

where a man was deprived of his liberty, he should be brought before a magistrate that it might be ascertained whether he was justly imprisoned, and if his guilt was shown, whether the crime was bailable or not. Even supposing the writ of habeas corpus to be suspended, I hold that it does not justify the illegal imprisonment of anybody. This great right of habeas corpus was emphatically enunciated in England some two hundred years ago. An humble individual had been imprisoned by the privy council. Parliament being in session, passed an act which brought that individual, by the great writ of habeas corpus, face to face before his accusers. And now, sir, that great writ which the English Parliament interposed for the relief of a single obscure individual, is suspended by a mere proclamation as to millions of people in this land! In reference to that habeas corpus act of the English Parliament, Hallam says that those who think that the passage of that act at that time enlarged English liberty are mistaken; that it was but the reaffirmance of the great principles of English liberty which had been extorted from King John at Runnymede by the Barons. That act was passed with the immediate object of relieving a single individual; and I say that no king of Great Britain ever claimed that he had the absolute right to suspend the writ of habeas corpus. I hold that the suspension of that writ is exclusively a legislative power, although I do not propose to discuss that question now. I know that on one occasion the king of England did suspend the writ; but he afterwards apologized for it, acknowledged he had done wrong. That was the case referred to by the gentlemen from Lancaster, in which William the Third suspended that writ at the time of the troubles in Ireland. But that monarch subsequently admitted that in so doing he had committed a violation of the law. Yet in this free country, with a written constitution, the chief Executive assumes a power which has not been claimed even under despotic governments.

How is it possible to meet this question except by expressing our opinion with reference to these illegal arrests, and protesting against them? How else can we reach the object? The writ of habeas corpus is in vain. The military power over-rides the judiciary; and the judiciary is trampled under foot. Yet gentlemen say, "why not go to the courts?" It has been mentioned that General Montgomery has been summoned to appear before the court in Philadelphia. But I ask why was not Mr. Boileau taken before the courts, if he had been guilty of any crime? Suppose that General Montgomery should appear before the court, where will be the remedy for Mr. Boileau? How do we know but that the Government may direct, as it did in one other instance in New Hampshire, that the military shall be called to prevent the interposition of the judicial power? What remedy will be afforded by the proceedings now pending in Philadelphia, to Mr. Boileau or any other citizen? For, sir, Mr. Boileau is not the only citizen who has been dragged off in the night, within the last few days. I honor Judge Ludlow for the stand which he has taken; but what good will be done, so far as concerns the liberty of Mr. Boileau, even should General Montgomery appear before that tribunal?

Letter from Co. D 115th Regt. Penn. Volunteers.

CAMP NEAR FALMOUTH, VA. February 28th 1863. FRIEND TODD—The regiment being inactive I thought I would shake off the dullness of the day by writing a few lines to you; hoping that they may find all of our old friends on the mountain enjoying good health. News are scarce with us. We are still laying at our old camp where our exercise, unvaried, consists of the monotonous army drill, day in and day out. Lieut. J. L. Bralier, in consequence of bad health, has resigned his commission. He was confined at the hospital most of his time; but during the short time that he was with the company he endeared himself to all; gentlemanly, kind and ever ready to help those who were weak or ailing, it was with deep regret that we witnessed his departure; but he bears with him, for his health and welfare, the best wishes of company D. The weather has been very changeable during our stay here; we have one day sunshine, the next cloudy, and occasionally an alternate storm of rain and snow, which makes camp life very disagreeable. Last week we had snow to the depth of ten and twelve inches, which has since melted away, leaving the roads in a most wretched condition. Men, from almost every regiment, are detailed for the purpose of "corduroying" the roads, in order that forage for the stock and provisions for the men, can be transported to the army. The health of the company is generally good; and the men appear indifferent to anything that may turn up.

Democrat and Sentinel.



J. S. TODD, Editor & Publisher.

WEDNESDAY MARCH 4, 1863

Where will they stop?

