

The Alleghanlian.

A. A. BARKER, Editor and Proprietor.
J. TODD HUTCHINSON, Publisher.

I WOULD RATHER BE RIGHT THAN PRESIDENT.—HENRY CLAY.

TERMS: \$2.00 PER ANNUM
\$1.50 IN ADVANCE

VOLUME 5.

EBENSBURG, PA., THURSDAY, OCTOBER 29, 1863.

NUMBER 5.

DIRECTORY.

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Post Offices.	Post Masters.	Districts.
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Methodist Episcopal Church—Rev. J. S. LEMMON, Preacher in charge. Rev. J. GRAY, Assistant. Preaching every Sabbath, alternately at 10 o'clock in the morning, or 7 in the evening. Sabbath School at 9 o'clock, A. M. Prayer meeting every Thursday evening, at 7 o'clock.

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Catholic—Rev. JOHN WILLIAMS, Pastor.—Preaching every Sabbath evening at 8 o'clock. Sabbath School at 7 o'clock, A. M. Prayer meeting every Friday evening, at 7 o'clock. Society every Tuesday evening at 7 o'clock.

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EBENSBURG MAILS.

MAILS ARRIVE.
Eastern, daily, at 10 o'clock, A. M.
Western, " at 10 o'clock, A. M.

MAILS CLOSE.
Eastern, daily, at 8 o'clock, P. M.
Western, " at 8 o'clock, P. M.

The mails from Butler, Indiana, Stroudstown, Pa., arrive on Thursday of each week, at 5 o'clock, P. M.

Leave Ebensburg on Friday of each week, at 8 A. M.

The mails from Newnan's Mills, Carrollton, Pa., arrive on Monday, Wednesday and Friday of each week, at 8 o'clock, P. M. Leave Ebensburg on Tuesdays, Thursdays and Saturdays, at 7 o'clock, A. M.

RAILROAD SCHEDULE.

CRESSON STATION.

West—Balt. Express leaves at	7:58 A. M.
" Fast Line " "	9:11 P. M.
" Mail Train " "	7:58 P. M.

WEST STATION.

East—Through Express " "	7:58 P. M.
" Fast Line " "	12:27 P. M.
" Fast Mail " "	6:58 A. M.
" Through Accom. " "	9:29 A. M.

WILMORE STATION.

West—Balt. Express leaves at	8:21 A. M.
" Mail Train " "	8:25 P. M.
East—Through Express " "	7:30 P. M.
" Fast Mail " "	6:36 A. M.
" Through Accom. " "	8:59 A. M.

COUNTY OFFICERS.

Judges of the Courts—President, Hon. Geo. Taylor, Huntington; Associates, George W. Reilly, Henry C. Devine.

Prothonotary—Joseph M. Donald.

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District Attorney—Philip S. Noon.

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Treasurer—Thomas Galin.

Poor House Directors—William Douglass, George Delany, Irwin Rutledge.

Poor House Treasurer—George C. K. Zahn.

Auditors—Thomas J. Nelson, William J. Williams, George C. K. Zahn.

County Surveyor—Henry Scanlan.

Cornet—James Shannon.

Mercantile Appraiser—Geo. W. Esley.

Sup't. of Common Schools—J. F. Coudon.

EBENSBURG BOR. OFFICERS.

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Burgess—James Myers.
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EAST WARD.
Constable—Evan E. Evans.
Town Council—John J. Evans, Thomas J. Davis, John W. Roberts, John Thompson, D. J. Jones.
Inspectors—William D. Davis, L. Rodgers.
Judge of Election—Daniel J. Davis.
Assessor—Lemuel Davis.
WEST WARD.
Constable—M. M. O'Neill.
Town Council—R. S. Bunn, Edward Glass, John A. Blair, John D. Thomas, George W. Dittman.
Inspectors—William Barnes, Jno. H. Evans.
Judge of Election—Michael Haysen.
Assessor—George Gurley.

