

The Ebensburg Alleghanian.

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

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

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NUMBER 20.

DIRECTORY.

LIST OF POST OFFICES.

Post Office, Ebensburg, Pa., established Feb. 1, 1866. Postmaster, A. G. Crooks. District, Carroll, Pa. Clerks, J. H. Houser, J. M. Thompson, C. J. Jeffrey, Peter Garman, J. M. Christy, Wm. Tiley, Jr., I. E. Chandler, M. Adesberger, A. Durbin, Andrew J. Ferral, Stan. Wharton, George Berkeley, George B. Wike, Wm. McConnell, J. K. Shryock.

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Presbyterian—Rev. T. M. Wilson, Pastor. Preaching every Sabbath morning at 10 o'clock, and in the evening at 7 o'clock. Sabbath School at 9 o'clock, A. M. Prayer meeting every Thursday evening at 6 o'clock.

Methodist Episcopal Church—Rev. J. P. Hershner, Pastor. Preaching every alternate Sabbath morning at 10 o'clock, and every alternate Sabbath evening at 7 o'clock. Sabbath School at 9 o'clock, A. M. Prayer meeting every Wednesday evening at 7 o'clock.

Wich Independent—Rev. L. R. Powell, Pastor. Preaching every Sabbath morning at 10 o'clock, and in the evening at 6 o'clock. Sabbath School at 1 o'clock, P. M. Prayer meeting on the first Monday evening of each month; and on every Tuesday, Thursday and Friday evening, excepting the first week in each month.

Catholic—Rev. Morgan Ellis, Pastor. Preaching every Sabbath evening at 8 o'clock. Sabbath School at 10 o'clock, A. M. Prayer meeting every Friday evening at 7 o'clock. Society every Tuesday evening at 8 o'clock.

Baptist—Rev. W. Lloyd, Pastor. Preaching every Sabbath morning at 10 o'clock.

Episcopal—Rev. David Evans, Pastor. Preaching every Sabbath evening at 7 o'clock. Sabbath School at 1 o'clock, P. M.

W. M. F. M.—Rev. R. C. Christy, Pastor. Preaching every Sabbath morning at 10 o'clock, and every Sabbath evening at 7 o'clock.

EBENSBURG MAILS.

MAILS ARRIVE.
Daily, at 8:50 o'clock, A. M.
Daily, at 6:25 o'clock, P. M.

MAILS CLOSE.
Daily, at 8 o'clock, P. M.
Daily, at 8 o'clock, P. M.

The mails from Newmarket, Pa., Carver, Pa., arrive on Monday, Wednesday, Friday of each week, at 3 o'clock, P. M. Leave Ebensburg on Tuesdays, Thursdays, Saturdays, at 9 o'clock, A. M.

RAILROAD SCHEDULE.

CRENSON STATION.

Balt. Express leaves at	9:13 A. M.
Phila. Express " "	9:55 A. M.
Fast Line " "	10:33 P. M.
Hill Train " "	9:03 P. M.
Pitts. & Erie M. " "	7:48 A. M.
Altoona Accom. " "	4:32 P. M.
Phila. Express " "	8:21 P. M.
Fast Line " "	2:21 A. M.
Day Express " "	6:43 A. M.
Cincinnati Ex. " "	1:11 P. M.
Mail Train " "	5:21 P. M.
Altoona Accom. " "	12:36 A. M.

COUNTY OFFICERS.

Judges of the Courts—President Hon. George W. Huntington; Associates, George W. H. Huntington, C. K. Zahn.

Prothonotary—Geo. C. K. Zahn.

Recorder—James Grimes.

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County Commissioners—John Campbell, Ed. Glass, E. R. Dunnegan.

County Surveyor—Henry Scanlan.

County Jailor—William Flattery.

County Appraiser—John Cox.

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

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WEST WARD.
Ward Council—John Lloyd, Samuel Stiles, Harrison Kincaid, John E. Scanlan, George J. Waters.

