Franklin Repository.

Wednesday, October 4, 1865.

UNION STATE TICKET.

FOR AUDITOR GENERAL,
GEN. JOHN F. HARTRANFT, of Montgomery

FOR SURVEYOR GENERAL,
COL. JACOB M. CAMPBELL, of Cambria.

UNION DISTRICT TICKET.

FOR STATE SENATOR,
DAVID M'CONAUGHY, of Adams.

FOR ASSEMBLY,
COL. F. S. STUMBAUGH, of Franklin.
CAPT. GEORGE A. SHUMAN, of Perry.

UNION COUNTY TICKET.

FOR SHERIFF,
CAPT. JOHN DŒBLER, Chambersburg.

FOR TREASURER,
MAJ. JOHN HASSLER, St. Thomas.

FOR DISTRICT ATTORNEY,
COL. D. WATSON ROWE, Antrim.

FOR SURVEYOR,
EMANUEL KUHN, Chambersburg.

FOR COMMISSIONER,
DANIEL SKINNER, Fannett.

FOR DIRECTOR OF THE POOR,
JAMES H. CLAYTON, Washington.

FOR AUDITOR,
SAMUEL W. NEVIN, Southampton.

FOR CORONER,
DR. CHARLES T. MACLAY, Green.

A LAST APPEAL.

CITIZENS OF FRANKLIN COUNTY! Another and an important election is at hand; one which appeals to every voter for deliberate, intelligent, unprejudiced action. Indifference on the part of any citizen at such a time is criminal. The right of suffrage is an inestimable privilege, but it is a great error to suppose that it is a privilege that the good citizen can exercise or not, as he feels inclined. The duty to exercise it whenever occasion offers is an imperative one, and that man who fails to do so, through indifference or neglect, disregards an obligation he owes to his government.

There has never been an election, under our present system of government, so unimportant as to release the citizen from this obligation. The interests of society or the State are always either to be promoted or prejudiced by the election or defeat of one or other of the contending parties. It is impossible in the nature of things to have such matters so evenly balanced that the citizen is left without a preference. If weighed in the balance one or other of the tickets will strike the beam. There is always sure to be some consideration that will incline the balance.

Never were parties further from an equipoise than they are this Fall. The opposing candidates have not equal claims upon you, nor can the sentiments of both commend themselves to the honest judgment of the same mind. The issue is one made up of individual qualification and merit, vital principle and moral effect. You are familiar with the opposing parties and you know their respective candidates. You know that one side is represented in this campaign by men who have been faithful to their country in her greatest trial, some of whom have deserved the gratitude of their countrymen by services in the field and others by faithful adherence to her cause at home; and you know that the other side asks preferment for men whose course during the time of national troubles indicated a sympathy with our enemies, and whose efforts were given more to retard, than to help on the work of conquering rebellion. Can you hesitate as to which of these you will give your support? Would it not be base ingratitude to open the doors of preferment to men who turned their backs upon the government when it was in danger, and to close it upon those who in that crisis rendered her what assistance they could? The ticket the Union party presents to you is unexceptionable. The State ticket bears the names of two of our most eminent soldiers, who have gathered their honors where the danger was greatest, while the District and County tickets are composed of the names of men all of whom have given evidence of their patriotism by services on the field or by faithful adherence to their country's cause at home, and who are well qualified to discharge the duties of the offices for which they are candidates.

Then again, have you the honor and credit of your STATE and NATION at heart? If you have, will you aid that party that seeks to establish them both on an enduring basis of peace and prosperity, by reaping the rich fruits of the nation's triumph, that endeavors to maintain their honor and integrity by enabling them to redeem every pledge of citizens and soldiers, and that is pledged to advance the interests of labor everywhere; or will you support that party whose whole purpose is to give victory to the conquered, to destroy your national credit and bring you again under the power of the spirit of SLAVERY? You have to choose for yourselves.

The Union party never made you a pledge that it has not faithfully redeemed. Your memories are treacherous indeed, if you have forgotten how often the Democratic party have broken the word of promise to your hope. The latter now seeks power through the aid of the very men who were most active in inaugurating rebellion, and promises to restore them to the supremacy that Democratic subserviency gave them before the war. Its sympathies are just as much with these men now as when your capital was besieged or your State invaded; and for a poor mess of official pottage it is willing to barter off the grand results of the war, which were purchased at such a fearful cost, and to surrender into the hands of the vanquished the trophies of the conqueror. Shall the power of this government pass into the hands of men who acknowledged allegiance to such a party? If you permit it, your troubles have only commenced. If you wish to secure peace and prosperity to the Republic you must commit its government into the hands of its friends, and exclude from place and power all who sympathize with its enemies.

SOLDIERS! Our cause appeals to you for your active, undivided support. DEMOCRACY has no claims upon you. It has merited your stern rebuke. Remember how it attempted to disfranchise you when you were braving the dangers of the field, and how it used every means to weaken you and stregthen your enemies. It never rejoiced when you achieved a victory nor wept when disaster overtook you. It opposed every effort that was made to strengthen your ranks, and denounced you as hirelings and mercenaries.

