SENTINEL & REPUBLICAN

MIFFLINTOWN.

Wednesday, May 7. 1879.

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EDITOR AND PROPRIETOR.

PEOPLE who read, know, that the present extra session of Congress, was called because the Democratic members would not provide by appropriation to carry on the government.

Under the lead of the Southern ex-rebels, and brigadiers the Northern Democratic members have been doing all they know how to encourage the Southern members in their refusal to pass the appropriation bills, unless certain Congressional Acts, that are part of the reconstruction measures be repealed.

Their demands are but the beginning of a revolution, which if allowed to go on will result in the overthrow of all that the North won for free government against Rebellion.

If the Northern Democratic Congressman, and the Northern Democrat-press had turned their faces against the revolutionary work, there would not now be agitation abroad in the country. But the Northern Democratic Congress have allowed the Southern Brigadiers to rule their Caucus and thereby shape the whole policy of the Democratic party, and the Democratic press has allowed itself to be controlled by Congressional influence and turned into direct or indirect support of the schemes of the Revolutionary Brigadiers.

The Democratic press in this county is no exception, it is as completely under the whip of the brigadiers as if a score or two of them lived in Juniata. There is some difference however in the manner of approach of the two organs in this county.

The *Democrat and Register* comes to the defence of the measures of the Democratic Brigadier Congressman squarely. While the *Tribune* approaches the question in a round about way as if afraid to go in at the front door.

It has not the pluck to defend the measures, but it defends the Brigadiers who are the moving power in all the mischief that is a brewing in the Democratic camp, for the brigadiers rule the Democratic Congressional Caucus, and the Caucus rules the Democratic Congress, and the Congressmen and Senators rule the Democratic party.

The facts of the revolutionary work of the brigadiers were clearly stated in the *Sentinel and Republican* last week, and it was earnestly hoped that the *Tribune* would have the candor and independance to oppose the revolutionary work of the Brigadiers, but alas! how disappointed, for instead of Condemning the revolutionary work at Washington, it did out herod Herod himself, in its effort to get away from the question.

It put in a labored defence for the brigadiers by claiming them as soldiers, and under the common head of soldiers classed them and their work with the soldiers of the North, and then in a general way endeavored to create the impression that the soldier has been badly treated, or not properly treated, by the people of the North; that he has not had his share of the offices in the gift of the people.

On that point the *Tribune* must contest with the Democratic party, for it is the party in the North, above all other parties, that says we are having too many soldier office holders, and the Democratic party in Congress have expressed a horror of the army, and been struggling to have it reduced to the little end of nothing. The position of the *Tribune* on this point is contradictory. It clamors for the men who are reducing the army, the Brigadiers and their Congressman allies, and in the next breath clamors because the soldier is not more highly recognized. It keeps the truth from its readers, that it is the Democratic Congress as lead by the Brigadiers that is fighting the Army Bill, and seeks almost the complete reduction of the military organization.

What a fine oppertunity it would have had to tell the truth that every Republican Presidental candidate has been a Union soldier, and that in striking contrast to that truth, is another fact, that the two last Presidential candidates of the Democracy have been civilians, Greely and Tilden. With them it is anything to beat the soldiers that put down the Rebellion.

It might have looked at the officers of this Commonwealth and told the truth that the Republican Governors since the war have all been soldiers, while the truth on the other side is just as apparent, and suggestive, that the Democratic candidates have all been civilians. Remember Dill and Pershing.

Again, the fact that the soldier is cared for by Republican enactment, is apparent by the fact of the establishment of Soldier Orphans Schools; by the fact, that millions of dollars are annually paid in pensions, and by the fact that expensive monuments have been erected to perpetuate their memory.

Republican administrations have not only elected its soldiers to office, provided schools for the children of the Union soldier, erected monuments to their memory, and provided pensions for those wounded in the service, but it has gone beyond a recognation of honest patriotic service in the North.

It has recognized many of the soldiers of the South, and conferred on them honorable and profitable employment. It has recognized that class of soldiers of the South that have accepted the change that has been caused by their own acts of folly. It has recognized the Southern soldier that has said, "Yes, I accept the situation. The civilization of the North has conquered the civilization of the South by the very methods that the South chose to determine the contest." There is a heroism about such a confession that is commendable, and the Republican party has recognized it wherever it has manifested itself.

It is a different spirit from that which actuates a party to tell what is not true, to tell the Northern soldier, "You have to stand back; you are not recognized," and then turn around on the other side and wink at the Brigadiers, who have never accepted the situation, and encourage them not to appropriate for the maintenance of what is left of the organization of the army.

It is a queer kind of recognition that the *Tribune* has in its mind.