WARD OFFICERS—Barnabas M'Dermitt, George J. Waters.

WARD TREASURER—William H. Sechler, George W. Oatman.

WARD CLERK—Joshua D. Parrish.

SOCIETIES, &c.

F. M.—Summit Lodge No. 312 A. Y. M. meets in Masonic Hall, Ebensburg, on the second Tuesday of each month, at 6 1/2 o'clock.

O. O. F.—Highland Lodge No. 428 I. O. meets in Odd Fellows' Hall, Ebensburg, every Wednesday evening.

W. M. F. M.—Highland Division No. 84 Sons of Temperance meets in Temperance Hall, Ebensburg, every Saturday evening.

TERMS OF SUBSCRIPTION
TO
"THE ALLEGHANIAN"
\$2.00 IN ADVANCE,
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Freedmen's Bureau Bill—Veto Message of the President.

The following is the message of the President vetoing the Freedmen's Bureau Bill:

To the Senate of the United States: I have examined with care the bill, which originated in the Senate and has been passed by the two Houses of Congress, to amend an act entitled "An Act to establish a Bureau for the Relief of Freedmen and Refugees, and for other purposes." Having with much regret come to the conclusion that it would not be consistent with the public welfare to give my approval to the measure, I return the bill to the Senate with my objections to its becoming a law.

I might call to mind, in advance of these objections, that there is no immediate necessity for the proposed measure. The act to establish a bureau for the relief of freedmen and refugees, which was approved in the month of March last, has not yet expired. It was thought stringent and extensive enough for the purpose in view. Before it comes to have effect, further experience may assist to guide us to a wise conclusion as to the policy to be adopted in time of peace.

I have with Congress the strongest desire to secure to the freedmen the full enjoyment of their freedom and their property and their entire independence and equality in making contracts for their labor. But the bill before me contains provisions which in my opinion are not warranted by the Constitution, and are not well suited to accomplish the end in view.

The bill proposes to establish, by authority of Congress, military jurisdiction over all parts of the United States containing freedmen and refugees. It would, by its very nature, apply with most force to those parts of the United States in which the freedmen most abound; and it expressly extends the existing temporary jurisdiction of the Freedmen's Bureau, with greatly enlarged powers, over those States in which the ordinary course of judicial proceedings has been interrupted by the rebellion. The source from which this military jurisdiction is to emanate is none other than the President of the United States, acting through the War Department and the Commissioner of the Freedmen's Bureau. The agents to carry out this military jurisdiction are to be selected either from the army or from civil life. The country is to be divided into districts and sub-districts, and the number of salaried agents to be employed may be equal to the number of counties or parishes in all the United States where freedmen and refugees are to be found. The subjects over which this military jurisdiction is to extend in every part of the United States, include protection to all employees, agents and officers of this Bureau in the exercise of the duties imposed upon them by the bill. In eleven States it is further to extend over all cases affecting freedmen and refugees discriminated against by local law, custom or prejudice. In those eleven States the bill subjects any white person who may be charged with depriving a freedman of any civil rights or immunities belonging to white persons to imprisonment or fine, or both, without, however, defining the civil rights and immunities which are thus to be secured to the freedmen, by military law. This military jurisdiction also extends to all questions that may arise respecting contracts. The agent, who is thus to exercise the office of a military judge, may be a stranger, entirely ignorant of the laws of the place, and exposed to the errors of judgment to which all men are liable. The exercise of power, over which there is no legal supervision, by so vast a number of agents as is contemplated by the bill, must, by the very nature of man, be attended by acts of caprice, injustice and passion. The trials, having their origin under this bill, are to take place without the intervention of a jury, and without any fixed rules of law or evidence. The rules on which offences are to be heard and determined, by the numerous agents, are such rules and regulations as the President, through the War Department, shall prescribe. No previous presentment is required, nor any indictment, charging the commission of a crime against the laws; but the trial must proceed on charges and specifications. The punishment will be not what the law declares, but such as a court-martial may think proper. And from these arbitrary tribunals there lies no appeal—no writ of error to any of the Courts, in which the Constitution of the United States vests exclusively the judicial power of the country; while the territory, and the class of actions and offences, that are made subject to this measure, are so extensive that the bill itself, should it become a law, will have no limitation in point of time, but will form a part of the permanent legislation of the country. I cannot reconcile a system of military jurisdiction of this kind with the words of the Constitution, which declare that "no person shall be held to answer for a capital or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service