You triumphed over your enemies with field and earned a nation's thanks. The price of that victory was the lives of your noble comrades, the ghastly wounds of others and the heroic labor of all. Will you now permit that enemy, aided by the cupidity and subservience of the DEMOCRACY, to reap the fruits of the victory you gained? You saved the REPUBLIC by your bullets, assist it now with your ballots. You acted well your part as soldiers, let the same love of Country, and devotion to freedom characterize you as citizens. One and all, stand firm.

UNION MEN OF FRANKLIN COUNTY! You made for yourselves a glorious record during the last four years of danger and trial to the Republic. You contributed both blood and treasure in patriotic abundance to the defence of your GOVERNMENT, and suffered uncomplainingly the fortunes of war, that the Government might live. You performed your entire duty with a fidelity which will be remembered and extolled by those who come after you. Will you falter now when there are no hardships to be endured, no exactions are demanded? Will you, by supineness and indifference, permit the old enemy you have so often vanquished to triumph in this contest? We trust not. Victory is within your grasp. Exert yourselves to the end that a full vote may be polled and all will be well. A large majority of the voters of our County are undeniably with us and nothing but disgraceful lethergy on your part can give success to your enemy.

We entreat you to do your whole duty as citizens, and to exert yourselves as men having a due regard for the honor of your State and the general welfare of the people.

UPON our friends in the various districts of the county, let us impress one matter of importance: that, if their own district is disorganized, apathetic, or indifferent in its preparations for the campaign; if they find themselves not prepared or not able to do as well this fall as formerly, they must not expect the balance of the county to compensate their want of energy and faithfulness. Generally speaking, you can judge of the condition of things elsewhere by the situation at home. If your own district is well organized and thoroughly awake to the issues involved; if you know of several changes in it favorable to the cause, or of conversions, or reasons for an increase of vote, you may safely presume that these are general indications of popular sentiment, and not confined to a single section. But if you hear that a neighboring district will do well, do not, upon any account, rely upon it to do your work. Emulate its gallantry, and perform achievements as great or greater. Let us urge it upon you, fellow-citizens, that you look at home, in your own districts, and prepare to do better this fall than ever before.

"The Colonel is as desponding in regard to the result in the State as he is in relation to the county."—*Spirit.*

JUST about as near the truth as the *Spirit* usually gets—that is just in direct antagonism with it. This journal has steadily urged the Union men not to be defeated by supineness. There are more Union voters in the State to-day than last year, but we want no doubtful verdict when we have an overwhelming majority of the honest vote of the State. Davis and Linton will fall 20,000 to 30,000 below M'Clellan's vote. Give us a full vote and the last vestige of Democracy will be wiped out.

LET it be remembered that the Democrats of this State who are now bedaubing President Johnson with fulsome praise, and who also through their late address to the people, claim that the only way to sustain him is to vote the Democratic ticket, but a few short months since, denounced him as a "boorish tailor," and that in March, 1864, by a strict party vote, the Democratic members of the Legislature refused to grant him the Hall of the House of Representatives at Harrisburg, in which to tell the tale of his persecutions and sufferings, in Tennessee, and to advocate the cause of his country.

WHEN the rebels invaded Pennsylvania in 1863, Mr. McConaughy devoted his whole time and energies to aid the Union army. Mr. Duncan was a delegate to the Democratic State Convention, and voted to condemn his own government, but not a word of denunciation was given to the rebels who then occupied our own soil. Vote for McConaughy.

WHEN Col. Elder fell at Fredericksburg, Col. Rowe led the command most heroically against the enemy, and again at Chancellorsville. Vote for Rowe.

REBELLION, treason, and civil war are indissolubly linked with the name of Democracy. Under Democratic ascendancy the conspiracy was conceived and matured. Under a Democratic administration it ripened. By Democratic chiefs it was directed. By Democratic politicians it was defended and excused. By a Democratic Convention it was declared triumphant—and by Democratic papers and speakers the theories from which the rebellion sprang, are still justified and advocated.

THE *Spirit* says that "Col. McClure, a leader in the State, a man of character, position and influence, could not induce the Republicans in the legislature to pass a relief bill." Well, if McClure, with all his "character, position and influence" could not do it, what sort of a figure would Duncan cut in managing a Republican legislature? The Senate *will* be Republican in any event. Could Duncan or McConaughy best control its action?

DR. ALEX. STEWART, of Shippensburg, is the Union candidate for Senator in the York and Cumberland district. He is one of the most intelligent and faithful Unionists in this section of Pennsylvania, and we trust the Union men of Cumberland and York will rally earnestly to the support of their ticket. They cannot hope to succeed, but let them do their whole duty by giving to Dr. Stewart such a vote as will demonstrate the increasing power of the loyal sentiment of the district.