It is no half-way recognition that the Republican party gives to its soldiers. Just last Friday a resolution was brought up in the Senate of Pennsylvania providing for the appointment of a Legislative committee to go to San Francisco and welcome General Grant in the name of the State of Pennsylvania. It was an act of recognition of the services of a soldier—just what the *Tribune* has been clamoring for. It was afraid to declare itself against the policy of the Brigadiers, but indirectly asked for a further recognition of the soldiers. The Senate of this State now proposes to further honor and recognize the General of the Northern Army. What says the *Tribune*? That is getting a little nearer by way of recognition than Washington; it is coming into our State. And to come a little nearer home, by and by, perhaps, a soldier may be nominated for a county office by the Republicans in the approaching campaign. Will the *Tribune* then have a recognition to give? The Democrats in the State Senate last Friday all voted against recognizing General Grant, or against tendering him a welcome on his arrival from foreign travel. What says the *Tribune* to the Democratic way in the State Senate of recognizing loyal soldiers?

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READ the President's veto of the Army Appropriation bill, carefully. It is an extinguisher of the arguments set up by the Democracy in Congress, who are whipped into the control of the Brigadiers. The Southern Congressmen have bulldozed the Northern Democratic Congressmen into supporting measures that the country will not allow them to carry out as they desire to.

On Thursday the vetoed Army Appropriation bill was called up. The Brigadiers thought they had friends enough to pass it over the President's veto by a two-thirds vote, but in that they failed; the vote stood—yeas, 120; nays, 110.

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THE Democracy in Congress got up another fool-killing arrangement for themselves, when the President's veto was announced as ready to be presented to the House. They quickly resolved to snub the President by postponing the reading of the message to hear the announcement of the death of Representative Clark. The Brigadiers snubbed no one but themselves, for the message went before the country in the newspapers before Congress received it.

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"THE new King of Bulgaria, Prince Alexander Joseph of Battenburg, is the child and second son of Prince Alexander of Battenberg, and a first cousin of the Grand Duke Louis of Hesse, who married the Princess Alice of Great Britain. He is a bachelor of 22, and his brother, Prince Louis, is a Lieutenant in the British navy. He is a nephew of the present Empress of Russia."

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"THE new Constitution for California, that is to be voted on to-day (Wednesday), abolishes all the courts, but makes no provisions for other courts until next January, so that, if the Constitution prevails, there will be an interregnum with no tribunal to punish offenders except the police and justices' courts."

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THE Czar of Russia has fallen back on the "Divine Right of Kings," and has become a law unto himself since the attempt was made to take his life. He rules now with a heavy hand on all classes that are in the least suspected of having had to do with the late conspiracy to take his life.

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"Governor Talbot, of Massachusetts has signed a bill which permits recovery of damages resulting from the sale of liquor from owners of buildings where the liquor is sold."

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"Four per cent. bonds are now at nearly two per cent premium. In 1877 the four per cent. bonds sold as high as six and a half per cent premium."

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OUT in St. Louis they have the question in Court as to whether a telegraphic dispatch can be subpoenaed into court.

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"Some very troublesome questions came up frequently before the the missionaries in foreign lands. The Presbytery of Sealkote, India, recently discused the question of what should be done with converted natives having more than one wife. Shall a convert be compelled to put away a woman he has always supposed to be his lawful wife, sever a tender chord, and bring ruin upon the woman! The Presbytery decided that "While it is clear that such persons are not eligible to office, yet in the opinion of the Presbytery there is nothing in the Bible to prevent their reception into church membership."

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## STATE ITEMS.

John W. Pincin, of M'Veytown, has a fig tree which last year bore about a dozen figs.

Thousands of barrels of oil are daily wasted in the Bradford district for want of tankage.

The Philadelphia and Reading railroad company has begun to pay its employees cash.

The sheriff's office in Erie county netted the incumbent for the last two years $20,000.

Pennsylvania has the largest number of postoffices of any of the States, having 3,318 offices on March 1, 1879.

A chap in Hendersonville, Mercer county, sucked thirty four eggs in seven minutes.

A little girl, Celia Horay, who was taken away from Locust Gap, Northumberland county, over a week ago, by gypsies, has not been heard of since.

Charles Maus a pensioner of the War of 1812, and aged nearly 85 years, was so badly burned at his home in Lewisburg, Union county a few days ago, that death ensued a few hours after the accident. He set fire to his clothing while lighting his pipe.

The Zoological Gardens at Fairmount Park Philadelphia, were visited last year by 280,739 persons, being an increase over 1877 of 76,966, while the income of the society exceeded that of the previous year by $8,853.50.