in time of war or public danger;" and that "in all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial by an impartial jury of the State or district wherein the crime shall have been committed."

The safeguards which the wisdom and experience of ages taught our fathers to establish as securities for the protection of the innocent, the punishment of the guilty, and the equal administration of justice, are to be set aside, and for the sake of a more vigorous interposition in behalf of justice, we are to take the rest of the many acts of injustice that would necessarily follow from an almost countless number of agents established in every parish or county in nearly a third of the States of the Union, or over whose decision there is to be no supervision or control by the Federal Court. The power that would be thus placed in the hands of the President is such as in time of peace certainly ought never to be entrusted to one man. If it be asked whether the creation of such a tribunal within a State is warranted as a measure of war, the question immediately presents itself whether we are still engaged in war. Let us not unnecessarily disturb the commerce, and credit, and industry of the country, by declaring that the United States are still in a condition of civil war. At present there is no part of our country in which the authority of the United States is disputed. Offences that may be committed by individuals should not work a forfeiture of the rights of the same communities. The country has entered, or is returning to a state of peace and industry, and the rebellion is in fact at an end. The measure, therefore, seems to be as inconsistent with the actual condition of the country as it is at variance with the Constitution of the United States.

If, passing from general considerations, we examine the bill in detail, it is open to weighty objections. In time of war it was eminently proper that we should provide for those who were passing suddenly from a condition of bondage to a state of freedom. But this bill proposes to make the Freedmen's Bureau, established by the act of 1865, as one of many great and extraordinary military measures to suppress a formidable rebellion, a permanent branch of the public administration, with its powers greatly enlarged. I have no reason to suppose, and I do not understand it to be alleged, that the act of March, 1865, has proven deficient for the purpose for which it passed; although at that time, and for a considerable period thereafter, the Government of the United States remained unacknowledged in the most of the States, whose inhabitants had been involved in the rebellion. The institution of Slavery, for the military destruction of which the Freedmen's Bureau was called into existence as an auxiliary force, has been already effectually and finally abrogated throughout the whole country by an amendment of the Constitution of the United States, and practically its eradication has received the assent and concurrence of most of those States in which it at any time had existed. I am not, therefore, able to discern in the country anything to justify an apprehension that the powers and agencies of the Freedmen's Bureau, which were effective for the protection of freedmen and refugees during the actual continuance of hostilities and of African servitude, will now in a time of peace, and after the abolition of Slavery, prove inadequate to the same proper ends. If I am correct in these views, there can be no necessity for the enlargement of the powers of the Bureau, for which provision is made in the bill. The third section of the bill authorizes a general and unlimited grant of support to the destitute and suffering refugees and freedmen and their wives and children. Succeeding sections make provision for the rent or purchase of landed estates for freedmen, and for the erection, for their benefit, of suitable buildings for asylums and schools, the expenses to be defrayed from the treasury of the whole people. The Congress of the United States has never heretofore thought itself competent to establish any laws beyond the limits of the District of Columbia, except for the benefit of our disabled soldiers or sailors. It has never founded schools for any class of our own people, not even for the orphans of those who have fallen in defence of the Union, but has left the care of their education to the much more competent and efficient control of the States, of communities, of private associations and of individuals.