The Morrell-Pershing Controversy—“Scrip.”

LETTER FROM MR. PERSHING TO MR. MORRELL.

Mr. Daniel J. Morrell has addressed a long card to the public, through the columns of the *Cambria Tribune*, of the 9th inst., on the subject of my course in the Legislature, on the bill prohibiting the payment of the wages of labor in store orders, or scrip. Periodically, just before every election, Mr. Morrell becomes very much excited about his scrip, so much so, that “Scrip on the brain” threatens soon to carry him off.

For a proper understanding of the subject, I quote the following from the House proceedings of Feb. 18, 1863:

“Mr. PERSHING, (on leave,) offered the following resolution, which was twice read:

“WHEREAS, the Governor, in his late annual message, has used the following language: ‘It has come to my knowledge that in some parts of the State a system exists of paying the wages of workmen and laborers not in money, but in orders on storekeepers for merchandise and other articles. This system, by preventing all competition, leaves the men to the uncontrolled discretion of the storekeepers. It is a system most unwise and unjust, and it affects classes of useful citizens who, as they live by the proceeds of their daily labor, have not adequate means to resist it. I have no doubt that most of the difficulties which occasionally occur between employers and their workmen are due to the prevalence of this system. That every man, for a fair day’s labor, should receive a fair day’s wages, is but the dictate of common honesty; and whilst it would be most unwise for the State to interfere at all with the wages of labor, it is, in my judgment, incumbent on her to protect her laboring population by requiring that, whatever may be the wages stipulated, they shall be so paid that the recipient may purchase necessities for himself and his family where they can be had best and cheapest. I do most earnestly recommend this subject to the Legislature for prompt and effectual action.’

“Therefore, be it resolved, that the Committee on the Judiciary be instructed to inquire what legislation is expedient and practicable to carry out the foregoing recommendation of the Governor, and report by bill or otherwise.”

This was five weeks after the Governor had sent in his message. If my object had been to “kill the whole matter,” as Mr. Morrell alleges, I took the wrong course to accomplish it. The truth is, the effect of my resolution was to infuse life into the measure, which was apparently sleeping the sleep of death.

Shortly after the reference in the House, the Hon. Bernard Reilly, Senator from Schuylkill county, informed me that he had, a day or two before my resolution passed, introduced a bill into the Senate prohibiting the payment of the wages of laborers in store orders, and expressed his fears that if the House passed one bill and the Senate another, on the same subject, the result would be a disagreement which would defeat both. It was thought better, therefore, that Judge Reilly should press his bill through the Senate and the House await its action.

Notwithstanding Gov. Curtin’s recommendation, Senator Reilly’s bill was strongly opposed by a number of the Republican Senators, and only passed the Senate towards the close of the session, in April. In the House its chief opponent was a gentleman largely interested in the iron business. It finally passed that body without its enemies demanding the yeas and nays.

Mr. D. J. Morrell, in his card, uses the following language:

“Shortly after the reference of the message, I saw Mr. Pershing, and he told me the reason why he had that portion of the message referred to the Committee of which he was Chairman, was because he considered it a question that could not constitutionally be legislated upon, and that such must be their report, which would, of course, kill the whole matter.”

Twice, in other parts of his card, does Mr. Morrell state that I was Chairman of the Judiciary Committee; and, in the extract above, he italicizes that I told him I was Chairman of that committee, as tho’ he deemed this a matter of great importance. I now pronounce Mr. Morrell’s statement false, in all its parts. To say that it was a subject that could not be constitutionally legislated upon, would be so absurd that no man of common sense would state it. I was not Chairman of the Judiciary Committee; never told Mr. Morrell that I was; and as I sent him the Legislative Record daily, charity itself will not permit me to believe that this statement, made three times in the same

communication, was a mistake on the part of Mr. D. J. Morrell. I am reluctantly forced to the conclusion that when Mr. D. J. Morrell wrote his card, or had it written for him, he deliberately falsified the record in his possession, and thus exhibited an amount of malignity which unfits him to fairly judge of any respectable man’s actions.

