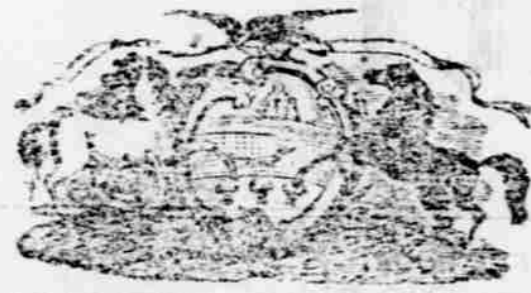


Democrat and Sentinel.



J. S. TODD, Editor & Publisher.

WEDNESDAY MARCH 11, 1863

Are We Bound to Submit?

The proselytes of Abolitionism having secured a majority in our National Legislature, have wantonly trampled upon the great covenant of our liberties; and against the expressed wishes of the people, have lately passed several bills, which have, not only the effect of nullifying the Constitution and of subverting the Federal Government, but seem to have been intended, by those bad men, to menace and to defy the sovereignty of the State governments. They have given to the President, power to suspend the writ of habeas corpus, wherever and whenever his diseased imagination may perceive the "necessity;" they have, by the Bank and Loan Bill, placed at his absolute disposal, all the wealth of the whole country; they have conferred upon Mr. Lincoln, a monarchial power, which they themselves had no constitutional authority to give, that will place every man, no matter where, or in what state he live, at the finite mercy of a single lipped, having but one idea. And some of these infamous acts, contrary to fixed rules and ancient usages, were, by some sort of hodgepodge, juggled through and passed while Democrats were endeavoring to reason against such madness.

Will the people submit to such tyranny? Will they stand idly gaping, while a growing despotism enshrouds them in slavery far greater than the wickedness of Pharaoh ever imposed on the children of Israel? The Declaration of Independence, which caused the revolutionary war, and a final separation from proud England, was based upon less grievances than, to-day, are about to environ the posterity of those noble sages, who were two spirited to bend to the hand of oppression. Have their progeny deteriorated in civilization, or will the third generation from those venerated heroes of American independence, willingly yield to those sacred liberties, so dearly earned, to the libertinism of New England fanaticism? No! the people, the true sovereigns of this Republic, must not, will not submit to an arbitrary power, which the Constitution does not sanction. If we give up our State government and allow the privileges of those legitimate sovereignties, which subsequently formed the Union, to be torn from us and consigned to the archives of oblivion, we will have retrograded in the scale of barbarism far from the point from which our fathers started. The Constitution invests the Government with ample power to prosecute this war; and "there is no war power outside the Constitution." So, also, does the civil law and the established courts of justice, afford a sufficient tribunal to try any offence that may be committed against the laws: and court-martials are of very limited and inferior jurisdiction, and most frequently have little or no knowledge of the civil law whatever; therefore no person should be subject to them, "except such as are by law amenable to such trial."

If, therefore, the people of this great republic, tamely submit to these flagrant violations of their dearest rights, they will soon be overpowered with a calamity, far greater than that which surrounded the early colonies, in the darkest days of English oppression. History does not show a single instance where a great people have lost their liberties at a single blow; but on the contrary, that step by step, yielding one privilege after another, a free people may become enslaved, and lose their liberties altogether. So it will be with the American people if they raise not their voice against infringements upon the freedom of our institutions. Thus, little by little have the people of these States yielded to the usurpations of the Abolition party, because they wished to furnish every possible support to the Administration, in order that the wicked rebellion of the Southern States might be crushed, till now, the basis of tyrannical oppression, is about to be drawn tightly and securely around the necks of an ever indulgent people.

A Grand Fizzle.

The Abolitionists and colored brethren of Pittsburg held a meeting for the purpose of getting up a negro regiment under the late act of Congress to serve in the war. Captain Lore of the 155th regiment made his debut in a spirited manner; and was followed by one of his sable brothers who strongly urged the necessity of enlisting, and of a "vigorous prosecution of the war;" whereupon a dusky "gentleman" from the other side of the house conceived the idea that it was unconstitutional for the negro to serve in the war, and, therefore, that he ought not to enlist, which created quite a noise and confusion among the "brethren" to the great annoyance of the Abolitionists, who strongly urged the citizens "of African descent" to enlist. The *Dispatch* man after several efforts, succeeded in quieting the ebony faced warriors, but the feeling exhibited was amply sufficient to show that Samba had "no stomach for the fight." The regiment was not raised, and the meeting ended in a fizzle. This is not the only failure of this kind; in Harrisburg and many other places, unsuccessful attempts to enlist negroes have been met with. What is to become of us, the "only hope" of our country, like the emancipation proclamation has proved to be an "experiment"—a failure? Will brother Greedy devise some other plan to restore the Union?

