has appeared under orders at any place of election in any State. No complaint even of the presence of United States troops has been made in any quarter. It may therefore be confidently stated there is no necessity for the enactment of section 6 of the bill before me to prevent military interference at elections. The laws already in force are all that is required for that end.

OBJECT OF THE RIDERS.

The best justification that has been offered for attaching irrelevant riders to appropriation bills is that it is done for convenience sake, to facilitate the passage of measures which are deemed expedient by all branches of the Government which participates in legislation. It cannot be claimed that there is any such reason for attaching this amendment of the election laws to the Army Appropriation bill. The history of the measure contradicts this assertion.

A majority of the House of Representatives in the last Congress was in favor of the section to this bill. It was known that a majority of the Senate was opposed to it, and that as a separate measure it could not be adopted. It was attached to the Army Appropriation bill to compel the Senate to assent to it. It was plainly announced to the Senate that the Army Appropriation bill would not be allowed to pass unless the proposed amendments of the election laws were passed with it. The Senate refused to assent to this bill on account of this irrelevant section. Congress thereupon adjourned without passing the appropriation bill for the army, and the present extra session of the Forty-sixth Congress became necessary to furnish means to carry on the Government. The ground upon which the action of the House of Representatives is defended has been distinctly stated by many of its advocates. A while before the close of the session of Congress the doctrine in question was stated by one of its ablest defenders as follows:

"It is our duty to repeal these. It is not worth while to attempt repeal except upon an appropriation bill. The Republican Senate would not agree to nor the Republican President sign a bill for such a repeal. Whatever objection to legislation upon appropriation bills may be made in ordinary times, does not apply where free elections and the liberty of the citizens are concerned. We have the power to vote money. Let us annex the conditions to it and insist upon redress of grievances."

By another distinguished member of the House it was said "the right of the representatives of the people to withhold supplies is as old as English liberty. History records numerous instances where the Commons, feeling that the people were oppressed by laws that the Lords would not consent to repeal by ordinary methods of legislation, obtained redress at last by refusing appropriations unless accompanied by relief measures."

That question of gravest magnitude, and new in this country, was raised by this kind of proceeding. It was fully recognized also by its defenders in the Senate. It was said by a distinguished Senator: "Perhaps no greater question, in the form we are brought to consider it, was ever considered by the American Congress in time of peace, for it involves not merely the merits and demerits of laws which the House bill proposes to repeal, but involves the rights, the privileges, the powers, the duties of the two branches of Congress and of the President of the United States. It is a question whose importance can scarcely be estimated. It is a question that has never yet been brought so sharply before the American Congress and the American people as it may be now. It is a question which sooner or later must be decided, and the decision must determine what are the powers of the House of Representatives under the Constitution, and what is the duty of that House, in the view of the framers of the Constitution according to its letter, and its spirit. Mr President, I should approach this question, if I were in the best possible condition to speak, and to argue to it with grave diffidence, and certainly with the utmost anxiety, for no one can think over it as long and carfully as I have thought of it, without seeing we are at the beginning, perhaps, of a struggle that may last as long in this country as a similar struggle lasted in what we are accustom to call 'Motherland' The struggle lasted for two centuries before it was ultimately decided. It is not likely to last so long here, but it may last until every man in this chamber is in his grave. It is a question whether or no the House of Representatives have a right to say: We will grant supplies only upon condition that grievances are redressed; we are the representatives of the taxpayers of the Repulic; we, the House of Representatives, alone have the right to originate money bills; we, the House of Representatives, have alone the right to originate bills which guard the money of the people. The Senate represents the States. We represent the tax-payers of the Republic. We therefore, by the very terms of the Constitution, are charged with the duty of originating the bills which grant the money of the people. We claim the right which the House of Commons in England established after two centuries of contest, to say we will not grant the money of the people unless there is redress of grievances."

Upon the assembling of this Congress, in pursuance of a call for an extra session, which was made necessary by the failure of the Forty-fifth Congress to make the needful appropriations for the support of the Government, the question was presented whether the attempt made in the last Congress to engraft, by construction, a new principle upon the Constitution should be persisted in or not. This Congress has ample opportunity and time to pass the appropriation bills, and also to enact any political measures which may be determined upon in a separate bill by the usual and orderly methods of proceeding. But a majority of both Houses have deemed it wise to adhere to the principle asserted and maintained in the last Congress by a majority of the House of Representatives. That principle is that the House of Representatives has the sole right to originate bills for raising revenue, and therefore has the right to withhold appropriations upon which the existence of the Government may depend unless the Senate and President shall give their assent to any legislation which the House may see fit to attach to appropriation bills. To establish this principle is to make a radical, dangerous and unconstitutional change in the character of our institutions.