THE Harrisburg *Patriot* is echoed as follows in relation to this journal:

"So up and be doing Democrats! *One of the ablest and shrewdest of your opponents admits as above, your power to carry the State.*"

We do admit that if the Democrats poll their whole vote, and the Union men poll but two-thirds of theirs, the State might be lost. If there is anything particularly able or shrewd in that, we are justly entitled to it.

CAPT. DŒBLER fought gallantly at the head of his company until he fell seriously wounded and disabled for life, and when at home he voted to enable his brave comrades to have a choice in their rulers. Where was Mr. Boyd. He neither fought with the soldiers nor voted for them.—Vote for Dœbler.

FARMERS! you who hold thousands of dollars of government securities, would you have your government credit impaired, and your bonds depreciated in value? If the Democrats of the North and the rebels of the South attain power it will be the end of government credit. Vote the Union ticket.

"WE can't pay our debt," say Democratic grumblers. Why not then take the property of those who wantonly made the debt and let it fall upon those who created it? The rebels made war and loaded us with debt—let it be theirs to pay! Then our government credit will be free from peril.

THE vote of every wounded soldier will have a great influence in deciding whether the pension he now receives shall be continued to his death. Remember wounded soldier, the Democratic leaders have but one step more, to insure the repudiation of your pensions. Give them power and they will repudiate.

THE Democrats hypocritically profess devotion to President Johnson to throw Union men off their guard, and persuade them that the issues are unimportant, so that they may win a victory by default. Let there be a full vote polled, and it will be the death-knell of the Democracy.

MR. STENGER did *not* vote to allow our soldiers the right to cast their ballots for civil rulers. Col. Rowe fought with them in the field and voted for them at home. Let the soldiers remember their friends and their enemies on *Tuesday* next.

NORTHERN Democrats and Southern rebels are seeking to regain power in the government. They had power in 1856–60 and gave us treason, secession, war and four thousand millions of debt. Vote the Union ticket.

COLONEL STUMBAUGH hastened to join Grant at Shiloh and aided in turning the tide of victory on that bloody field. When at home he voted as he fought—for the soldiers and the Union. Vote for Stumbaugh.

McCONAUGHY has the character, the ability and the experience to command respect and success in defending the interests of the border in the Senate. Vote for McConaughy.

IN not a single county in this State, as far as our observation goes, where the Democracy have "a sure thing of it," have they placed a soldier on their local ticket.

IN 1864 the *Spirit* pronounced President Johnson a "boorish tailor." Now it asks voters to vote the Democratic ticket because its friends support the President.

MR. M'CONAUGHY voted to confer the right of suffrage upon our gallant soldiers, Mr. Duncan did *not*. For whom will the soldiers and their friends vot for Senator?

THE issue is *not* whether Negroes shlla vote, but whether blood-stained rebels in the Southern States shall vote and rule. Vote the Union ticket.

GEN HARTRANFT recaptured Fort Steadman last spring, and he will re-capture the Auditor General's office on Tues next. Vote for Hartranft.

COL. CAMPBELL gallantly led his regiment or his brigade in nearly all the sanguinary battles in Virginia. Vote for Campbell.

COL. STUMBAUGH was among the first of Gen. Buell's troops to reinforce Grant at Shiloh. Vote for Stumbaugh.

UNION men! vote early.

MAJ. HASSLER entered the service and won a commission by his soldierly qualities. Vote for Hassler.

CAPT. SHUMAN volunteered as a private and won a captaincy by his heroism in the field. Vote for Shuman.

CAPT. DŒBLER fell while leading the fearful charge at Fredericksburg, and is disabled for life. Vote for Dœbler.

UNION men, vote early, and see that the entire Union vote of your district is polled. Vote the Union ticket.

LET no sluggard Unionist forget to vote on Tuesday next. Vote the Union ticket.

THE National credit must be maintained. Vote the Union ticket.

UNION men! see that every Union vote is polled in your district.

UNION men! see that your neighbors vote.

POLL a full vote and the Union ticket is safe.

SCANDAL.

A few weeks ago a Mr. Robert M'Gaughy published a card in the Gettysburg *Compiler*, in which he charged Mr. M'Conaughy, the Union candidate for Senator in this district, with professional dishonesty in withholding from him a patent deed, which he had employed Mr. M'Conaughy to procure for him. Below we publish a card from Mr. M'Conaughy in reply. It needs no comment from us. He stood in no need of a vindication with men who are acquainted with his professional character. The charge brought against him may have been conceived in malice, or it may have been prompted by a misapprehension of the facts, resulting from Mr. M'Gaughy's own ignorance, and made public through Democratic love of scandal and abuse. Mr. M'Conaughy has charity enough to ascribe it to the latter. It is not the first time that a kind action has been re-paid with base ingratitude:

MR. EDITOR AND THE PUBLIC:—In 1857, at the request of Robert M'Gaughy, I sent forward a Certificate of location of 120 acres of land in Cass county, Iowa, to responsible Land Agents at Council Bluffs, with request to see after the title and pay the tax for Mr. M'Gaughy. The Certificate, as the Agents informed me, was duly recorded in the County where the lands were; and they paid the taxes for 1857, and Mr. M'Gaughy repaid me $5,00, the amount of the taxes and the Agents' charges. More recently Mr. M'Gaughy inquired after the paper. I advised him that his title was perfectly good, and was on record; and upon turning to my Agents' reports, I there found and so informed him, that the Agents had every year since 1857, paid his taxes for him on his land, out of my monies in their hands, which I desired him to repay me, but which he has not yet done. During the confused years of the war this matter (as also my own land matters) almost escaped my attention. But since, I wrote requesting the Agents to see after and send forward Mr. McGaughy's Letters Patent, for which the Certificate had to be surrendered. It has been held, that the recording of the Certificate of location makes the title perfectly good, and I so informed Mr. M'Gaughy. I also, since, wrote the Agents to procure a certified copy of the Recorded Certificate, as an evidence of his title—than which he need have no better; and which he will no doubt receive.

In all this matter I have not been compensated, *but, on the other hand,* taxes to the amount of between $30 and $40 have been advanced for Mr. M'Gaughy out of my funds. It is no fault of mine that the desired paper has not been sent forward. What I did, I regarded as a matter of accommodation to him. It was well meant. He has fallen into bad hands, and has been imposed upon when not in a condition of mind to fully understand the objects and motives of the writer of his communication, and has been made to attempt to do an injury to a friend, which will fall short of its mark, and which he should, and I hope will, regret.

D. M'CONAUGHY.

AN INSULT TO THE HEROES OF GETTYSBURG.

It is admitted, on all sides, that Maj. Gen. Meade's great victory at Gettysburg, saved Pennsylvania from utter devastation, and no doubt rescued the other Middle and Eastern States from invasion by an infuriated horde of drunken rebels. The battle of Gettysburg was one of the most brilliant achievements of the age, and the glory which Meade won on that occasion was shared by every gallant soldier who fought under his command. Yet, in the face of these facts—convinced that Meade's victory had saved the homes and firesides of Pennsylvania from desolation, blood-stain and polution—it was reserved for the Copperheads in the Pennsylvania Senate to oppose and defeat a resolution rendering thanks to Gen. Meade and his army, for their great service on the battle-field. The following extract from the Legislative Record for 1864, page 24, places the Copperheads in their true position of ingratitude to the soldiers:

MAJ. GEN. GEO. G. MEADE AND THE ARMY OF THE POTOMAC.

Mr. M'Candless. I offer the following resolution:

Resolved, That the people of Pennsylvania, through their representatives, tender their profound and heartfelt thanks to Maj. Gen. George G. Meade and the Army of the Potomac, for relieving our native State from the tread of the rebel hordes, and hurling them back from the immortal field of Gettysburg, and while we thus tender our thanks to the noble living, we revere the memory of the immortal dead who sacrificed their lives on the holy altar of their beloved country.

On the question, Will the Senate proceed to a second reading of the resolution?

The yeas and nays were required by Mr. Donovon and Mr. Stark, and were as follows, viz:

YEAS—Messrs. Champneys, Connell, Dunlap, Fleming, Graham, Hoge, Householder, Johnson, Lowry, M'Candless, Nichols, Ridgway, Turrel, Wilson, Worthington and Penny, *Speaker*—16.

NAYS—Messrs. Beardsleey, Bucher, Clymer, Donovan, Glatz, Hopkins, Kinsey, Lamberton, Latta, *M'Sherry*, Montgomery, Reilly, Smith, Stark, Stine and Wallace—16.

So the question was determined in the negative.

Can any soldier support the candidates of a party thus ungrateful for victories won by the sacrifice of many hundreds of noble lives?

ATTEMPTED ASSASSINATION!

Deliberate and evidently preconcerted efforts were made to assassinate Gens. Grant and Sherman on the 27th ult. While Gen. Grant was returning from Indianapolis at an early hour on that morning, a switch at the end of a curve at Guilford had been turned intentionally, and the car in which the General rode was thrown from the track, and dragged some distance, but no one was injured. About the same time a train on the Ohio and Mississippi road, carrying Gen. Sherman, was thrown from the track this side of Lawrenceburg. No one was injured.

The Philadelphia *Evening Telegraph* thus pertinently inquires where rebel savagery is to end and what is its true remedy:

"We publish elsewhere a despatch from the Associated Press which proclaims to the world the fact that the day of assassination has not passed; that the red hand of murder is not yet satisfied; that the great men of our nation are not yet safe, but that they hold their lives in their hands.—Yesterday two simultaneous attempts were made to effect the murder of Lieutenant-Gen. Grant and Brevet Lieutenant-General Sherman. While they were travelling on two different roads, two endeavors were made to secure their destruction. With them would have perished all the occupants of the trains, and hundreds of lives would have been sacrificed.

"Will this diabolical spirit never be quelled?—Will justice never be administered? The false leniency which is being shown encourages to acts of murder and assassination the cowardly ruffians who, defeated in open fight, must seek in darkness their revenge. Let the scoundrels who made these attempts be captured, convicted, and hung at once, without the long tedium of legal technicality. If an example is made perhaps the mania will be subdued.