Mr. William Bartholomew of West Bradford Chester county, recently lost three fine cows, and several others are sick and it is feared that they to will die. One of the cows was opened after its death when it was found that there were about forty nails in its stomach. As Mr. Bartholomew recently had a new roof placed on his barn, the supposition is that the cows had by some means gotten the nails into their food and swallowed them.

## TO THE RESCUE.

### THE LATE VETO MESSAGE.

*The Bill Declared to be a Dangerous Violation of the Spirit and Meaning of the Constitution—Plenty of Time to Separate the Bills and Pass Them—The Bill is Entitled "An Act Making Appropriations for the Support of the Army for the Fiscal Year Ending June 30, 1880, and for other Purposes."*

*To the House of Representatives:*

I have maturely considered the important question presented by the bill entitled "An act making appropriations for the support of the army for the fiscal year ending June 30, 1880, and for other purposes," and I now return it to the House of Representatives, in which it originated, with my objections to its approval.

The bill provides it the usual form for the appropriations required for the support of the army during the next fiscal year.

If it contained no other provisions it would receive my prompt approval.

It includes, however, further legislation which, attached as it is to appropriations which are requisite for the efficient performance of some of the most necessary duties of the government, involves questions of the gravest character.

The sixth section of the bill is amendatory of the statute now in force in regard to the authority of persons in the civil, military and naval service of the United States "at the place where any general or special election is held in any State."

This Statute was adopted February 25, 1865, after a protracted debate in the Senate, and almost without opposition in the House of Representatives, by the concurrent votes of both of the leading political parties of the country, and became a law by the approval of President Lincoln. It was re-enated in 1874 in tho revised statutes, sections 2,002 and 5,528, which are as follows:

"SEC. 2,002. No military or naval officer, or other person engaged in the civil, military or naval service of the United States shall order, bring, keep or have under his authority or control any troops or armed men at the place where any general or special election is held in any State, unless it be necessary to repel the armed enemies of the United States or to keep the peace at the polls."

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

PEACE AT THE POLLS.

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

FIRST. Upon the right of the United States Government to use military force to keep the peace at the elections for members of Congress, and,

SECOND. Upon the right of the government by civil authority to protect these elections from violence and fraud.

In addition to the sections of the statute above quoted the following provisions of law relating to the use of military power at the election are now in force:

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

"SEC. 5,529. Every officer or other person in the military or naval service who by force, threat, intimidation, order, advice or otherwise prevents or attempts to prevent any qualified voters of any State from freely exercising the right of suffrage at any general or special election in the such State, shall be fined not more than five thousand dollars and be imprisoned at hard labor not more than five years.

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

"SEC. 5,531. Every officer or other person in the military or naval service who by force, threat, intimidation, order or otherwise, compels or attempts to compel any officer holding an election in any State to receive a vote from a person not legally qualified to vote, or who imposes or attempts to impose any regulations for conducting any general or special election in a State different from those prescribed by law, or who interferes in any manner with any officer of an election in the discharge of his duty, shall be punished as provided in section 5,529.

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

SUFFICIENT TO PREVENT MILITARY INTERFERENCE.

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

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

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

ACTING WISELY FOR THE FUTURE.

"Therefore, I hope, without getting into any controversy about the past, but acting wisely for the future, we shall take away the idea that the army can be used by a general or special deputy marshal, or by any marshal, merely for election purposes, as a posse, ordering them about the polls or ordering them anywhere else, when there is no election going on, to prevent disorders or to suppress disturbances that should be suppressed by the peace officers of the State, or if they must bring others to their aid, they should summon the unorganized citizens, and not summon the officers and men of the army as a posse comitatus to quell disorders and thus get up a feeling which will be disastrous to peace among the people of the country."

OBJECT OF THE ACT.

In the House of Representatives the object of the act of 1878 was stated by the gentleman who had it in charge in similar terms. He said: "But these are all minor points and insignificant questions compared with the great principle which was incorporated by the House in the bill in reference to the use of the army in time of peace.

"The Senate had already conceded what they called, and what we might accept as the principle, but they had stricken out the penalty and had stricken out the word 'expressly,' so that the army might be used in all cases where implied authority might be inferred.

"The House committee planted themselves firmly upon the doctrine that, rather than yield this fundamental principle for which for three years this House had struggled, they would allow the bill to fail—notwithstanding the reforms which we had secured—regarding these reforms as of but little consequence alongside the great principle that the army of the United States in time of peace should be under the control of Congress and obedient to its laws.

"After a long and protracted negotiation the Senate committee have conceded that principle in all its length and breadth, including the penalty which the Senate had stricken out.