It has never deemed itself authorized to expend the public money for the rent or purchase of homes for the thousands, not to say millions, of the white race who are honestly toiling from day to day for their subsistence. A system for the support of indigent persons in the United States was never contemplated by the authors of the Constitution. Nor can any good reason be advanced why, as a permanent establishment, it should be founded for one class or color of our people more than for another. Pending the war many refugees and freedmen received support from the Government, but it was never intended that they should henceforth be fed, clothed, educated and sheltered by the United States. The idea on which the slaves were assisted to freedom, was that on becoming free they would be a self-sustaining

population. Any legislation that shall imply that they are not expected to attain a self-sustaining condition, must have a tendency injurious alike to their character and their prosperity. The appointment of an agent for every county and parish will create an immense patronage, and the expense of the numerous officers and clerks to be appointed by the President will be great in the beginning, with a tendency steadily to increase. The appropriations asked by the Freedmen's Bureau as now established for the year 1866, amount to \$11,745,000. It may be safely estimated that the cost to be incurred under the impending bill will require double that amount, more than the entire sum expended in any one year under the administration of the second Adams. If the presence of agents in every parish and county is to be considered as a war measure, opposition or even resistance might be provoked, so that to give effect to their jurisdiction troops would have to be stationed within reach of every one of them, and thus a large standing force be rendered necessary. Large appropriations would, therefore, be required to sustain and enforce military jurisdiction in every county or parish from the Potomac to the Rio Grande. The condition of our fiscal affairs is encouraging, but in order to sustain the present measure of public confidence, it is necessary that we practice not merely customary economy, but as far as possible severe retrenchment. In addition to the objections already stated, the fifth section of the bill proposes to take away land from its former owners without any legal proceedings being first had, contrary to that provision of the Constitution which declares that no person shall be deprived of life, liberty or property without due process of law. It does not appear that a part of the lands to which this section refers may not be owned by minors or persons of unsound mind, or by those who have been faithful to all their obligations as citizens of the United States. If any portion of the land is held by such persons, it is not competent for any authority to deprive them of it. If, on the other hand, it be found that the property is liable to confiscation, even then it cannot be appropriated to public purposes, until, by due process of law, it shall have been declared forfeited to the Government.

There are still further objections to the bill, on grounds seriously affecting the class of persons to whom it is designed to bring relief. It will tend to keep the mind of the freedman in a state of uncertain expectation and restlessness; while to those among whom he lives it will be a source of constant and vague apprehension. Undoubtedly the freedman should be protected, but he should be protected by the civil authorities, especially by the exercise of all the constitutional powers of the courts of the United States and of the States. His condition is not so much exposed as may at first be imagined. He is in a portion of the country where his labor cannot well be spared. Competition for his services from planters, from those who are constructing or repairing railroads, or from capitalists in his vicinity, or from other States, will enable him to command almost his own terms. He also possesses a perfect right to change his place of abode, and if, therefore, he does not find, in one community or State, a mode of life suited to his desires, or proper remuneration for his labor, he can move to another, where labor is more esteemed and better rewarded. In truth, however, each State, induced by its own wants and interests, will do what is necessary and proper to retain within its borders all the labor that is needed for the development of its resources. The laws that regulate supply and demand will maintain their force, and the wages of the laborer will be regulated thereby. There is no danger that the great demand for labor will not operate in favor of the laborer. Neither is sufficient consideration given to the ability of the freedmen to protect and take care of themselves. It is no more than justice to them to believe that, as they have received their freedom with moderation and forbearance, so they will distinguish themselves by their industry and thrift, and soon show the world that in a condition of freedom they are self-sustaining and capable of selecting their own employment and their own places of abode; of insisting for themselves on a proper remuneration, and of establishing and maintaining their own asylums and schools. It is earnestly hoped that instead of wasting away, they will, by their own efforts, establish for themselves a condition of respectability and prosperity. It is certain that they can attain to that condition only through their own merits and exertions. In this connection, the query presents itself whether the system proposed by the bill will not, when put into complete operation, practically transfer the entire care, support and control of four millions of emancipated slaves to agents, overseers or taskmasters, who, appointed at Washington, are to be located in every county and parish throughout the United States containing freedmen and refugees. Such a system would inevitably tend to such a concentration of power in the Executive which would enable him, if so disposed, to control the action of a numerous class and use them for the attainment of his own political ends.