From this evidence of Mr. D. J. Morrell’s desire to act up to the motto at the head of his card, “Tell the truth and shame the Devil,” the community can judge how much reliance can be placed on his subsequent statement in reference to my alleged advice to him, to continue the issue of his Scrip “in the very teeth of the bill.” The facts are these: The *Harrisburg Telegraph*, the organ of Gov. Curtin, some time after the adjournment of the Legislature, published the Scrip bill, with the announcement that the Governor had signed it. The statement was published in the newspapers of the State. Mr. Morrell called upon me, and after denouncing Gov. Curtin’s “demagoguism” in very abusive language, stated that the Company intended stopping the issue of Scrip before a great while, but if compelled to quit then, it would derange their business, as it would require a complete change in their mode of conducting it; that time was necessary to prepare pass books, and additional clerks would have to be employed. I informed Mr. Morrell that the *Telegraph* had recalled its first statement and announced that Gov. Curtin had not signed the Scrip bill; and that as the bill had not become a law, its provisions were inoperative. In other words, as the Governor had refused to insert teeth into the bill, Mr. Morrell was in no danger of being bitten by it.

Had I acted as Mr. Morrell states, I would “abhor myself in dust and ashes;” but I solemnly aver, that I never have in my profession, or in any other capacity, publicly or privately, advised any one to violate any law. There is no more truth for D. J. Morrell’s statement in this particular, than for the one that I told him I was Chairman of the Judiciary Committee. The man who, for the purpose of gratifying the meanest political hatred, can thus pervert the professional advice honestly and faithfully given, will never be very likely to shame the Devil by telling the truth. Were I disposed to learn “duplicitly” I could easily find a teacher, for from the facts within my knowledge, I do not know where I could find a more accomplished instructor in that base art than Mr. D. J. Morrell himself.

I entirely agreed with Gov. Curtin in the principle he laid down in his message. Some difficulties suggested themselves to my mind as to the framing of a proper bill, and I went to the Governor’s room to consult with him upon the subject, but found he was absent from Harrisburg. Years ago the Legislature made the issuing, re-issuing, &c., of any check, certificate, order, due bill, &c., as currency, by any corporation, a forfeiture of its charter. This Act has been a dead letter on the statute book. I referred to this law, and further stated that a man had the right to sell his labor and take brick, straw, paper, or whatever suited him, in payment, and how far legislation could interfere with the right of a party to make his own contracts was, to say the least, doubtful. I said these things on two occasions at social gatherings, where Mr. Morrell and I were guests, without supposing for a moment that he would be so lost to all the proprieties which usually govern on such occasions as to play the spy upon my words, and, months afterwards, he would belittle himself by traveling about the town soliciting certificates, as a mendicant does coppers.

Mr. D. J. Morrell talks about his witnesses, and in this he does well. Men who believe they are telling the truth and who expect others to believe them, do not usually bolster their veracity by parading witnesses in advance, but in Mr. D. J. Morrell’s case, it was a most wise precaution. I shall say nothing farther on this branch of the subject till the certificates which Mr. D. J. Morrell carries around in his breeches pocket, written, as one of the signers informs me, by Morrell himself, come to light.

One of the special objects of Mr. D. J. Morrell, in his card, is to relieve Gov. Curtin from the unpleasant predicament in which he has placed himself. “The Scrip question is used to make political capital against Gov. Curtin,” says Mr. Morrell, and therefore he rushes into print. His sudden zeal for the Governor is amazing, considering how lately it was that his vituperation of Curtin was up to the highest quotations in that market. The reason which Mr. Morrell assigns in his card for the Governor’s recommendation is a very different one from that which Mr. Morrell communicated to me. The allegations of D. J. Morrell are that

Gov. Curtin prepared a bill on this subject which the Legislature did not touch; and that he, Curtin, would willingly sign a Constitutional bill, cannot be true, as I will endeavor to show.