"We bring you back, therefore, a report with the alteration of a single word, which the lawyers assure me is proper to be made, restoring to this bill the principle for which we have contended so long and which is so vital to secure the rights and liberties of the people.

"Thus have we this day secured to the people of this country the same great protection against a standing army which cost a struggle of two hundred years for the Commons of England to secure for the British people."

NO MILITARY INTERFERENCE WITH ELECTIONS.

From this brief review of the subject it sufficiently appears that under existing laws there can be no military interference with the elections. No case of such interference has occurred since the passage of the act last referred to. No soldier of the United States has appeared under orders at any place of election in any State. No complaint, even, of the presence of United States troops has been made in any quarter.

NO NECESSITY FOR THE BILL.

It may, therefore, be confidently stated there is no necessity for the enactment of section 6 of the bill before me, to prevent military interference with elections. The laws already in force are all that is required for that end. But that part of section 6 of this bill which is significant and vitally important is the clause which, if adopted, will deprive the civil authorities of the United States of all power to keep peace at the Congressional elections. The Congressional elections in every district, in every important sense, are justly a matter of political interest and concern throughout the whole country. Each State, every political party, is entitled to its share of power which is conferred by the legal and constitutional suffrage.

THE RIGHT OF SUFFRAGE.

It is the right of every citizen possessing the qualifications prescribed by law to cast one uninimidated ballot and to have his ballot honestly counted.

So long as the exercise of this power and the enjoyment of this right are common and equal, practically as well as formally, submission to results of the suffrage will be accorded loyally and cheerfully and all the departments of government will feel the true vigor of the popular will thus expressed.

PROVISIONS OF THE CONSTITUTION.

Two provisions of the Constitution authorize legislation by Congress for the regulation of the Congressional elections. Section 4 of article 1 of the Constitution declares: "The times, places and manner of holding elections for Senators and Representatives shall be prescribed in each State by the Legislature thereof; but the Congress may at any time, by law, make or alter such regulations, except as to the places of choosing Senators."

The fifteenth amendment of the Constitution is as follows:

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

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

The Supreme Court has held that this amendment invests the citizens of the United States with a new Constitutional right which is within the protecting power of Congress. That right the court declares to be exemption from discrimination in the exercise of the elective franchise on account of race, color or previous condition of servitude. The power of Congress to protect this right by appropriate legislation is expressly affirmed by the court.

SAFEGUARDS TO THE RIGHT TO VOTE.

National legislation to provide safeguards for free and honest elections is necessary, as experience has shown, not only to secure the right to vote to the enfranchised race at the South, but also to prevent fraudulent voting in the large cities of the North.

Congress has, therefore, exercised the power conferred by the Constitution and has enacted certain laws to prevent discrimination on account of race, color or previous condition of servitude, and to punish fraud, violence and intimidation at Federal elections.

Attention is called to the following sections of the revised statutes of the United States, viz.:

Section 2,004, which guarantees to all citizens the right to vote, without distinction on account of race, color or previous condition of servitude; sections 2,005 and 2,006, which guarantees to all citizens equal opportunity, without discrimination, to perform all the acts required by law as a prerequisite or qualification for voting; section 2,022, which authorizes the United States Marshal and his deputies to keep peace and preserve order at the Federal elections; section 2,024, which expressly authorizes the United States Marshal and his deputies to summon a posse comitatus whenever they or any of them are forcibly resisted in the execution of their duties under the law or are prevented from executing such duties by violence; section 5,522, which provides for the punishment of the crime of interfering with the supervisors of elections and deputy marshals in the discharge of their duties at election of Representatives in Congress.

DUTIES OF THE EXECUTIVE.

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

THE INTENT OF THE BILL.

The intent and effect of the sixth section of this bill is to prohibit all the civil officers of the United States, under penalty of fine and imprisonment, from employing any adequate civil force for this purpose at places where their enforcement is most necessary, namely, at the places where Congressional elections are held. Among the most valuable enactments to which I have referred are those which protect the Supervisors of Federal elections in the discharge of their duties at the polls.

NO POWER VESTED IN UNITED STATES OFFICERS

If the proposed legislation should become the law there will be no power vested in any officer of the government to protect from violence the officers of the United States engaged in the discharge of their duties. Their rights and duties under the law will remain, but the National Government will be powerless to enforce its own statutes.

The States may employ both military and civil power to keep the peace and to enforce the laws of the State elections.

It is now proposed to deny to the United States even the necessary civil authority to protect the national elections.

No sufficient reason has been given for this discrimination in favor of the State and against the national authority.

If well-founded objections exist against the present national election laws, all good citizens should unite in their amendment.