"In this connection we ask, Will any of the late Rebels be punished? A general forgiveness will endanger the life of every American whose talents have raised him to a position of fame. Shall the Venetian terror and the Venetian proverb, that with elevation comes assassination, become American? Shall late Rebels become Borgias, and we tamely submit?"

WASHINGTON.

The Werze Trial—Leading Rebels Summoned to Appear before the Commission—The Rush for Pardons—Rebels Applying for Appointments—Complexion of the next Congress—Provost Marshal Offices Abolished—Expiration of the time Prohibiting the Removal of Rodies—The Christian and Sanitary Commissions.

Correspondence of the Franklin Repository.

NO. XLIX.] WASHINGTON CITY, September 31, 1865.

Nothing new in the Werze trial has been brought to light during the past week. Though the defense have used all sorts of strategy and summoned all sorts of witnesses to their aid, nothing yet has been educed very favorable to the prisoner. Thus far the main point of the defense has been to prove that Werze only acted as directed by his superior officer, Gen. Winder, and he is responsible and not Werze. This has been done to some extent, but not sufficient as yet to clear Werze of any of the inhuman cruelties proved against him. We learn that rebel official documents have been discovered of great importance, tending to give much light on the modus operandi of working that diabolical prison pen. Letter press copies of original letters and documents fix the crime of many of the worst cruelties there practised on high rebel officials. Yesterday subpœnas were issued and an officer dispatched to summon before the Court Gen. Lee, Joe Johnston, Howell Cobb, Robert Ould, ex-Governor Brown, of Georgia, and other noted rebel leaders. The testimony of these persons will be looked for with interest, and will no doubt be very lengthy.

Yesterday the White House was again besieged by applicants for pardon, both male and female. Such a vast number of applications had accumulated that the President ordered a stamp fac-similie of his signature, by which means he can rush through pardons at the rate of a thousand per day should it be necessary, and it will undoubtedly be necessary if all applications are granted, which from present appearances is quite likely. These rebels are generally all prepared to swear any and everything, first to get a pardon and then to get an office. Several rebel soldiers' applications for clerkships in the Departments have been received and a few it is said have been appointed. Hundreds of noted secesh women are seeking clerkships in the treasury department.

The complexion of the next Congress is a matter of considerable gossip among the southerners now here. In the Senate 25 States are now represented by 35 Unionists and 11 Democrats. According to the party division that existed before the war the House stands 140 Unionists to 41 Democrats. Should all the Southern States now without representation, whose Senators and members are yet to be elected, choose candidates opposed to universal suffrage, and should they all be admitted, the Senate will stand 47 Unionists to 27 Democrats; and the House 150 Unionists to 92 Democrats. This is consoling information for the copperheads. Prominent Democrats who are here figuring with the southerners say that there will be a majority of ten in favor of admitting the southern members who will come here prepared to take the test oath. It is very doubtful if any of them be admitted under any consideration whatever during its coming session.

The Provost Marshal officers of Alexandria, Fairfax Court House and Fort Albany have been abolished and the records of the same turned over to Col. Ingraham.

To-day expires by limitation the order of the Government authorities prohibiting the disinterment and removal North of the bodies of the Union soldiers who are buried in the different cemeteries in this vicinity. A great many bodies will undoubtedly be removed by relatives and friends during the fall months.

The Christian Commission closed business yesterday turning over to the Freedmen's Bureau the stock of goods remaining on hand. The Christian Commission has been a noble and a great institution. With hundreds of thousands of dollars less than the Sanitary Commission it has done much more and efficent work. It is held in much more esteem by the soldiers. The Sanitary Commission is also about to close its labors.—It is not so liberal with the goods remaining on hand, preferring to sell them off at auction and raising a cash fund. It has now over $400,000 in money. It is a query what will be done with this surplus money on hand. As the war has ended it is no use keeping up a lot of high salaried officers.

The Secretary of the Treasury has gone to Indiana on a two weeks leave.

Our city is very dull. No trade or business of any kind in operatian. And yet the Hotels are as much crowded as if Congress was in session.—There is scarcely a room to be had. Four-fifths of all the guests are Southerners and many of them have engaged rooms already for the whole winter.

S. C.

From the Perry Freeman.

COL. F. S. STUMBAUGH.

This gentleman, one of the Union Legislative candidates of this (Perry and Franklin) district, made a flying visit to our Borough on last Saturday. Time did not permit him to visit many places in Perry. He came from Harrisburg by Railroad, made a brief call at Duncannon, and passed through Newport, Bloomfield and Landisburg on his return. He would have been pleased to have made the acquaintance of our Perry people in general, but it was considered that, between this and the election, he could be of more advantage to the cause by giving his personal attention to Franklin.