DANGEROUS DOCTRINE

The various departments of the Government, and the army and navy, are established by the Constitution or by laws passed in pursuance thereof. Their duties are clearly defined, and their support is carefully provided for by the law. The money required for this purpose has been collected from the people, and is now in the Treasury, ready to be paid out as soon as the appropriation bills are passed. Whether the appropriations are made or not, the collection of taxes will go on. The public money will accumulate in the Treasury. It was not the intention of the framers of the Constitution that any single branch of the Government should have power to dictate the conditions upon which this treasure should be applied, or the purposes for which it was collected. Any such intention, if it had been entertained, would have been plainly expressed in the Constitution. That the majority of the Senate now concurs in the claim of the House, adds to the gravity of the situation, but does not alter the question at issue. The new doctrine, if maintained, will result in the consolidation of unchecked and despotic power in the House of Representatives. A bare majority of the House will become the Government. The Executive will no longer be what the framers of the Constitution intended—an equal and independent branch of the Government. It is clearly the constitutional duty of the President to exercise his discretion and judgment upon all bills presented to him without constrain or duress from the other branch of Government. To say that a majority or both Houses of Congress may insist on the approval of a bill under penalty of stopping all of the operations of the Government for want of the necessary supplies, is to deny to the Executive that share of legislative power which is plainly conferred by the second section of the seventh article of the Constitution. It strikes from the Constitution the qualified negative of the President. It is said this would be done because it was the peculiar function of the House of Representatives to represent the will of the people. But no single branch or department of the Government has exclusive authority to speak for the American people. The most authentic and solemn expression of their will is contained in the Constitution of the United States. By that Constitution they have ordained and established a Government whose powers are distributed among coordinate branches, which, as far as possible, consistently, with a harmonious cooperation, are absolutely independent of each other. The people of the country are unwilling to see the supremacy of the Constitution replaced by the omnipotence of any department of the Government. The enactment of this into a law will establish a precedent which will tend to destroy the equal independence of the several branches of the Government. Its principle places not merely the Senate and the Executive, but the Judiciary also, under the coercive dictation of the House. The House alone will be the Judge of what constitutes a grievance and also of means and measures of redress. An act of Congress to protect elections is now the grievance complained of. But the House may, on the same principle, determine that any other act of Congress, a treaty made by the President with the advice and consent of the Senate, a nomination or appointment to office, or that a decision or opinion of the Supreme Court is a grievance, and that a measure of redress is to withhold appropriations required for the support of the offending branch of the Government.

Believing that this bill is a dangerous violation of the spirit and meaning of the Constitution, I am compelled to return it to the House in which it originated without my approval. The qualified negative with which the Constitution invested the President, is a trust that involves a duty which I cannot decline to perform. With a firm and conscientious purpose to do what I can to preserve, unimpaired, the constitutional power and equal independence, not merely of the Executive, but every branch of the Government, which will be imperilled by the adoption of the principle of this bill, I desire earnestly to urge upon the House of Representatives a return to the wise and wholesome usage of the earlier days of the Republic, which excluded from appropriation bills all irrelevant legislation. By this course you will inaugurate an important reform in this method of Congressional legislation. Your action will be in harmony with the fundamental principles of the Constitution and the patriotic sentiment of nationality which is their firm support, and you will restore to the country that feeling of confidence and security and repose which are so essential to the prosperity of all our fellow citizens.

(Signed) RUTHERFORD B. HAYES.

### The Seven Miners Entombed at Sugar Notch Rescued—The Story They Tell.

WILKESBARRE, PA., April 28.—The entombed miners at Sugar Notch were rescued at 8 o'clock this morning. Yesterday the rescuing party succeeded in drilling a hole through to the lower part of the mine. Work was then necessarily performed slowly and carefully, as there were indications of fire damp, which necessitated the driving and cutting of the coal with the pick alone. The opening was effected at 8 o'clock, and mine superintendent Smith was the first to enter. He found a portion of the men cooking a breakfast of mule steak taken from the mule which the boy who was sent to warn the men of the impending disaster had fortunately taken with him, and which was killed on the second day of their confinement. The balance of the party were engaged in changing the direction of an air course. Very little was said, and the entire party used all possible despatch in getting out of the mine, reaching the surface shortly after 9 o'clock. The crowd that had assembled was very enthusiastic, and repeatedly cheered the rescued men and their plucky deliverers. The men were then sent to their homes. They state that during Saturday and Sunday they could hear the rescuing party firing blasts, and when the blasting ceased they believed the work had been stopped and that they were abandoned to their fate. They also say that they could have subsisted at least two weeks longer, had it been necessary, upon their supply of jerked mule meat. Too much praise cannot be awarded to the brave men who accomplished the great work of driving and timbering a passage way of 1,200 feet through rock, slate and coal in the space of four days and nights, to the bosses directing the work, and to the engineering skill displayed in locating and directing the openings. The men when released had been confined five and a-half days. They stood the long confinement very well. The boy, upon reaching the surface, leaped over the enclosure at the mouth of the opening and ran rapidly homeward.