The laws providing the safeguards of the elections should be impartial, just and efficient. They should, if possible, be so nonpartizan and fair in their operation that the minority, the party out of power, will have no just ground to complain.

THE PREVENTION OF FRAUD.

The present laws have, in practice, unquestionably conduced to the prevention of fraud and violence at the elections. In several of the States members of the different political parties have applied for the safeguards which they furnish.

It is the right and duty of the National Government to enact and enforce laws which will secure free and fair Congressional elections.

The laws now in force should not be repealed except in conjunction with the enactment of measures which will better accomplish that important end.

WHAT THE BILL WILL DO.

Believing that section 6 of the bill before me will weaken, if it does not altogether take away the power of the National Government to protect the Federal elections by the civil authority, I am forced to the conclusion that it ought not to receive my approval. This section is, however, not presented to me as a separate and independent measure, but is, as has been stated, attached to the bill making the usual annual appropriations for the support of the army.

A VITAL CHANGE.

It makes a vital change in the election laws of the country, which is in no way connected with the use of the army. It prohibits, under heavy penalties, any person engaged in the civil service of the United States from having any force at the place of any election to preserve order, to make arrests, to keep the peace or in any manner to enforce the laws. This is altogether foreign to the purpose of an army appropriation bill.

MEASURES NOT PERTINENT TO BILLS.

The practice of tacking to appropriation bills measures not pertinent to such bills did not prevail until more than forty years after the adoption of the Constitution. It has become a common practice. All parties, when in power, have adopted it. Many abuses and general waste of public money have in this way crept into appropriation bills.

The public opinion of the country is against it.

The States which have recently adopted constitutions have generally provided a remedy for the evil by enacting that no law shall contain more than one subject, which shall be plainly expressed in its title.

The constitutions of more than one-half of the States contain substantially this provision. The public welfare will be promoted in many ways by a return to the early practice of the government and to the true principles of legislation, which requires that every measure shall stand or fall according to its own merits.

If it were understood that to attach to an appropriation bill a measure irrelevant to the general object of the bill would imperil and probably prevent its final passage and approval, a valuable reform in the parliamentary practice of Congress would be accomplished.

The best justification that has been offered for attaching irrelevant riders to appropriation bills is that it is done for conscience' sake to facilitate the passage of measures which are deemed expedient by all the branches of government which participate in legislation.

It cannot be claimed that there is any such reason for attaching this amendment of the election laws to the army appropriation bill.

THE HISTORY OF THE BILL.

The history of the measure contradicts this assumption.

A majority of the House of Representatives in the last Congress was in favor of section 6 of this bill. It was known that a majority of the Senate was opposed to it, and that as a separate measure it could not be adopted. It was attached to the army appropriation bill to compel the Senate to it.

It was plainly announced to the Senate that the army appropriation bill would not be allowed to pass unless the proposed amendment of the election laws were adopted with it. The Senate refused to assent to the bill on account of this irrelevant section.

Congress thereupon adjourned without passing an appropriation bill for the army and the present session of the Forty-sixth Congress became necessary to furnish the means to carry on the government.

THEIR DEFENSE OF THE BILL—WHAT ITS ADVOCATES SAID FOR IT.

The ground upon which the action of the House of Representatives is defended has been distinctly stated by many of its advocates a week before the close of the last session of Congress. The doctrine in question was stated by one of its ablest defenders as follows: "It is our duty to repeal these laws; it is not worth while to attempt the repeal except upon an appropriation bill. The Republican Senate will not agree to nor the Republican President sign a bill for such repeal. Whatever objection to legislation upon appropriation bills may be made in ordinary cases does not apply where free elections and the liberty of the citizen are concerned. We have the power to vote money; let us annex conditions to it and insist upon the redress of grievances."

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

That a question of the greatest magnitude and new in this country was raised by this course of proceedings was fully recognized also by its defenders in the Senate.

It was said by a distinguished Senator: "Perhaps no greater question, in the form we are brought to consider it, was ever considered by the American Congress in time of peace, for it involves not merely the merits or demerits of the laws which the House bill proposes to repeal, but involves the rights, the privileges, the powers, the duties of the two branches of Congress and of the President of the United States.

"It is a vast question that never yet has been brought so sharply before the American Congress and the American people as it may be now. It is a question which sooner or later must be decided, and the decision must determine what are the powers of the House of Representatives under the Constitution and what is the duty of that House in the view of the framers of the Constitution according to its letter and spirit.