Let it be Done.

The *Patriot and Union* suggests to the House of Representatives, inasmuch as we cannot look for any hope from either the Senate or the Governor, that they, at least show their condemnation of the late *Consent* and other infamous acts of Congress, by entering upon the Journal, a resolution which will embody their most solemn protest against such usurpations. We endorse this and say let it be done. Let the indignant voice of an outraged people be heard through their Representatives. Let the seal of eternal infamy be placed upon the heads of those miscreants, who have sought to destroy American liberty.

Governor Curtin has already, in his special message on arbitrary arrests, declared against the sovereignty of Pennsylvania, and from the present majority in the Senate, we have long since ceased to expect anything from them that is good. The people then must look to their more immediate representatives for an action on this matter.

Made Restitution.

Some knave, from Brooklyn, N. Y., after having swindled or plundered the public Treasury of \$386, was haunted so by a reproving conscience, that he was forced to get rid of the money, whereupon he packed up the stolen treasure and expressed it to President Lincoln.

Will "Honest Abe" be, alike, conscientious enough to deposit the money in the Treasury from whence it was indirectly stolen? We fear not.

If the entire legion of Abolition thieves who have been plundering and robbing the Treasury, upon a much larger scale, would be tortured with the same worm of remorse, until they would return their ill-gotten goods, we would not need so many revenue commissioners and tax collectors; nor would our national debt have acquired such proportions as to astonish and dishearten every honest-hearted working patriot, upon whom the burden now presses so heavily.

Commented—Being wrongly informed, we stated a couple of weeks ago that Sergeant Rowland M. Jones, of Company A 11th Reserves, had been discharged from the service. Last we do injustice to a brave soldier, we make the correction. Rolla has the true grit of a soldier; he has won for himself, places of distinction in the ranks and is now first Lieutenant of the company. He shared in all the battles, in which the Reserves were engaged, until the battle of Bull Run (No. 2) where he was severely wounded. His promotion was sanctioned by a unanimous vote, of the company; so that he has not resigned, as was stated, but holds a commission as First Lieutenant, but is yet unable to be with his company. The Lieutenant is now at home on furlough, and is gradually recovering from his wounds.

The Democrats of New Jersey held a great mass meeting at Trenton on the 4th. Able speeches were made and resolutions against the wickedness of the party in power were passed.

Knavery of the Party in Power.

It will be remembered that, but a short time ago, when Governor Curtin, with the acquiescence of the Legislature, endeavored to get permission from the authorities, for the Pennsylvania Reserves to return home to recruit their thinned ranks, that the favor was bluntly refused by the Secretary of War, upon the grounds of impartiality; that if permission was granted to one regiment, others would be entitled to the same favor. If any corps in the army were entitled to preference it certainly was the Pennsylvania Reserves, but Mr. Lincoln thinks otherwise. The Second New Hampshire regiment, which has not seen half the hardships nor suffered so much loss as any of the Reserves, has been sent home on furlough to recruit. The true object is, the election in that State is about to come off, the Abolitionists, thinking they can make tools of the soldiers, intend to use the regiment for political purposes, in order to carry the State against the wishes of the people.

A New Senatorial Oath.

The Senate last week passed a law requiring each new Senator to take oath that he has never aided or abetted the rebellion in any way, directly or indirectly. An effort was made to have it so altered as to include all the present Senators, but it was thought that the Senate, having once admitted a man, could not eject him except for some specified cause.

If a similar oath were applied to the old members of the Senate, as to whether they have ever aided, "directly or indirectly" to overthrow and subvert the Government, by projecting or furthering the unhallowed schemes of Abolitionism, there would be either a wholesale perjury or else there would be few to return to take their seats, at the next session. The same oath might, indeed, perjure or exclude some of the new members.

We have received the first number of the *Johnston Democrat*, edited by Jas. F. Campbell. Mr. Campbell was, at one time editor of the *Harrisville Record*, and was afterwards editor of the *Westmoreland Republican*. His "introduction" in the *Democrat* has the ring of the true metal; and from his experience, as an editor, and the principles he has espoused, we may expect the new paper to be an able defender of the Democratic faith. We wish Mr. Campbell much prosperity, in this undertaking; and as an auxiliary in defence of our *liberty rights*, against the fierce assaults of Abolition fanaticism, may he receive his reward.