Col. Stumbaugh has very agreeable manners, and a frank honest look, which win him the confidence and respect of people where he is known. He is a good man. There is no mistake in that. He is a lawyer in good standing at the Chambersburg Bar. He is not a fancy soldier, or a *paper* officer. He has seen active service in the field; was one of the first in the field in defence of the Union, and only left the service when obliged to do so by ill health. As Colonel of the 77th Pa. Volunteers, he was distinguished as an officer; and, as we recollect the report, commanded a Brigade at the Battle of Pittsburg Landing, in so skilful a manner as to elict the highest praises of his superior officers. As a man, he is moral, honest and honorable; as a soldier, he was brave and patriotic; and as a politician, he comes up fully to the Jeffersonian test of qualifications.

The Union men of Perry will heartily give him their support; for his conduct and services, both civil and military, merit their support.

Capt. Shuman, his colleague on the ticket, is so well known in this county, that it were superfluous to make any extended remarks in relation to him. Give Shuman and Stumbaugh your firm support.

IN Lancaster County, where the Democrats have not the remotest chance of election, they have eight soldiers on their ticket; in Berks, where they are sure of electing, they have not nominated a single one! Such hypocrisy towards the soldiers is more insulting that the late Democrats abuse of our gallant boys in blue. If the Democrats think the soldiers are such greenies as to be caught by such miserable chaff, they will probably have their calculations spoiled on Tuesday next. Soldiers will not sell themselves to Democrats at the cheap price of a nomination for an office where there no prospect for an election.

THE banks of Virginia are in anything but a satisfactory condition. They own too much rebel paper. The Exchange Bank of Virginia, which has branches all over the State, reports $150,000 in specie, and $6,700,000 in Confederate Bonds; the bank of Virginia, $300,000 in specie, and $8,000,000 Confederate bonds.

HAVE DESERTERS A RIGHT TO VOTE?

We give below a lengthy argument from the pen of Mr. Cessna, Chairman of the Union Central Committee, on the constitutionality of the Act of Congress disfranchising deserters. The crowded state of our columns compels us to omit certain portions of it, but we have tried to preserve the line of the argument unbroken. It is just such a paper as we would expect from an able lawyer like Mr. Cessna, and as a fair examination and interpretation of a law that has too long been defied, it will commend itself to all impartial minds:

"On the subject of elections, the Constitution of Pennsylvania provides:

"ARTICLE III.

"SECTION 1.—In elections, by the *citizens* every white *freeman*, of the age of twenty-one years, having resided in this State one year, and in the election district where he offers to vote ten days immediately preceding such election, and within two years paid a State or County tax, which shall have been assessed at least ten days before the election shall enjoy the rights of an elector; *but a citizen of the United States* who had previously been a qualified voter of this State, and removed therefrom, and returned, and who shall have resided in the election district, and paid taxes as aforesaid, shall be entitled to vote after residing in the State six months; Provided, That white freemen, *citizens of the United States*, between the ages of twenty-one and twenty-two years, and having resided in the State one year, and in the election disteict ten days, as aforesaid, shall be entitled to vote, although they shall not have paid taxes."

It is important here to observe that it is not all *white men* that are entitled to vote, but *white freemen*. Throughout the entire section the words "citizens of the United States" are used in the same connection, and it is apparent that the word "freemen" used in this section is equivalent to the word citizens.

In the case of the State of Tennessee *vs.* Ambrose, 1 Meigs' R., 331, the Supreme Court of the United States held that the word "freemen" used in the Constitution of Tennessee was equivalent to the word citizen. This is, of course, conclusive on this point.

During the progress of the war for the suppression of the rebellion, various laws were passed to raise an army sufficient for the purpose. It was found that some persons resorted to different disreputable ways to avoid the draft, and others deserted the service. To prevent a repetition of the former, and to punish the latter offence, Congress enacted a law partly as follows, viz;

"*An Act to amend the several acts heretofore passed to provide for the enrolling and calling out of the national forces, and for other purposes.*" *Approved March* 3, 1865.

"SECT. 21. That in addition to the other lawful penalties of the crime of desertion from the military or naval service, all *persons who have deserted* the military or naval service of the United States, who shall not return to said service, or report themselves to a Provost Marshal within sixty days after the proclamation hereinafter mentioned, shall be deemed and taken to have voluntarily relinquished and forfeited THEIR RIGHTS OF CITIZENSHIP, and their rights to become citizens; and such Deserters shall be forever incapable of holding any office of trust or profit under the United States, *or of exercising any rights of citizens thereof*; and all persons who shall hereafter desert the military or naval service, and all persons who, being duly enrolled, shall depart the jurisdiction of the district in which he is enrolled, or go beyond the limits of the United States, with intent to avoid any draft into the military or naval service duly ordered, shall be liable to the penalties of this section. And the President is hereby authorized and required forthwith, on the passage of this act, to issue his proclamation setting forth the provisions of this section, in which proclamation the President is requested to notify all Deserters returning within sixty days as aforesaid, that they shall be pardoned on condition of returning to their regiments and companies, or to such other organizations as they may be assigned to, until they shall have served for a period of time equal to their original term of enlistment."