"Mr. President, I should approach this question, if I were in the best possible condition to speak and to argue it, with very grave diffidence, and certainly with the utmost anxiety, for no one can think of it as long and as carefully as I have thought of it without seeing that we are at the beginning, perhaps, of a struggle that may last as long in this country as a similar struggle lasted in what we are accustomed to call the motherland. There the struggle lasted for two centuries before it was ultimately decided. It is not likely to last so long here. But it may last until every man in this chamber is in his grave.

"It is the question whether or no the House of Representatives has a right to say, 'We will grant supplies only upon condition that grievances are redressed; we are the representatives of the tax-payers of the republic; we—the House of Representatives—alone have the right to originate money bills; we—the House of Representatives—have alone the right to originate bills which grant the money of the people. The Senate represents States. We represent the tax-payers of the Republic. We, therefore, by the very terms of the Constitution, are charged with the duty of originating the bills which grant the money of the people. We claim the right which the House of Commons, in England, established after two centuries of contest, to say that we will not grant the money of the people unless there is a redress of grievances.'"

TIME TO PASS SEPARATE BILLS.

Upon the assembling of this Congress in pursuance of a call for an extra session, which was made necessary by the failure of the Forty-fifth Congress to make the needful appropriations for the support of the government, the question was presented whether the attempt made in the last Congress to engraft by construction a new principle upon the Constitution should be persisted in or not.

This Congress has ample opportunity and time to pass the appropriation bill and also to enact any political measures which may be determined upon in a separate bill by the usual and orderly methods of proceeding; but the majority of both houses have deemed it wise to adhere to the principle asserted and maintained in the last Congress by the majority of the House of Representatives.

That principle is that the House of Representatives has the sole right to originate bills for raising revenue, and therefore has the right to withhold appropriations, upon which the existence of the government may depend, unless the Senate and President shall give their assent to any legislation which the House may see fit to attach to appropriation bills.

AN UNCONSTITUTIONAL CHANGE.

To establish this principle is to make a radical, dangerous and unconstitutional change in the character of our institutions.

The various departments of the government and the army and navy are established by the Constitution by laws passed in pursuance thereof. Their duties are clearly defined and their support is carefully provided for by law. The money required for this purposes has been collected from the people, and is now in the Treasury, ready to be paid out as soon as the appropriation bills are passed. Whether appropriations are made or not, the collection of taxes will go on; the public money will accumulate in the Treasury.

INTENTION OF THE FRAMERS OF THE CONSTITUTION.

It was not the intestion of the framers of the Constitution that any single branch of the government should have the power to dictate conditions upon which this treasure should be applied to the purposes for which it was collected. Any such intention, if it had been entertained, would have been plainly expressed in the Constitution. That a majority of the Senate now concurs in the claim of the House adds to the gravity of situation, but does not alter the question at issue.

THE NEW DOCTRINE.

The new doctrine, if maintained, will result in a consolidation of unchecked and despotic power in the House of Representatives. A bare majority in the House will become the government. The Executive will no longer be what the framers of the Constitution intended, an equal and independent branch of the government.

THE PRESIDENT'S DUTY.

It is clearly the constitutional duty of the President to exercise his discretion and judgment upon all bills presented to him without constraint or duress from any other branch of the government. To say that a majority of either or both of the branches of Congress may insist on the approval of a bill under the penalty of stopping all of the operations of the government for want of the necessary supplies is to deny to the Executive that share of the legislative power which is plainly conferred by the second section of the seventh article of the Constitution. It strikes from the Constitution the qualified negative of the President.

It is said that this should be done because it is the peculiar function of the House of Representatives to represent the will of the people; but no single branch or department of the government has exclusive authority to speak for the American people.

The most authentic and solemn expression of their will is contained in the Constitution of the United States. By that Constitution they have ordained and established a government whose powers are distributed among co-ordinate members, which, as far as possible consistently with harmonious co-operation, are absolutely independent of each other. The people of this country are unwilling to see the supremacy of the Constitution replaced by the omnipotence of any department of the government.

A PRECEDENT.

The enactment of this bill into a law will establish a precedent which will tend to destroy the equal independence of the several branches of the government, its principle places, not merely the Senate and the Executive, but the Judiciary also, under the coercive dictation of the House. The House alone will be the judge of what constitutes a grievance, and also of the means and measures of redress. An act of Congress to protect elections is now the grievance complained of. But the House may on the same principle determine that any other act of Congress, a treaty made by the President with the advice and consent of the Senate, a nomination or appointment to office, or that a decision or opinion of the Supreme Court is a grievance, and that the measure of redress is to withhold the appropriations required for the support of the offending branch of the government.

Believing that this bill is a dangerous violation of the spirit and meaning of the Constitution, I am compelled to return it to the House, in which it originated, without my approval.