The present Abolition Congress, not satisfied with having indemnified the "old rail (Union) splitter" against all law, and endorsed his unconstitutional policy, have empowered the Executive with absolute control over the other branches of the Government, silencing the Judiciary, and trampling upon State rights, as though the Constitution did not exist. The recent "bill for enrolling and calling out the national forces, and for other purposes," gives to the President a power, which the haughtiest potentate of all Europe dare not exercise. It will have the effect of taking all power out of the reach of the people and of establishing an arbitrary military government over all the States. Having succeeded in nullifying and trampling upon the Constitution of the United States, they now seek to give a final stab at our institutions, by giving the President power to ride rough-shod over the constitutional status of the State Governments. May we not view with alarm these usurpations of power; and is it not time that we would ask these rulers (servants) of the people where they intend to stop? What reason or argument can be adduced in favor of placing a power so absolute in the hands of the Executive—in the hands of a single man? Has not every requisition heretofore been promptly answered by the State authorities? Have not the efforts of the different States been one simultaneous action of concord? Have not the people of the loyal States, from the borders of Tennessee to the line which divides the United States from the British possessions, acquiesced upon one common purpose, to the end that the Union might be restored, and the Constitution be preserved? Why then has the party in power sought to curtail the inherited rights of the people of these States? Why have they sought to extinguish the wonted rights of sovereign States, which are older than the Constitution itself, by depriving them of privileges "reserved by them" in the Constitution? In a word, why do they seek to nullify State Governments and endeavor to centralize their respective authorities into one common monarchy? Alas! this is a sad interrogatory for the American people; but it requires no very far seeing nor extraordinary mind to solve the answer; it no longer remains a speculation wrapped in mystery. It is as clear as the noon day's sun, which to-day shines on a portion of this continent, that the Abolition party, which is unfortunately in power, has but one aim—one devilish purpose, upon which its proselytes are madly intent, that of subverting and forever destroying the American Government. We speak no idle thing, for we solemnly believe, though our capacity be limited, that it is our duty, nevertheless, to warn the people against evils which are about to befall us—the subtility which is about to ensue us. The day for hope is gone by; the Union is virtually dissolved; the crisis is not past, but is about to open upon us in realities the most fearful. Let the people then, not shrink from the responsibility; let them know that the Administration, maddened to desperation are determined to stop at nothing short of the annihilation of the people of the South, and the enslavement of the white people of the North. The culminated wickedness which has animated the party in power, has left but one hope to which the truly Union-loving patriot can look forward, reconstruction, and the sovereignty of the States, which must be asserted and maintained in bloodshed and strife. We must come back to those principles which characterized the colonies before us. We must assert our rights and "asserting them dare maintain them;" for if we stand idle spectators to the great drama of our country's ruin, and see our State Governments and the immunities thereof, trampled upon and crushed out, we lose all, ay more than all for which we have been contending; and we will sink into anarchy and enter the vortex of ruin from which rivers of blood will not extricate us, nor generations after us.

The Conscription Bill.

Mr. Wilson's conscription (proscription) bill, which some time ago passed the Senate of the United States, was passed through the House on last Wednesday, by a vote of 115 yeas to 49 nays. The bill provides that all males who are citizens and all such as have declared their intentions to become citizens, between the ages of twenty and forty-five years, are liable to military duty and can at any time be called out by the President, who has full authority to make the apportionment for each district as to him may seem most wise. The Executive Departments, United States Judges, Governors of States, and some others are to be exempted. The force is to be divided into two classes, the first to embrace all between the ages of 20 and 35 years and all unmarried persons between the ages of 35 and 45 years; the second class embraces all who are excluded from the first, and will not be called into service until after the first class are killed off. The President through his Cabinet has power to make such rules and regulations for carrying out the provisions of this act, and for the arrest of deserters and those suspected of being sympathizers with rebellion, &c., as his Excellency (majesty) may seem fit. A provost marshal for each Congressional District is to be appointed by the President, who will proceed to enroll all able-bodied men (Democrats) according to the provisions of the bill. Persons thus enrolled will be subject to the draft for two years from the time of enrollment, to be called into the service for three years or during the war. Persons drafted, if they do not wish to go, must either furnish a substitute or pay three hundred dollars into the Treasury. Any person failing to report, furnish his substitute or pay his three hundred dollars, will be treated as a deserter, and punished accordingly. The bill also provides inducements for re-enlisting volunteers, whose time shall have expired, by promising them bounties of \$50 additional. There are many other provisions in the bill, but we have noticed the most important. We will, however, publish the entire bill next week.

Mr. Pershing on Arbitrary Arrests.