### Shocking Insanity.

BOSTON, May 2.—Charles F. Freeman, of Pocasset, Mass., yesterday killed his five year old daughter. The man is a Second Adventist and has been attending revival meetings. About a week ago he claimed to have received a wonderful revelation, and has not eaten or slept since. He says the Lord directed him to sacrifice his little daughter and declares she will rise again in three days. Yesterday morning he sent word to the neighbors that he wanted to make the revelation known and offer an orthodox sacrifice. In the afternoon a number of Second Adventists assembled at his house, but the child had been killed. The little one was transfixed with a knife and her blood poured out upon a table, improvised as an altar. Freeman has driven every one from the house and locked and barred the doors and windows, and having fire arms threatens death to any one who interferes. Along with the dead child he goes through horrible incantations, which, he says, "in three days will result in the resurrection of my beloved child."

Further particulars of the tragedy state that Freeman is the mail carrier at Pocasset, between the railroad and the postoffice. He awoke his wife at half past three Thursday morning and told her he must make a sacrifice to the Lord of his youngest daughter. He got up and took the child from her bed and stabbed her in the side with a butcher knife. His wife said it was all right, and that Abraham would raise her next Sunday. Freeman says the child gave one scream and died in a minute. It is stated that the Second Adventists held a meeting at his house the same afternoon and appeared to wish the affair kept quiet. Freeman carried the mail as usual and showed no signs of insanity. The cause appears to be religious excitement alone. He is now at his residence in charge of officer Redding and Dr. Wood, of Pocasset. Freeman informed the reporter today that he was told by God to offer Edith, his young and beautiful daughter, as a sacrifice to God, and he did so, as God would not stay his hand, he had to do his command. He said God would justify him in the act.


**A Truce With Folly.**

When the sufferer from kidney disease and liver complaint are upbraided by constipation and piles, has been to physicians without relief, let him make a truce with folly long enough to try Kidney-Wort, a certain remedy for his troubles.


EXECUTOR'S NOTICE

Estate of John A. Miller, late of Brothersvalley Twp., deceased.

Letters testamentary on the above estate having been granted to the undersigned, notice is hereby given to those indebted to it to make immediate payment, and those having claims against it to present them duly authenticated for settlement at his late residence in said township, on Saturday, June 7, 1879.

HENRY HAY,
Executors.

April 30

ADMINISTRATOR'S NOTICE

Estate of John Statler, late of Paint Twp., deceased.

Letters of administration on the above estate having been granted to the undersigned, notice is hereby given to those indebted to it to make immediate payment, and those having claims against it to present them duly authenticated for settlement at the residence of deed, on Thursday, June 5, 1879.

JACOB HOFFMAN,
Administrator.

April 30


NEW ADVERTISEMENTS

STRAWBRIDGE & CLOTHIER

Now Invite especial attention to the

DRESS GOODS STOCK,

As representing an assortment of

Foreign and Domestic Fabrics,

Never before shown in Philadelphia.

WE HAVE OVER
300 PIECES SUITINGS AT 18c.
Comprising
MOHAIRS, DIAGONALS, CASHMERES, NOVELTIES, BEIGES, ETC.

WE HAVE OVER
500 PIECES SUITINGS AT 20.
Comprising
ARMURES, BEIGES, MOHAIRS, BOURETTES, STRIPES, PLAIDS, ETC.

WE HAVE OVER
1000 PIECES SUITINGS AT 25.
Comprising
MOMIE CLOTHS, CASHMERES, SILK MIXED SUITINGS, ALL-WOOL CHECKS, PURE MOHAIRS, SOFT-WOOL BEIGES, CAMEL'S HAIR, STRIPES, PLAIDS, ETC., ETC.

WE HAVE OVER
300 PCS. ALL-WOOL BEIGS AT 25.
BOTH TWILLED AND PLAIN.

WE HAVE OVER
300 PCS. FOREIGN FABRICS AT 37½.
Comprising
NOVELTIES, MOMIE CLOTHS, CAMEL'S HAIR, MONO CLOTHS, PLAIDS, STRIPES, ETC.