The qualified negative with which the Constitution invests the President is a trust that involves a duty which he cannot decline to perform.

With a firm and consciencious purpose to do what I can to preserve unimpaired the constitutional powers and equal independence, not merely of the Executive, but of every branch of the government which will be imperiled by the adoption of the principle of this bill, I desire earnestly to urge upon the House of Representatives a return to the wise and wholesome usage of the earlier days of the Republic which excluded from appropriation bills all irrelevant legislation. By this course you will inaugurate an important reform in the method of Congressional legislation, your action will be in harmony with the fundamental principles of the Constitution and the patriotic sentiment of nationality which is their firm support, and you will restore to the country that feeling of confidence and security and the repose which are so essential to the prosperity of all of our fellow-citizens.

RUTHERFORD B. HAYES.

## GENERAL ITEMS

Over six thousand colored emigrants have already passed through St. Louis westward bound.

The manufacture of beet sugar is to be tried in earnest at Northampton, Mass. A factory is to be built and 400 acres of beets planted this season.

Chicago has thus far contributed about $2,000 to aid the destitute negroes in Kansas.

Newlin Porter, a colored incendiary, was lynched at Starkville Miss., on the 24th ult.

The twisting tubes used for sinking shafts in the silver ore mining region near Leadville Col., are made at Wilkesbarre.

C. A. Reese who was sent to the penitentiary about two years ago from Huntingdon county, for shooting Dr. J. A. Shade, is now in Dixmont Insane Asylum at Pittsburg.

The driver of the wagon which overturned Mr. Belmont's carriage in New York last week was found guilty on May 1st of carelessness and negligence and was sentenced to ten days' imprisonment and $100 fine.

George Reed was arrested in New York on a warrant from Chicago. He is under indictment in that city for conspiring to defraud the government in the matter of contracts on the new post office building.

The great walking match in London has ended, and Brown carries off the honors and the championship belt of all England. He made 542 miles beating the fastest record by 21 miles. Corkey made 482, Hazael 472 and Westen 450 miles.

The Secret Service has discovered a remarkable counterfeit of the $20 United States note. All the intricate figures and curves, all the heads, the seal and fibre in the paper are almost perfectly counterfeited with pen and ink.

The way a camel whipped an elephant is stated by a dispatch from Poughkeepsie as follows: MAY 2.—the elephant Bolivar, of Van Amburgh's menagerie was attacked by a camel while the exhibition was in progress at Pawlings, a day or two ago, and the elephant was badly injured. The camel caught the elephant's trunk in his teeth and lacerated it in a terrible manner. The camel had to be choked with chains before he would let go. The elephant which is said cost $10,000, is still suffering severely from his wounds. During the fight the audience was panic-stricken. The roar of the elephant could be heard a long distance.

It appears from the following that Electoric Light is coming forward as a great illuminator: CLEVELAND, O., April 29.—The regular lighting of Monumental Park, in this city with the Brush electric light commenced this evening at eight o'clock, it being the first regular public lighting with the electric light of any city in United States. There were 10,000 people in the Park at the time appointed for lighting. The effect was brilliant in the extreme, and fully demonstrates the success of the light. This system gives a three times more effective illumination than was formerly given by 110 gas burners, there being but twelve electric candles used. This light under contract costs the city $100 per year less than the gas formerly used.

## STATE ITEMS.

Diphtheria has attacked horses in Chester county.

The pocket of a policeman was picked in Easton, on Saturday night, while he patrolled his beat.

Charles Hutchinson, a dairyman, near Pittsburg, had an encounter with a cow that well-nigh cost him his life. He was thrown into the air three times.

Joel Angstadt, at Pikeville, Berks county, was robbed of $37 in money the other night by footpads, who knocked him down and left him unconscious on the road.

Jacob Gerlach, aged twelve years was dangerously wounded in Lancaster on Monday afternoon a week by the discharge of a pistol he was examining with a companion.

## Legal Notices.

**Administrator's Notice.**

*Estate of Michael Funk, deceased.*

LETTERS of Administration *de bonis non* having been granted to the undersigned on the estate of Michael Funk, deceased, all persons indebted to said estate are requested to make immediate payment, and all persons having claims against said estate will present them without delay to

SAMUEL FUNK, Adm'r,
Mexico, Juniata Co., Pa.

April 9, 1879.

**CAUTION.**

ALL persons are hereby cautioned not to allow their dogs to run, or themselves to fish, hunt, gather berries, break or open fences, or cut wood or young timber, or in any unnecessary way trespass on the lands of the undersigned.