I cannot but add another very grave objection to this bill. The Constitution imperatively declares in connection with taxation that each State shall have at least one Representative, and fixes the rule for the number to which in future times each State shall be entitled. It also provides that the Senate of the United States shall be composed of two Senators from each State; and adds with peculiar force that no State without its consent shall be deprived of its equal suffrage in the Senate. The original act was necessarily passed in the absence of the States chiefly to be affected, because their people were then contumaciously engaged in the rebellion. Now the case is changed, and some at least of the States are attending Congress by loyal representatives, soliciting the allowance of the constitutional right of representation. At the time, however, of the consideration and the passage of the bill, there was no Senator or Representative in Congress from the eleven States which are to be mainly affected by the provisions. The very fact that reports were and are made against the good disposition of the country is an additional reason why they need and should have representatives of their own in Congress to explain their condition, reply to accusations, and assist by their local knowledge in the perfecting of measures immediately affecting themselves, while the liberty of deliberation would then be free, and Congress would have full power to decide according to its judgment. There could be no objection urged that the States most interested had not been permitted to be heard. The principle is firmly fixed in the minds of the American people that there should be no taxation without representation. Great burdens are now to be borne by all the country, and we may best demand that they shall be borne without murmur when they are voted by a majority of the representatives of all the people. I would not interfere with the unquestionable right of Congress to judge, each House for itself, of the elections, returns, and qualifications of its own members. But that authority cannot be construed as including the right to shut out in-time of peace any State from the representation to which it is entitled by the Constitution. At present all the people of eleven States are excluded. Those who were most faithful during the war not less than others. The State of Tennessee, for instance, whose authorities engaged in rebellion, was restored to all her constitutional relations to the Union by the patriotism and energy of her injured and betrayed people. Before the war was brought to a termination, they had placed themselves in relation with the General Government, had established a State Government of their own, and, as they were not included in the Emancipation Proclamation, they, by their own act, had amended their Constitution so as to abolish slavery within the limits of their State. I know no reason why the State of Tennessee, for example, should not fully enjoy all her Constitutional relations to the United States.

The President of the United States stands toward the country in a somewhat different attitude from that of any member of Congress, chosen from a single district or State. The President is chosen by the people of all the States.—Eleven States are not, at this time, represented in either branch of Congress. It would seem to be his duty on all proper occasions to present their just claims to Congress. There always will be differences of opinion in the community, and individuals may be guilty of transgressions of the law. But these do not constitute valid objections against the right of a State to representation. It would in no wise interfere with the discretion of Congress with regard to the qualifications of members; but I hold it my duty to recommend to you in the interests of peace, and in the interests of the Union, the admission of every State to its share of public legislation, when, however insubordinate, insurgent or rebellious its people may have been, it presents itself not only in an attitude of loyalty and harmony, but in the persons of representatives whose loyalty cannot be questioned under existing constitutional or legal test. It is plain that an indefinite or permanent exclusion of any part of the country from representation must be attended by a spirit of discontent and complaint. It is unwise and dangerous to pursue a course of measures which will unite any large section of the country against another section of the country, no matter how much the latter may predominate. The course of immigration, the development of industry and business, and natural causes will raise up at the South men as devoted to the Union as those of any other part of the land.—But if they are all excluded from Congress; if in a permanent statute they are declared not to be in full constitutional relations to the country, they may think they have cause to become a unit in feelings and sentiments against the Government. Under the political education of the American people, the idea is inherent and ineradicable that the consent of the majority of the whole people is necessary to secure a willing acquiescence in legislation. The bill under consideration refers to certain of the States as though they had not "been fully restored in all their constitutional relations to the United States." If they have not, let us at once