On our first page will be found a bold and patriotic speech of Mr. Pershing, delivered in the House of Representatives, on the 30th of Jan. last, in which he strongly urged the passage of the resolutions of Mr. Ludlow, the member of Philadelphia, (which we published some time ago,) protesting against illegal and arbitrary arrests. For want of room we could not publish this speech at the time; but having placed it on file, we now lay it before our readers, believing, from the great principle for which he contended, that his words have not lost by age. Although Mr. Pershing, for his active part in the passage of those resolutions, was censured by the Abolitionists; and was by one of their petty organs in this county, the Tribune called a "butternut," a "copperhead," and abused in scurrilous language, for his fearless opposition to the usurpations of Lincoln and his subordinate minions, he need not be ashamed of his words as they go forth to his constituency, who will endorse such a course, notwithstanding the ludicrous and abortive attempts of the Tribune and of a few cringing Abolitionists. We are proud that Mr. Pershing took an active part in that matter, not because we had sympathies for Albert Boileau, whose illegal arrest awakened our legislature to action, but because he arrayed himself against the encroachments of the Administration and because he defended and contended for a great constitutional principle of right, without which our government is worse than a despotism.

We direct the attention of School Directors throughout the county, to the following section of the Common School law, passed last winter, which requires the School Board in each district to publish a statement, either in the county papers or by hand bills, of the finances of their respective districts; such statement to be signed by the President and attested by the Secretary of the board.

That it shall be the duty of the board of directors in each school district to publish an annual statement of the amount of money received, and expended and the amount due from collectors, and setting forth all the financial operations of the district, in not less than ten written or printed handbills, to be put up in the most public place in the district.

The eulogium over the fallen soldiers at the battle of Fredericksburg, delivered by R. L. Johnston, Esq., on the 23d ultimo, was not intended by him for publication. But, inasmuch as it was of a public nature, and because there are many who had not the pleasure of hearing it delivered, together with other reasons, we would suggest to the Independent Order of Odd Fellows, that they appoint a committee to wait upon Mr. Johnston, and solicit from him a manuscript of the same, to be published in the county papers.

THIEVES ABOUT.—A most daring burglary was perpetrated in our midst on last Saturday night. The law office of Michael Dan Magellan, Esq., on High street, was feloniously entered through the back window, by some prowling miscreants, who succeeded in escaping with a small jug of ink; which owing to its superiority, and the high duties upon such articles, was not only a disappointment to the Colonel, but a pecuniary loss also, of no trifling value. We hope the Squire may succeed in bringing the burglars to justice.

Notwithstanding that business, in many places is languishing, in consequence of the troublous times, E. J. Mills & Co., have increased their business and enlarged their stock, while they have not raised their prices. Their establishment is quite an advantage to those from the country who have produce to sell, as they can buy as much there, with their butter and other articles as they can with the ready cash, either there or elsewhere. The ladies should go and see their new silks, trimmings and other fancy articles.

The anniversary of Washington's birth day was celebrated in many places; and as usual, his farewell address was read in the Halls of Congress, but its wise admonitions and salutary warnings had no effect upon the hardened consciences of those wicked members, who neither reflected nor abated their sectionalism against that Government which he labored to rear.

Lieut. J. L. Bralier, late of the 115th regiment, has resigned his commission and has retired to civil life; his reason, we are informed, for leaving military life, was ill health. He intends resuming the practice of medicine, in Carrolltown.

Richard M. Jones.

The following Tribute to the memory of Richard M. Jones, by the I. O. of G. F., is justly due. The deceased will not only be remembered by his relatives and friends, but his name will live in the escutcheon of his country's brave with many who died upon his altar.

HIGHLAND LODGE NO. 428 I. O. of G. F. Ebensburg, Feb. 25, 1863.

WIKEDAS, The melancholy duty devolves upon us to announce to this Lodge the decease of our much beloved Brother, Richard M. Jones. Brother Richard M. Jones fell at the battle in front of Fredericksburg, Va., on the 13th day of December last—he fell like a brave man, with his front to the foe—he fell along-side of many of his noble comrades, who were each moment lessening under a fierce and overwhelming attack of an outnumbering enemy—he fell with these words upon his lips, "If I die this day I die happy."