In the debate in the Senate on this bill Mr. Turrell, a Republican, opposed it, when Mr. Reilly stated in reply as follows: “I would say to the Senator that this bill has been submitted to the Governor and the Attorney General. They had it before them an entire day and they returned it to me without the alteration of a single word.” See page 692 of the *Legislative Record*.

It appears the course of the Governor on the Scrip question is discussed in Schuylkill county. There it is assigned as Curtin’s reason for not signing the bill, that it is not strong enough—that it does not sufficiently protect the laborer. This reason is in “the very teeth” of the one assigned by Mr. D. J. Morrell, for the Governor. Both cannot be true. Senator Reilly, who introduced the bill into the Senate, in a recent letter, dated Sept. 30, 1863, thus adverts to Gov. Curtin’s agency in aiding the passage of the Scrip bill:

“After I read the bill in place the Governor requested me to let him see it and he would show it to the Attorney General, which I did. He had it in his possession for twenty-four hours; when I called for it he said it might be made stronger by inserting a clause preventing a man from giving his labor for any other consideration than money. I told him I could not pass such a bill. The Governor said, very well, it is a good bill—you must try and pass it as soon as possible.”

Thus it appears that Gov. Curtin did examine and approve of the very bill which he now refuses to sign. What then becomes of D. J. Morrell’s statement that the Governor had prepared a bill which the Legislature would not touch? or that the Governor would sign “a proper and constitutional bill”? If the present bill is improper or unconstitutional, why did Mr. Gov. Curtin say so to Senator Reilly, after examining it for himself, and submitting it to his Attorney General? This lame attempt of Mr. D. J. Morrell to shield Gov. Curtin from odium, for violating his faith with the workmen, will not do. Either Gov. Curtin has humbugged D. J. Morrell, or D. J. Morrell is endeavoring to humbug the community. There is at all events, a question of veracity between them, which they can settle at their leisure. The *Pittsburg Commercial*, a Republican paper, in its issue of the 8th inst., still further complicates this question of veracity between Mr. D. J. Morrell and Gov. Curtin, by declaring that the present bill will be signed by the Governor on the meeting of the next Legislature, and bases its allegation on what the editor himself heard Mr. Meredith, the Attorney General, say on the subject. I suppose Mr. D. J. Morrell will not tamely allow his “veracity” to be thus put in jeopardy by men of his own political party. He should hasten to its rescue with all convenient speed. C. L. PERSHING.

MR. MORRELL’S REPLY.

After calling on the editor of the *Tribune* with a witness, to solicit room in that paper to answer my card of Oct. 1, and after having been assured that he should have room, Mr. C. L. Pershing—permitting a week to pass, on the eve of the election—prints what he calls a reply in the congenial columns of the *Johnstown Democrat*, on Monday, the 12th. To give color to the falsehood which he wished to circulate, viz: that I had assailed him on the eve of the election, when too late for him to reply, he says my Card was published in “the *Cambria Tribune* of the 9th inst,” well knowing that it was published on the 2d, and that he had permission to reply through the *Tribune* of the 9th.

In this reply of his he revealed the significant fact that the *Democrat*, (with which he has privately repudiated all sympathy and connection) is the medium through which he prefers to address his public; and the reply itself reveals plainly the hand which has guided that malignant rebel organ throughout the campaign.

Mr. Pershing, at the outset of his article, puts on the air of injured innocence, and assumes that I am the aggressor. Let me, in as brief a manner as possible, show how the matter stands.

For months, the columns of Mr. Pershing’s rebel organ, reeked with personal assaults upon me, mainly as connected with the Company’s Scrip. For months these assaults passed unheeded, as Mr. Pershing persisted in denying any sympathy or connection with the paper making them—when finally the *Tribune* briefly stated one fact, which is a fact, viz: that the so-called Scrip bill “was unconstitutional, and had been so pronounced by Mr. Pershing himself.” In reply to this, Mr. Pershing’s organ of Sept. 16th, said

“we have Mr. Pershing’s authority for saying he never said any such thing, nor any thing of the kind.”