act together to secure that desirable end at the earliest possible moment. It is hardly necessary for me to inform Congress that, in my own judgment, most of those States, so far at least as depends upon their action, have already been fully restored and are to be deemed to be entitled to enjoy their constitutional rights as members of the Union. Reasoning from the Constitution itself, and from the actual situation of the country, I feel not only entitled but bound to assume that, with the Federal Courts restored in the several States, and in the full exercise of their functions, the rights and interests of all classes of the people will, with the aid of the military, in cases of resistance to the law, be essentially protected against unconstitutional infringement and violation. Should this expectation unhappily fail, which I do not anticipate, then the Executive is already armed with the powers conferred by the act of March, 1865, establishing the Freedmen's Bureau; and hereafter, as heretofore, he can employ the land and naval forces of the country to suppress insurrection and to overcome obstructions to the laws.

I return the bill to the Senate in the earnest hope that a measure involving questions and interests so important to the country will not become a law unless upon deliberate consideration by the people it shall receive the sanction of an enlightened public judgment. ANDREW JOHNSON.
WASHINGTON, D. C., Feb. 13, 1866.

The Bill for the Repeal of the State Tax on Real Estate.

The following is the bill passed by the State Legislature releasing all real estate from taxation for State purposes:—

SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passage of this act, it shall be the duty of the cashier of every bank in this Commonwealth, whether incorporated under the laws of this State or of the United States, to collect, annually, from every stockholder of said bank, a tax of one per centum upon the par value of the stock held by said stockholder, and to pay the same into the State treasury on or before the first day of July in every year hereafter, commencing on the first day of July, Anno Domini one thousand eight hundred and sixty-six, and the said stock shall be exempt from all other taxation under the laws of this Commonwealth.

SEC. 2. That in addition to the taxes now provided for by law, every railroad, canal and transportation company incorporated under the law of this Commonwealth, and not liable to the tax upon income under existing laws, shall pay to the Commonwealth a tax of three-fourths of one per centum upon the gross receipts of said company; the said tax shall be paid semi-annually, upon the first days of July and January, commencing on the first day of July, one thousand eight hundred and sixty-six; and for the purpose of ascertaining the amount of the same, it shall be the duty of the treasurer, or other proper officer of said company, to transmit to the Auditor General, at the dates aforesaid, a statement, under oath or affirmation, of the amount of the gross receipts of the said company during the preceding six months; and if any such company shall refuse or fail, for a period of thirty days after such tax becomes due, to make said return, or to pay the same, the amount thereof, with an addition of ten per centum thereto, shall be collected, for the use of the Commonwealth, as other taxes are recoverable by law, from said companies.

SEC. 3. The revenue derived under the second section of this act shall be applied to the payment of the principal and interest of the debt contracted under the act of 15th May, 1861, entitled "An act to create a loan, and to provide for arming the State."

SEC. 4. From and after the passage of this act, the real estate of this Commonwealth shall be exempt from taxation for State purposes: Provided, That this section shall not be construed to relieve the said real estate from the payment of any taxes due the Commonwealth at the date of the passage of this act.

THE SMOKY CITY.—Pittsburg, the second city of the State, is rapidly improving and well deserves its name of the Birmingham of America. Its substantial growth is indicated by the fact, that seven years ago the city had but five banks, now it has twenty, with a capital of \$25,000,000. It has five large cotton factories, and seven woolen ones. It has no less than fifty glass making establishments, which produced \$13,000,000 worth last year. In the iron trade, the amount of manufacture is immense. The value of its coal trade is estimated at \$9,000,000, while its oil trade and manufacture is put at \$25,000,000.

A bachelor and a young lady purchased some tickets in partnership in a lottery at the recent Sanitary Fair at Milwaukee, agreeing to divide the proceeds equitably. They drew a double bedstead, a baby crib, and a lurch basket, and the question is now to divide them, or whether they shall not use them "jointly."