In pursuance of that Act of Congress, President Lincoln issued his Proclamation.

If this Act of Congress is constitutional, and applies to those persons who, before its passage, had been citizens of Pennsylvania, and are guilty of the offences described in the Act, then it is perfectly clear that such persons have forfeited their rights of citizenship, and cannot vote. We hold that the Act of Congress is strictly constitutional.

Prior to the passage of the Act of 1860 (Penal Code) a convict, who had served his time in prison, could not vote.

The first article, eigth section, of the Constitution of the United States, among other things, declares:

"1. Congress shall have power—

"2. To lay and collect taxes, duties, imposts and excises, to pay the debts, *and provide for the common defence and general welfare of the United States.*

"5. To establish an uniform rule of naturalization.

"12. To declare war.

"13. To raise and support armies.

"15. To *make rules for the government and regulation of the land and naval forces.*

"16. To provide for calling forth the militia to execute the laws of the Union, SUPPRESS INSURRECTIONS and repel invasions.

"19. To make all laws which shall be *necessary and proper for carrying into execution the foregoing powers*, and all other powers vested by this Constitution in the Government of the United States, or in any department or office thereof."

Prior to the passage of the Act of 1865, which imposes the penalty of loss of citizenship upon Deserters, Congress had passed several Acts for the "raising of armies" and to "suppress insurrections," and had also made "certain rules for the regulation of the land and naval forces."—Chief among these was the Act of March 3, 1863, usually known as the "Conscription Act," a part of the provisions of which are hereinafter inserted.

The constitutional power of Congress to pass this Act, and their general power to raise armies, are fully vindicated and sustained by the Supreme Court of Pennsylvania in the Philadelphia cases reported in 9th Wright, 295 and following. In these opinions the liability of drafted men to the rules and regulations of war are clearly set forth. The constitutionality of the law cannot be doubted. We are equally clear that it applies to citizens of Pennsylvania, and that a person cannot lose his "citizenship of the United States" and retain his citizenship of Pennsylvania. We find in the Constitution of the United States:

"ARTICLE VI.

"SECTION 2.—THIS CONSTITUTION, AND THE LAWS OF THE UNITED STATES, WHICH SHALL BE MADE IN PURSUANCE THEREOF; and all treaties made, or which shall be made, under the authority of the United States, SHALL BE THE SUPREME LAW OF THE LAND; and the Judges in every State shall be bound thereby, *anything in the Constitution or laws of any State to the contrary notwithstanding.*"

The Supreme Court of the United States have ruled as follows:

"Since the adoption of the Constitution *no State can*, by any subsequent law, make a foreigner, *or any other description of persons*, citizens of the United States, nor entitle them to the rights and privileges secured to citizens by that instrument." 19 How., 393; also, 21 Law Rep., 630.

It is a well established fact, and indeed a constitutional command, that the system of naturalization shall be general, and no State can regulate the subject to suit its own views. It it not possible that any person can be a citizen of the State in which he lives, and not be a citizen of the United States. Nor is it possible that he can be a citizen of the United States and not be a citizen of the State in which he lives. The opinion of Attorney General Bates, given November 29th, 1862, on the question of citizenship, sustains this position. He says:

"The phrase 'a citizen of the United States,' without addition or qualification, means neither more nor less than a member of the nation. And all such are, politically and legally, equal—the child in the cradle and his father in the Senate, are equally citizens of the United States. And it needs no argument to prove that every citizen of a State is, necessarily, a citizen of the United States; and to me it is equally clear that every citizen of the United States is a citizen of the particular State in which he is domiciled."

"Every citizen of the United States is a competent member of the nation, with rights and duties under the Constitution and laws of the United States, which cannot be destroyed or abridged by the laws of any particular State. *The laws of the State, if they conflict with the laws of the Nation, are of no force.* The Constitution is plain beyond cavil on this point. Art. 6. 'This Constitution and the laws of the United States which shall be made in pursuance thereof, and all treaties, etc., shall be the supreme law of the land, and the Judges *in every State* shall be bound thereby, anything in the Constitution or laws of *any State* to the contrary notwithstanding.' And from this I assume that every person who is a citizen of the United States, whether by birth or naturalization, holds his great franchise by the laws of the United States, and *above the control of any particular State.* Citizenship of the United States is an integral thing, incapable of existence in fractional parts. Whoever, then, has that franchise, is a whole citizen, and a citizen of the whole nation, and cannot be (as the argument of my learned predecessor seems to suppose) such citizen in one State and not in another."

The Supreme Court of Pennsylvania agree with Judge Bates in his definition of the word "citizen." In 1 Grant, p. 424, Judge Woodward says:

"So was the word 'citizen' well understood, as it is now understood, to mean a human being—a natural person, capable of *acting, contracting, suing and being sued without* legislative aids—a person of whom allegiance is predicable, and who may be guilty of treason."