It is stated that Simon Cameron was robbed in one of the Washington hotels, last week, of everything he had, including private papers. His total loss of character added to the present calamity is sufficient to make the Ex-Secretary a public vagrant and an outcast upon the world, were it not for the Middletown Bank and other hoarded wealth knavishly plundered from the United States Treasury.

The new Democratic paper called the *Ape*, which was to have been started some time ago, has been delayed on account of manufacturers failing to have the press ready in time. It will, however, be issued some time in the latter end of this month. It will be published at \$6 per annum, for the daily, and \$2 for the weekly.

Mr. George Huntley has increased the varieties of his hardware. He has now a store of cutlery and hardware equal to any in Pittsburg. Persons desiring rare and cheap articles in that line, need no longer send away, as they can be accommodated at Mr. Huntley's, either wholesale or retail, with any article in the hardware line, from a thumb-latch to a grubbing hoe, or from a "needle to an anchor."

TREASURY ROBBED.—The Treasury of Fayette county was violently broken open and robbed of about fifty hundred dollars in cash. The thief is still at large. The commissioners of that county have offered a reward of \$100 for the arrest and conviction of the burglar.

D. McLaughlin, Esq., was bereft of two of his children, last week, by that terrible disease, Diphtheria. This is a severe stroke on his happy family; and we sympathize with the sorrowing parents.

Joins & Crosley's Cement Glue is now for sale at H. C. Devine's.

Court Proceedings.

In the Quarter Sessions and Common Pleas of Cambria County, for the first week of March term, 1863, the following verdicts were given:

Com. vs. Earnest Hite, James Zigler, George Fix, Albert Updegraff, Daniel Lightner, David Lightner, David Johnston and William Pierson.—Indictment for larceny. A true bill. Fifth March, 1863—a jury called and sworn, who find the defendants not guilty, after a lecture from the Court were discharged.

Com. vs. Amy Kurtz. Indictment for keeping a tippling house. A true bill. March 3d, 1863. District Attorney on leave enters *non prosequi* on payment of costs.

Com. vs. Emanuel James, Elizabeth White, and Philip George. Indictment for assault and battery; and assault and battery with intent to kill; A true bill on the first count; and not a true bill on the second count; and not a true bill as to other defendants. Fifth of March 1863. Defendant pleads no guilty; Jury called who find the defendant guilty in manner and form as he stands indicted. Sentenced to pay a fine of \$5 and costs of prosecution.

Com. vs. Michael Collins, John Gallagher, and Peter Keenan. Indictment for assault and battery and riot. Not a true bill as to riot. A true bill as to assault and battery against Michael Collins. Not a true bill as to the other defendants. Fifth March, 1863. Defendant pleads no guilty. Jury called and sworn; who find the defendant guilty in manner and form as he stands indicted. Sentenced to pay a fine of \$5 and costs of prosecution.

Com. vs. Henry Cook. Indictment for selling liquor on Sunday. A true bill. Defendant not taken.

Com. vs. Michael Huber. Indictment for keeping a tippling house. A true bill. Fourth March, 1863. Defendant pleads guilty, and submits, same day. Sentenced to pay a fine of \$10 (to be appropriated according to law) and cost.

Com. vs. Catherine Burns. Indictment for assault and battery. Not a true bill. County for costs.

Com. vs. Samuel J. Owens. Indictment assault and battery. Not a true bill, and Catherine Burns, prosecutor to pay cost.

Com. vs. Albert Snyder. Indictment for burglary. A true bill. Sixth March, 1863. Indictment certified to the Court of Oyer and Terminer, and defendant arraigned pleads not guilty. Jury selected, who find the defendant not guilty, but quit him on the ground of insanity.

Com. vs. James Perkins. Indictment for riot, assault and battery. Not a true bill. Prosecutor, John Moore to pay cost.

Com. vs. James Cooper. Indictment for assault and battery. A true bill. District Attorney enters a *non prosequi* on payment of cost.

Com. vs. Benjamin Rodgers. Indictment for larceny. A true bill. Defendant pleads not guilty. Jury called and sworn, who find the defendant guilty in manner and form as he stands indicted, but recommend him to the most tender mercy of the Court.

Egner, Gregg & Snyder, vs. D. A. Magahan's administrators. In the Common Pleas. Jury called. Defendant confesses Judgment for \$240.69.

Charles McManamy Guonian of the minor children of Peter Scandan, vs. Isaac Crawford et al garnishers of the Ebersburg and Cresson Rail Road and Philip Collins who interplead with them. Jury called and sworn, who find for Philip Collins.

Dr. Henry Yeagly, vs. William K. Pifer. Jury called who do find for the Plaintiff \$168.58.