M. K. Beshore. M. & J. H. Wilson.
David Hetrick. Henry Hartman.
Thomas Benner. Porter Thompson.
Christian Shoaffstall. William Hetrick.
John Motzer. David Sieber.
Henry Kloss. [aug7, '78

**CAUTION NOTICE.**

ALL persons are hereby cautioned against trespassing upon the lands of the undersigned, in Fayette, Delaware or Walker township, by fishing, hunting, or in any other way.

Jonathan Kiser C G Shelly
Wm Branthoffer A H Kurtz
Henry Spiece David Smith
Catharine Kurtz S Owen Evans
John McMeen Teston Benner
D B Dimm Daniel Spicher
G W Smith John L Auker
S J Kurtz J B Garber
Henry Auker S M Kauffman
Noah Cameron J F Dettra
J W Hostetler John Lycom
Christian Kurtz David Hunberger
Jesse Pines Arnold Varnes
Oct 23, 1878

**CAUTION NOTICE.**

ALL persons are hereby cautioned not to allow their dogs, cattle or hogs to run, or themselves to fish, hunt, gather berries, or cut wood or young timber, or in any way trespass on the lands of the undersigned in Greenwood or Susquehanna township.

Peter Miller Henry Rush
Daniel Shadle George Dressler
E Long & S Dimm Frederick Roats
Joel Dressler Jonathan Miller
Nov 20, 1878

**CAUTION NOTICE.**

ALL persons are hereby cautioned against trespassing on the lands of the undersigned either in Delaware or Walker township, for the purpose of fishing or hunting, or for any other purpose.

L. E. ATKINSON.
N. A. LUKENS.
oct31-tf G. S. LUKENS.

**NOTICE.**

ALL persons are hereby cautioned against trespassing, for hunting, or other purposes, on the lands of the undersigned, in Milford township, Juniata county.

HENRY GRONINGER, E. E. BERRY.
JOHN CUNNINGHAM, HENRY CRAMER.
Dec 10, 1877-tf

*New Advertisements.*

# NEW STORE

IN McALISTERVILLE.

Grand Opening! Great Bargains!

S. D. WATTS has just returned from Philadelphia with the largest assortment of

DRY GOODS, GROCERIES,

Notions, Fancy Goods, Boots, Shoes, Hats, Caps, Queensware, Wood and Willow Ware, Hardware,

DRUGS, PAINTS AND OILS,

ever brought to McAlisterville, which will be sold at

REDUCED PRICES.

All kinds of Produce, Meat, Dried Fruit, Grain and Seeds of all kinds taken in exchange for Goods.

☞ Call and examine our stock, in the room formerly occupied by J. R. Boughner, opposite the National Hotel, McAlisterville, Juniata county, Pa.

April 2, 1879 S. D. WATTS.

JUNIATA VALLEY BANK,

OF MIFFLINTOWN, PA.

WITH

BRANCH AT PORT ROYAL.

Stockholders Individually Liable.

J. NEVIN POMEROY, *President.*
T. VAN IRWIN, *Cashier.*

DIRECTORS:

J. Nevin Pomeroy, Joseph Rothrock,
George Jacobs, Philip M. Kepner,
Amos G. Bonsall, Louis E. Atkinson.
W. C. Pomeroy,

STOCKHOLDERS:

J. Nevin Pomeroy, James B. Okeson,
Philip M. Kepner, Wm. Van Sweringen,
Joseph Rothrock, Sam'l Herr's Heirs,
George Jacobs, Jane H. Irwin,
L. E. Atkinson, Mary Kurtz,
W. C. Pomeroy, Samuel M. Kurtz,
Amos G. Bonsall, J. Holmes Irwin,
Noah Hertzler, T. V. Irwin,
Daniel Stouffer, F. B. Frow.
Charlotte Snyder, John Hertzler.
[Jan23, 1878-tf

KENNEDY & DOTY,

(Successors to Buyers & Kennedy,)

DEALERS IN

GRAIN,

COAL,

LUMBER,

CEMENT.

Calcined Plaster, Land Plaster

SEEDS, SALT, &C.

We buy Grain, to be delivered at Mifflintown or Mexico.

We are prepared to furnish Salt to dealers at reasonable rates.

KENNEDY & DOTY.

April 21, 1877-tf

SPECIAL NOTICE.

ANY person wishing a First-Class Organ, will save 25 to 50 PER CENT. by buying the FAVORITE ORGAN, direct from the manufactory, as I have dispensed with the service of an agent, and will hereafter sell direct to the purchasers, *giving them the benefit of the agent's fee.*

Please send for particulars before purchasing elsewhere.

ALEX. McKILLIPS,
Manufacturer and Proprietor,
Dec. 4, 1878-6m Lancaster, Pa.