Bro. Jones was a warm and generous member of our Order; he was of a fine and commanding appearance; intellect, frankness and generosity were stamped upon his features; his smiles were cheerful, his manners genial, nor did the outward appearance belie the man. He was what he seemed to be: therefore Be it Resolved, That the loss of our deceased Brother will be a source of regret; and will be deeply felt by our Lodge. Resolved, That we clothe our Lodge in mourning for the space of thirty days in memory of our deceased Brother. Resolved, That the above Preamble and Resolutions be published in the two newspapers in Ebensburg and a copy of the same be forwarded to the parents of our deceased Brother. Respectfully submitted, Geo. W. Wisegarver, George C. K. Zahm, C. T. Roberts, Committee.

DIED.—In Summitville, on the 27th ult., MAURICE REILY, aged about 53 years.

From some unknown cause or visitation of Providence, Mr. Reily died very suddenly; he being in the full enjoyment of health the day previous. The deceased was an old resident of this county, was for many years an employee on the A. P. R. R., and was well known throughout the county. He leaves a wife and several children to mourn their bereavement.

There is little or no news from the war, with the exception of a few meager accounts from rebel sources.

The very best medicines in use among us, are those prepared by Dr. J. C. Ayer of Lowell. He is a graduate of the Pennsylvania University but has honored that college of medicine far more by the connexion of his name with it, than its diploma has him. His remedies have become household words, not only in this country, but in almost every region of the earth inhabited by man. Their extraordinary fame has arisen from their extraordinary virtues, and these are certified by men of the highest station. We publish in our issue to-day, a document signed by the Mayors of the great cities in the United States, Canada, Mexico, Peru, Chili and Brazil, each of whom certify that the physicians and druggists of their respective localities have given their assurance of the uniform good effects and superior virtues of Doct. Ayer's preparations. This is evidence which should satisfy the most sceptical, of their efficacy, and we beg our readers to refer to it. Especially do they speak with glowing praise of his Sarsaparilla—the beneficial effects and truly remarkable cures that have been realized from its use.—New York Sunday Times.

Three thousand men are engaged in cutting the canal across the peninsula near Vicksburg. The mortar boats continue in position and fire occasionally on the rebel batteries—no general bombardment had taken place.

No paper, we understand, will be issued from the Abolition office this week; the Publisher Mr. J. Todd Hutchinson being unwell.

Congress adjourns to-day, and the country may again rejoice. As we predicted when it re-assembled, the Abolitionists having a majority, went back with the avowed purpose of carrying out the wicked doctrines of their creed.

The attendance at Court is not large. No business of importance up to the present date, has been transacted. We will give the full proceedings next week.

The weather on the mountain continues very changeable; and although we have frequent squalls of snow, the sleighing is not good.

The Draft.

The New York World, in commenting on the new conscription bill, says: "There is ground for the most serious alarm in view of the changes that must inevitably ensue shortly after the adjournment of Congress. The bad point for Mr. Lincoln lies in the fact that his obstinate resistance to the universal demand of the country has completely extinguished military enthusiasm among the people. A great part of the army goes out of the service this spring, and he has rendered it impossible to supply their place. The enforcement of a draft, in such a state of feeling, will not prove less difficult than the voluntary enlistment of soldiers. The fact that the draft ordered last summer had to virtually abandon it, although the military ardor of the people had not then become dulled; naturally excites the gravest misgivings as to the success of a new attempt. There is a most painful recognition of the extinct military spirit of the people in the new conscription bill, whose framers dare not intrust its execution to the State authorities, as was done in the draft ordered last year, but create a new machinery entirely independent of State co-operation. This great innovation upon former usage is a short sighted expedient which will enhance the difficulties it seeks to avoid. It is bad policy for the government to make this concession that it has lost confidence in the people and the State governments to so alarming an extent that it dares no longer rely on the machinery which in sixteen months gave it upwards of eleven hundred men. No intelligible reason can be assigned for the change except the recognized repugnance of the people to the enforcement of a conscription. But if this repugnance is two powerful for State authority, it is more likely to be inflamed than allayed by an innovation of which the probable effect will be to lead the people to demand of their State governments protection against Federal authority. The certainty that in the present state of feeling a draft will be unpopular is a strong reason why its enforcement should be shared by the State authorities, as a means of preventing a concentration of the whole odium upon the Federal administration. The certainty that no more men can be raised by enlistment, and the danger of wide-spread popular resistance to the conscription, cannot fail to convince Mr. Lincoln, within the ensuing six weeks, that he stands on the edge of a yawning gulf from which nothing can save either him or the government but a prompt and entire change of measures and of men. The change will be forced upon him; he can no more resist it than he can stop the revolution of the earth.