WE HAVE OVER
300 PCS. FRENCH TEXTURES AT 50.
Comprising
SILK MIXED, PEKINS, CHECKS, SATINS, CAMEL'S HAIR, FOULES, ETC.
Single and double width, at
62½, 75, 87½, $100,
And upwards. We have

THOUSANDS of PIECES

Comprising
BEIGES (32, 36 and 46 inches wide), FRENCH CASHMERES, PARIS NOVELTIES, CASHMERE DES INDES, SHOODAS, FANCY SUITINGS, PLAIDS, CHEVRONS, ETC., ETC.

WE ALSO HAVE

ONE THOUSAND PIECES

BLACK HERNANIES & GRENADINES,

At prices from

20 cents to $2 50 per yard, and in assortment of styles quite extraordinary

PLEASE NOTE: We employ no agents. Send direct to the house for samples of whatever you may need, and secure the advantages of our low prices

STRAWBRIDGE & CLOTHIER,

N. W. COR. EIGHTH AND MARKET STS.,

PHILADELPHIA.

Apr 30



THE CHEAPEST HARDWARE STORE

—WEST OF THE—

ALLEGHENY MOUNTAINS.

—:0:—

BYERS & BARNETT,

(SUCCESSORS TO JOHN F. BLYMYER,)

SOMERSET, PA.

We take pleasure in announcing to the public that we have **JUST RECEIVED** a large and complete stock of Hardware, which we intend to sell at

PRICES TO SUIT THE TIMES!

Our stock is complete in all respects, and comprises every article usually kept in Hardware Stores.

—:0:—

Blacksmiths' tools and supplies, such as Iron, Norway Nail-rod Iron, Vulcan Horse-nails, Taper Taps, Horse Shoes, Fine Sleigh-shoes and Cast Steel, A full line of Best Norway Iron, Carrage and Tire Bolts, and Axle Clips. A complete stock of Malleable Iron, Burrs, &c., &c.

BUILDERS' HARDWARE,

comprising a full line of Rim and Mortise Locks, Cast and Wrought Butts, acorned and plain, a complete stock of Nails always on hand, also a full assortment of Glass.

CARPENTERS' TOOLS.

We have always on hand a complete stock of Saws both Hand and Cross-cut, Axes, Hatchets, Hammers Steel and Try Squares, Compasses, Bench and Fancy Planes etc., etc.

—:0:—

We always keep a full line of Revolvers, Pistols, Shot-guns Powder-flasks, Shot-pouches, Cartridges, Caps, Wads, Rifle and Shot-gun Powder, also a full line of Gun Repairs.

—:0:—

We have a complete line of Lamps, Lanterns, and supplies A full line of Saddlery Hardware, comprising Saddle-trees Buckles, Rings, Harness-pads, Ornaments, etc., etc.

—:0:—

In the Agricultural Department we have a full stock of Forks, Shovels, Rope, Chains, Mane and Curry-Combs, Horse-brushes, etc., etc.

—:0:—

We make a specialty of Pocket and Table Cutlery. Also Silver Plated Table Ware, Plated and Britannia Spoons.

We also make a specialty of Paints, Oils, and Varnishes, and also Painters' Tools, etc.

—:0:—

We keep constantly on hand the Celebrated Cucumber Pump, (porcelain lined) and a cheaper quality that are not lined. This Pump has taken the lead of all others wherever introduced.

—:0:—

All goods warranted to be as represented. Our principles are Fair Dealing, Quick Sales, and Small Profits

We challenge competition. Call and examine goods, and ascertain prices before purchasing elsewhere.

SATISFACTION GUARANTEED.

BYERS & BARNETT.

Dec. 4.



SHERIFF'S SALE.

By virtue of a writ of Testatum Fieri Facias, issued out of the Court of Common Pleas of Cambria Co., Pa., and to me directed, I will expose to sale by public outcry, at the Court House, in Somerset, on

*Thursday, May 22, 1879,*

at 2 o'clock p. m. the following described real estate, viz:

All the right, title, interest and claim of Henry P. J. Custer, of, in and the following described real estate, viz:

A certain tract of land situate in Paint Twp., Somerset Co., Pa., containing 22½ acres more or less of which there are about 7 acres cleared and 20 acres in meadow, with a two-story log house, log barn and other outbuilding thereon erected, adjoining lands of Judiah Custer, Emanuel Hotsapple, Charles Lewingstone, David J. Lehman and others, with the appurtenances.