DIED.—In Conemaugh township, on the 9th inst, MICHAEL BRACKEN, aged about 80 years.

The subject of the above notice, was a man well known to many in this county. Having lived to a ripe old age, he tested, no doubt, of prosperity and adversity, and was long, a living witness to the fleeting and transitory things of this world. In youth and in early manhood, he experienced the inestimable blessings of free government, and in old age he lived to see those immunities about to be ruthlessly torn from his posterity.

Don't forget that E. J. Mills & Co., sell the cheapest; besides they have the largest and most fashionable assortment of goods. Go and price their goods and be convinced.

The New York *Herald* says the 2d New Hampshire regiment just sent home, ostensibly to be consolidated with the 17th, has in it, as has been ascertained, over three hundred Abolition voters. The niggerheads are up to such tricks.

In Poland the insurrection appears to be spreading. Several collisions had occurred between the insurrectionists and the Russian troops, in which the former were generally worsted, but thus far they have shown no disposition to yield.

One of many of the important measures signed by the President just before the adjournment, was a bill for the issuance of letters of marque and reprisal during the present rebellion.

Legislative Proceedings.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, March 4, 1863.

The House was called to order at 10 1/2 P. M., by Speaker Cassa.

The Judiciary Committee reported a bill preventing negroes and mulattoes from coming into the State.

COUNCILMEN AND LEGISLATORS.

Mr. Berger called up an act relative to councilmen and legislators which was passed.

An act authorizing the holders of bonds of the county of Allegheny to compromise with said county, was considered and passed.

TONNAGE TAX.

The special order of the day was the consideration of a bill repealing the act by which the tonnage tax was commuted in 1861.

The question was on an amendment which had been offered by Mr. Noyes, of Clinton county, as follows:

"SECTION 1. That all railroad companies, canal companies, steamboat or other navigation companies shall pay to the Treasurer, a tax upon all tonnage carried upon or over their respective lines of transportation, to be graduated as follows, to wit:

"First. Upon the products of mines, for each ton of two thousand pounds, two cents.

"Second. Upon the products of the forest, or animal vegetable food and all other agricultural products, three cents.

"Third. Upon merchandise, manufactures and all other articles, five cents.

"SECTION 2. In all cases where the same freight is transported over different but continuous lines of transportation, then the tax hereby imposed shall be paid by the several corporations carrying the same, each in proportion to the distance transported, as may be adjusted among themselves, the State Treasurer being and is hereby authorized to collect the whole of said tax from either of the companies carrying the freight as he may elect: Provided, That the carriage of all freight shipped through and over one or several lines of transportation shall be chargeable with but one tax as aforesaid.

"SECTION 3. Corporations whose lines of improvement are used by others for transportation of freight, are hereby authorized to add the tax hereby imposed to their charges and to collect the same, likewise.

"SECTION 4. That all revenues derived from tonnage duties shall be and is hereby appropriated to the Sinking Fund for the reduction of the State debt, and shall not be used or appropriated for any other purpose whatever."

Mr. Smith (Chester) moved to amend the amendment, by striking out the fourth section and inserting the following:

"That the tonnage duties to which the aforesaid companies or either of them are made liable by this act, shall be and are hereby appropriated to the Sinking Fund provided by the 4th section of the 11th article of the Constitution of this State, and shall not be used or appropriated for any other purpose whatever."

Mr. Smith (Chester) urged his amendment with heat, and entered upon a full review of the circumstances attending the imposition and repeal of the tonnage tax, contending that the commutation act was one in the nature of a contract which could not now be affected by the Legislature, which was one of the parties to this contract. The Supreme Court was alone competent to decide.

Mr. Rowland contended for the passage of the original bill.

Mr. Pershing said that the commutation either was or was not a contract—if it was not then the State had a right to collect all back tonnage taxes, and it certainly had no such power. The original tax of five mills had been imposed to protect the line of the public improvements from loss. These fears of injury to the works of the Commonwealth were soon proved to be unfounded. After the purchase of the State works by the Pennsylvania railroad, the company took the ground that the tax was unconstitutional.

AFTERNOON SESSION.

Mr. Pershing continued his remarks, urging that it would be unconstitutional to attempt to repeal the commutation act. It was alleged that the charter of the old United States Bank was obtained by fraud, but the remedy was not by a repeal of the charter at the ensuing session, but with the people, who swept the party out of existence who had chartered the bank. It would be unjust and unfair to tax any one corporation more than others.