What is Mr. Lincoln going to do with three hundred thousand soldiers going into service and he can raise no more to supply their place? Will he stand by a man demented, and wait till the city is actually upon him? Will he stand in Washington, thunder-struck or struck, while Lee and Jackson march into the National Capitol and surround his Cabinet?—for in this way the Cabinet will inevitably go out of office if he does not summon courage to put out himself soon after the adjournment even if he does? No—certainly not, if he should not make the attempt of still further to excite the radicals. There are changes to be made—we will not state them—but the changes he can make which will be almost on the instant, render him independent of an unpopular Congress, which, in the present dissatisfied state of public feeling, he will find it impossible to enforce; changes which will cause nine soldiers out of every ten whose term expires this spring to immediately re-enlist. The conscription, if successful, would give him only recruits; but a re-awakening of the enthusiasm will keep the army tried and trained soldiers, controlling mind in the Cabinet, unity in its composition, one general sole direction of the army capable of inspiring its confidence, its affection and its love; one purpose in the present, and that an invincible determination that there shall be but one government, over these thirty-four States, give the country these changes before middle of March, and the public will immediately revive, and the General-in-Chief have all the volunteer troops can profitably use. That great changes are close at hand and that this Cabinet will be swept is inevitable. But whether the will be the ruin of the country or rescue depends on Mr. Lincoln.

Pennsylvania Central Railroad.

The receipts of this grand national artery of communication, flowing into tributary veins draining every portion of the Western States, have been, during 1862, immense. The total receipts (as stated in the Sixteenth Annual Report of the Company,) for the year just amounts to the unprecedented sum of \$10,969,239.72. The gross receipts of the line were equal to \$28,753 per day of road, (350 miles) and equal, in aggregate, those of 1861, \$8,004,290. This is made up by an increase of \$3,373 79 for Passengers and Employees; 234,135 07 for troops; \$2,270,000 for general freights, and \$174,136 88 for express and miscellaneous freights. The whole number of passengers carried over the road during the year, was 245,418 averaging a distance of miles for each passenger. The number of tons of freight and materials transported for the year was 2,223,051, embracing 835,140 of coal. The increase in the coal tonnage is 130,332 tons, and the whole tonnage the line over that of last year, 500,000 tons. To accommodate this increase of tonnage a large share of which is due to the continued interruption of the navigation of the Mississippi—it has become necessary to expend \$859,008 01 for 37 locomotives and 930 eight wheeled freight and coal cars, and \$341,039 11 for additional second track and sidings, the cost of all of which is included in the operating expenses of the road. The laying of a second track has been progressed during the year, so that the entire line is now double track with exception of 32 miles. To the able management of the road the judicious officers placed in charge of the stockholders are indebted for the prosperity of the institution. The country, free from accidents of a serious nature to the skillful hands in charge of the transportation department, and the excellent condition in which the road has been kept by the Chief Engineer and his assistants.—Altoona Tribune.

On Monday, Feb. 9, 1863, the General Hospital, on Bolle's Island, Augustine G. McAtee, of Company 12th Pa. Cavalry, aged 19 years. The deceased was a resident of Cambria county, which place he had just left, on his way to the front, on January 1, 1862, under Capt. Harlan. The company were quartered in Harrisburg, near Philadelphia, in the month of May, when they moved to Manassas Junction, where they remained until the 11th of September. He was taken to the Cellan retired from the Peninsula, where he remained until the 11th of September. He was taken to the 12th Cavalry then fell back to Alexandria, where Augustine took sick and died on the 11th of September. He was taken to the Mt. Pleasant Hospital, Washington, where he remained until the 11th of September. He was taken to the Fredericksburg, when he was removed to Bolle's Island. The deceased was loved by his companions, both at home and in the field, who deeply mourned his comrade gone.

McLAUGHLIN, Attorney at Law, Johnstown, Pa. Office South Corner of Market and Locust Streets. Will attend to the collection of debts, claims, and to all other business connected with his profession.