Taken in execution as the property of Henry P. J. Custer, at the suit of M. W. Keim & Co.

TERMS:—Any person purchasing at the above sale will please take notice, that ten percent of the purchase money must be paid as soon as the property is knocked down otherwise it will again be exposed to sale. The residue of the purchase money must be paid on or before the acknowledgement by the Court of the Sheriff's deed, and no deed will be acknowledged until purchase money is paid in.

EDGAR KYLE,
Sheriff.

April 30



NEW ADVERTISEMENTS

OLD TEA HOUSE.

TEAS,

A SPECIALTY.

SPRING CATALOGUE & PRICE LIST

MARCH 1879.

At no time have Groceries been offered as low in price as are quoted on my March Price List. The quality of all goods will be fully maintained; and to those who have never bought from me, all I ask is a small trial order. To facilitate this, I will, during this month, fill orders for fifty cents worth of each article at the same rate as the dollar's worth of each.

Particular attention paid to packing and shipping promptly all orders received by MAIL. All goods are carefully wrapped, boxed and delivered to depot free of charge.

☞ If any of my customers do not get my Price List, the first of each month, I wish they would write me, and the *New Enlarged Price List* will be sent immediately.

What One Dollar Will Buy!

Sugar.

| | |
|---|---|
| 10 lbs Powdered Sugar | 1 00 |
| 10 lbs Crushed Sugar | 1 00 |
| 9½ lbs Cut Loaf Sugar | 1 00 |
| 10½ lbs No. 1 Granulated Sugar | 1 00 |
| 11¼ lbs Standard A Sugar | 1 00 |
| 11¼ lbs A Sugar (soft) | 1 00 |
| 12½ lbs B Sugar | 1 00 |
| 13 lbs. Best N. O. Sugar | 1 00 |
| 13 lbs Light Yellow Sugar | 1 00 |
| 14 lbs No 2 Yellow Sugar | 1 00 |

Coffee, Chocolate, &c.

| | |
|---|---|
| 8 Cakes English Vanilla Chocolate | 1 00 |
| 14 Cakes Sweet Chocolate | 1 00 |
| 12 lbs. Baker's Chocolate | 1 00 |
| 5 Packages English Cocoa | 1 00 |
| 4 Boxes Epps' English Cocoa | 1 00 |
| 3 Packages Broma | 90 |
| 10 lbs. Cocoa Shells | 1 00 |
| 4 Packages Cracked Cocoa | 1 00 |
| 45 Packages Extract of Coffee | 1 00 |
| 25 Packages Imported Chicory (German Extract of Coffee.) | 1 00 |
| 3 5-16 lbs. Roasted Java and Rio Coffee | 1 00 |
| 3 9-16 lbs. Roasted Java Flavor Coffee | 1 00 |
| 5 lbs. Fresh Roasted Rio Coffee, No. 1 | 1 00 |
| 6 lbs. Fresh Roasted Rio Coffee, No. 2 | 1 00 |
| 6 10-16 lbs. Fresh Roasted Rio Coffee, No. 3 | 1 00 |

Fish.

| | |
|---|---|
| Mackerel, Extra No. 1 Extra Shore Mess, (no heads or tails) per 20 lb. kit | $4 00 |
| Mackerel, No. 1, Shore, best per 20 lb. kit | 2 60 |
| Mackerel, No. 1, Bay, per 20 lb. kit | 2 00 |
| Mackerel, No. 1, Mediums, " | 1 75 |
| Mackerel, No. 3, Large Extra, " | 1 50 |
| Mackerel, No. 3, " | 95 |
| Mackerel, Fresh 1 lb. cans | 25 |
| Codfish, Woman's Favorite Boneless per 3 lb box, 62½ per lb | 68 |
| Codfish, Boneless, No. 2, per 30 lb. box, $1 25; per lb | 65 |
| Codfish, Box Ton, shredded per 1 lb. box | 15 |
| Codfish Fresh, 3 lb cans | 40 |
| Yarmouth Bloaters, Genuine, per box, (40 Fish,) 80 cents; per doz | 20 |
| Scaled Herring, per box, (100 Fish) | 50 |
| White Fish, ½ bbls | 2 25 |
| White Fish, 20 lb. kits | 1 25 |
| Lake Herring, ½ bbls | 3 50 |
| Lake Herring, 20 lb. kits | 85 |
| New Holland Herring, per keg | 1 20 |
| New Russian Sardines, | 1 00 |
| Codfish, Georges Bank, per lb | 06 |

Dried Fruits, &c.

| | |
|---|---|
| 18 lbs. New Currants | $1 00 |
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