Here is the question between Mr. Pershing and myself. When I called on him about it, he made an equivocal admission that he had expressed such sentiments to me with reference to the Constitutionality of the Legislation of last winter on the subject of store orders, but tried to justify his present attitude by saying he had never read the bill as it finally passed.— Mr. Pershing now appears as the champion of the bill, and professes to be familiar with its history in all its stages, yet he made to me the singular and almost incredible admission that he had never read it, although it was published in his organ, with a great flourish of trumpets, and an obituary of Scrip. He said that, in reply to one of the editors of the *Democrat*, who called on him on the subject, he stated that he had not said that this particular bill was unconstitutional, for the reason that he had not read it; and he further said that he had given the editor of the *Democrat* no authority to publish anything. I then called Mr. Pershing’s attention to the statement in the *Democrat*, that the publication was made “by his authority.” He seemed much embarrassed and agitated, and wanted to know what I wished him to do. I had no advice to give, but I knew what an honorable man should and would do, and faintly hoped that he would do it. Mr. Pershing failed to make the correction and I was obliged, reluctantly, to state the facts to the public.

This disposes of Mr. Pershing’s smartness, about my being affected with “Scrip on the brain”—a disorder which could never trouble him, for the reason that he has very little of the one or the other.—No affection of the brain will ever “carry him off.”

For a proper understanding of the subject” Mr. Pershing quotes his resolution referring to the recommendation of the Governor, “to the Committee on the Judiciary, to inquire what legislation is expedient and practicable to carry it out, and report by bill or otherwise.” “This was five weeks after the Governor sent in his message.” Singular that the great anti-Scrip champion should let five whole weeks elapse before making this important motion! “If my object had been to kill the whole matter,” says Mr. Pershing, “I took the wrong course to accomplish it. It is very easy for Mr. Pershing to take the wrong course of Scrip, or any other question. It was a very strange motion for an anti-Scrip champion to make. In another part of his card, he says, “I entirely agreed with Gov. Curtin in the principles he laid down in his message,” yet his motion instructs the judiciary committee to enquire if legislation is expedient and practicable, and to report by bill or otherwise. It was an artful dodge by which Mr. Pershing could say to one class of his constituents, “See how I am pitching into scrip,” and to another class—as he did to me, that the recommendation was “a pettifogging trick of the Governor” and that effective Legislation was not practicable, and that the Committee would not report by bill—“but otherwise.”

And here comes the great—the only point—of Mr. Pershing—and Point no Point it is, truly. He quotes my card, that:

“Shortly after the reference of the message I saw Mr. Pershing, and he told me the reason why he had that portion of the message referred to the committee of which he was chairman was, because he considered it a question that could not constitutionally be legislated upon, and that such must be their report—which would, of course, kill the bill.”

Mr. Pershing then says:

“Twice in other parts of his card does Mr. Morrell state that I was Chairman of the Judiciary Committee, and in the extract above he italicizes that I told him I was Chairman of that Committee, as though he deemed this matter of great importance.”

Now, “the extract above” is my language, no part of it is set forth as words used by Mr. Pershing. In my own language, I stated—what? Why, the reason that he had in the message referred. The extract does not say that he told me he was Chairman of that Committee. No one but Mr. Pershing, or the blundering author of his card, could be so base or stupid as to allege it.

Mr. Pershing proceeds to say:

“I now pronounce Mr. Morrell’s statement false in all its parts. To say that it was a subject that could not be constitutionally legislated upon would be so absurd that no man of common sense would state it. I was not Chairman of the Judiciary Committee—never told Mr. Morrell that I was; and as I sent him the *Legislative Record* daily, charity itself will not permit me to believe that this state-

ment, made three times in the same communication, was a mistake of Mr. D. J. Morrell. I am reluctantly forced to the conclusion that when Mr. D. J. Morrell wrote his card, or had it written for him, he deliberately falsified the record in his possession, and thus exhibited an amount of malignity which unfits him fairly to judge of any respectable man’s actions.”