Mr. Kane admitted that even if the commutation act was obtained by fraud, it was nevertheless a law, but it was the right of the people, if it had been thus procured, and if it infringed their interests, to have it repealed by a succeeding Legislature. There was a reason why an effort was not made in 1837 to repeal the charter of the old United States Bank, and that was, that it was well known that on the 10th May of that year, a convention would assemble in Harrisburg and revise the Constitution so as to authorize the Legislature to repeal, revise or destroy any charter ever granted. This amendment was inserted in the Constitution, and the Legislature has actually power, if it chooses, to repeal the original charter of the Pennsylvania railroad, and

all its supplements, and to fix the amount of damages thus sustained by the corporation.

Mr. Smith (of Chester) wished to be understood as admitting that the Legislature had power to repeal any act except one involving a legislative grant or a contract. But it was a monstrous doctrine to assert that the Legislature could repeal and destroy charters simply by its own will. He held that it was first necessary for some calm tribunals, such as courts for some judgment whether or not such charters had been injurious to the people.

Mr. Hopkins (Washington) urged the following reasons for the restoration of the tonnage tax: First, because it was voluntarily assumed. He illustrated this and said that the construction of the Pennsylvania railroad had raised the State canal. Second, the tax should be restored because otherwise there would be a deficiency to be made up by taxation on real and personal property. Third, it should be restored because it would be obtained by direct bribery. Suppose the banks were to come into the Legislature for a commutation act, and ask the people to give them, as she did the Pennsylvania railroad, about \$700,000—what property have gone into the Treasury, what would be said of any Legislature that would pass such an act? He had reason to believe that the company was even now negotiating with members of the floor for the constructing of a railroad through their districts if the tonnage should not be restored. In this matter several members had been influenced in 1861. They did not return to the Legislature, and this might be the fate of others.

Mr. Benedict said that any man who attempted to force members to vote in a certain way under threats that they would not be again elected to the Legislature, was as base as any man who received money in 1861.

Mr. Hopkins said any man who alleges upon this floor that my suggestion is a liar and scoundrel.

Mr. Benedict said he hoped his suggestion would not do with railroad in its train.

Mr. Hopkins said he would rather die of that than nigger on the brain.

Mr. Glenn should vote against amendments, and for the immediate restoration of the tax. The Constitution made the Legislature alone the judge of whether it was advisable to repeal any charter.

Mr. Johnston reiterated the argument, that neither a legislative grant nor contract could be repealed, although an arbitrary act of assembly might. If the amendment taxing all railroads was passed, it would relieve real estate of an amounting to five hundred thousand dollars, and there would be no law left with the Pennsylvania railroad company, which would naturally follow the passage of the original bill. Adjourned.

The Capture of the Gunboat Indiana.

New York, March 3.—A special dispatch to the *Times* says that the *Indiana* was attacked by three rebel boats on Tuesday, the 24th ult. The fight was obstinate, lasting several hours, and was only surrendered when a sinking condition. She was run ashore, and captured officers and crew are now at Vicksburg.

CINCINNATI, March 5.—Some additional particulars of the capture of the *Indiana* have been received. When she was attacked, the advantage was on the side of the rebel rams. The *Indiana* moved slowly, compared with them. They kept clear of her bow, where her biggest were, and butted the sides and stern.

The *Indiana* kept charging her ram from side to side; but, as fast as this was done, the active assailants gained the opposite side, and in the hottest moment butted her again. The *Indiana* had a conical large on each side. These were sunk immediately. At length Captain Brown announced the boat in a sinking condition and surrendered. The *Indiana* lasted about twenty minutes.

It is reported at Lake Providence that the *Indiana* was sunk by her crew to escape capture.

The War in Tennessee.

A Desperate Fight at Spring Hill.—Federal Troops Defeated and Destroyed—Escape of the Cavalry and Artillery.

NASHVILLE, March 6.—There was fighting all day yesterday, between Van Dorn's Rebel command and three Federal regiments of infantry, about five hundred cavalry and one battery, at Spring Hill, about thirteen miles south of Franklin. Colonel Colburn's three regiments of infantry were cut to pieces or captured by the Rebel force. They fought desperately, but their ammunition became exhausted, and, being overpowered by superior numbers, were either killed or captured. No reinforcements from General Gilbert's command at Franklin reached the scene of action. Seven regiments of infantry are at that place.

FURTHER DETAILS OF THE DISASTER.

NASHVILLE, March 6.—The following additional details have been received of the fight near Franklin yesterday. The regiments of infantry, one battery, the Eighteenth Ohio, with the Seventh Pennsylvania and Second Michigan Cavalry, all under command of Colonel Colburn,