In 7 Penn. Law Journal, page 115, Van Metre *vs.* Mitchell, Judge Grier decides:

"No State legislation can interfere with the provisions of an act of Congress, or protect from punishment any one who may incur a penalty prescribed by such act."

Let us now ascertain who are "Deserters" contemplated by the act of Congress taking away the right of citizenship. The inquiry is rendered simple by a reference to the act itself and the law regulating the "military and naval services," from which desertions are alleged to be made. This act was known as the "Conscription Bill," and was in part as follows:

"*An Act for enrolling and calling out the national forces, and for other purposes, approved March 3d, 1863.*

"SECT. 8.—That in each of said districts there shall be a board of enrollment, to be composed of the Provost Marshal, as President, and two other persons, to be appointed by the President of the United States, one of whom shall be a licensed and practising physician and surgeon."

SECT. 12.—After ordering a draft, this section proceeds: "And the persons so drawn shall be notified of the same within ten days thereafter, by a written or printed notice, to be served personally, *or by leaving a copy at the last place of residence*, requiring them to appear at a designated rendezvous to report for duty."

"SECT. 13.— * * * And any person failing to report after due service of notice as herein prescribed, without furnishing a substitute, or paying the required sum therefor, SHALL BE DEEMED A DESERTER, and shall be arrested by the Provost Marshal, and sent to the nearest military post for trial by court-martial, unless upon proper showing that he is not liable to do military duty, the board of enrollment shall relieve him from the draft."

On the 24th of February, 1864, Congress passed another law, which reads as follows:

SECT. 16.—"*That copies of any record* of a Provost Marshal, or board of enrolment, *or of any part thereof*, certified by the Provost Marshal, or a majority of said board of enrolment, *shall be deemed and taken as evidence in any civil* or military court in like manner as the original record; provided, that if any person shall knowingly certify any false copy or copies of such record, to be used in any civil or military court, he shall be subject to the pains and penalties of perjury."

How are Deserters to be known? It will be seen from the 16th section of the Act above quoted that copies of papers, duly certified by the Board of Enrolment or by the Provost Marshal, shall be evidence. Under the system regulating elections in Pennsylvania, the judges and inspectors compose the tribunal by which must be determined all questions (*prima facie*) touching the right to vote of all persons claiming the right of suffrage. From them an appeal lies to the tribunals provided for the trial of contested elections. But the board of judges and inspectors must first decide. They must determine whether the applicant is over or under twenty-one years of age; whether he is white or black; whether he has or has not resided within the State or the election district a sufficient length of time to entitle him to vote. They must also determine whether he is sane or an idiot or madman; whether he is a native or a foreigner, and if a foreigner whether he has been naturalized, and any other question which may arise under the law. All this they do by examining witnesses and hearing evidence, as directed by the law or as indicated by their own good sense. There is nothing in this new duty, growing out of questions of desertion, more difficult than these duties. If the books of the Provost Marshal or enrolment board show an individual to be a Deserter, and he claims to be innocent of the charge, he will have no trouble in producing papers or witnesses to show that at the time of the draft made in which he was drawn he was serving the country as a volunteer, or that having deserted he returned under the proclamation of sixty days' amnesty and was pardoned, or show some other legal defence. It will be observed that the *person who left his district or his country to avoid the draft, and who was subsequently drawn, and had notice left at his last known place of residence*, is as much a deserter as he who ran away after having been duly mustered into the service.

The authorities already produced appear to be conclusive of the subject. But there is still another view of the question which is equally decisive. The right of expatriation has been recognized by the laws of nations from a very early period in history. It was regarded as one of the firmest foundations of Roman liberty, that the Roman citizen had the privilege to stay or renounce his residence in the State at pleasure. It is conceded that this doctrine has been differently held by different nations. It has been definitely and conclusively settled in the United States that the right of election (choice of allegiance) exists in every citizen. This view is taken by Chancellor Kent. 2 Kent; 39, &c.

The doctrine is thoroughly discussed and fully established by the Supreme Court of the United States in the case of Inglis *vs.* Trustees of Sailors' Snug Harbor—3 Peters, 305; and also in the case of Shanks *vs.* Dupont—same book, 395. In these two cases all the authorities and decisions bearing upon this question are fully cited and explained. Indeed, it is now the well-settled and undisputed law of the United States, that the citizen may surrender his right of citizenship, or may withdraw or change his allegiance. Our naturalization laws are founded entirely upon the soundness of this position. Pennsylvania adopted this view of the law at an early period of her history. In the case of Jackson *vs.* Burns, 3 Binn, 85, Chief Justice Tilghman, in delivering the opinion of the Supreme Court, said: "The principle of the English law, that no man could, even for the most pressing reasons, divest himself of the allegiance under which he was born, is not compatible with the Constitution of Pennsylvania."

By an examination of the authorities it will be seen that the only objection to the universality of this doctrine of change of allegiance, arises from a want of consent in the Government. In the case now under consideration, the Congress of the United States having passed the act forfeiting the right of citizenship, consent of the Government is thereby given, and the question is rendered free from all doubt. In discussing the right and power of an