There is Mr. Pershing’s whole defense. Let me dispose of it thus: I never said that Mr. Pershing told me he was Chairman of the Judiciary Committee—my Card does not say it. It was my mistaken impression that he was Chairman of the Judiciary Committee. In the *Cambria Tribune* of the 9th, I corrected my mistake by the following Card:

“Correction.—Mr. Editor: An error has been pointed out to me in my Card of last week, which I hasten to correct, although of no material importance. I stated, believing it to be so, that Mr. Pershing was Chairman of the Committee on Judiciary, to which he had so much of the Governor’s message referred as related to the payment of the wages of labor. Mr. Pershing, it appears, was not Chairman, although an active member of that Committee. I was led to the error by confounding in my memory the Judiciary with the Committee on Federal Relations, of which the Honorable gentleman was Chairman.”

“Oct. 5, 1863. D. J. MORRELL.”

This card is dated Oct. 5, and was published in the *Tribune* of the 9th. Yet on Monday, Oct. 12, with my Correction before him, he charges that I “deliberately falsified the record.” I leave the public to judge on which side the “malignity” lies. It is a point of no importance save as illustrating the animus of Mr. Pershing. If it has done him harm to state that he was Chairman of the Judiciary Committee, I tender an ample apology. I apologize to the Legislature also. It seems it never compelled to go so low for a Chairman of this important committee, as to take Mr. Pershing, although denounced by him as one of the most venal bodies ever assembled at the Capitol. I do state with certainty what Mr. Pershing “told me.” He did say, in effect, that he considered the subject one which could not constitutionally be legislated upon, and that such must be the report of the Committee, which would, of course, kill the whole matter.

Mr. Pershing says he never made such a statement, and says it would be so absurd that no man of common sense would make it. This is a question for Mr. Pershing. If there was no Constitutional objection to such Legislation, why should it not be practicable? Why did Mr. Pershing instruct the Committee to inquire “what Legislation is practicable?” Why did he instruct the committee “to report by bill or otherwise?” In another part of Mr. Pershing’s Card, where he tries to state what he did say, he says:

“I further stated, that a man had a right to sell his labor, and take bricks, straw, paper, or whatever suited him, in payment, and how far Legislation could interfere with the right of a party to make his own Contract, was to say the least, doubtful.”

I am no lawyer, but it seems to me, that applied to the so-called Scrip bill, this opinion is conclusive of its unconstitutionality. Whether Mr. Pershing’s statement to me would be made by “a man of common sense” or not, one thing is certain—no man of common honesty would make it, and then, for political effect deny it. Mr. Pershing misstates the conversation I had with him after the bill had been passed, and when it was believed the Governor either had signed or would sign it. He says he told me “the *Telegraph* had recalled its first statement, and announced that Gov. Curtin had not signed the bill, and would not, and as the bill had not become a law, its provisions were inoperative.” I remember nothing of this. I would need no tremendously learned counsel to inform me that a bill which “had not become a law was inoperative.”

What Mr. Pershing did say was, in effect, that the so-called Scrip bill passed by the Legislature was unconstitutional. He said it was not law—not for the reason that the Governor had not signed it, but because the Legislature could not constitutionally interfere with the right of contract between man and man. I cannot be mistaken about his having given such an opinion. This is the sole question in this controversy. Mr. Pershing, in his role of “Artful Dodger,” does his best to dodge it. He says “I have never, in my professional life or in any other capacity, publicly or privately advised any one to violate any law.” He did not advise the “violation of any law.” I have never charged it upon him. He advised me to make no change in the Company’s business, because of the unconstitutionality of the law. That is, he told me, or I so understood, that the Company might continue their mode of doing business, without violating any

laws, without violating any