

STAR & REPUBLICAN BANNER.

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"The liberty to know, to utter, and to argue, freely, is above all other liberties."—MILTON.

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I. The Star & Republican Banner is published at TWO DOLLARS per annum (or Volume of 52 numbers,) payable half-yearly in advance; or TWO DOLLARS & FIFTY CENTS, if not paid until after the expiration of the year.

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III. Advertisements not exceeding a square will be inserted three times for \$1, and 25 cents for each subsequent insertion—the number of insertion to be marked, or they will be published till forbid and charged accordingly; longer ones in the same proportion. A reasonable deduction will be made to those who advertise by the year.

IV. All Letters and Communications addressed to the Editor by mail must be post-paid, or they will not be attended to.

THE GARLAND.



With sweetest flowers enrich'd
From various gardens cul'd with care."

I'M TWENTY-FIVE.

'Twas wondrous strange, how great the change
Since I was in my teens,
Then I had beaux and billet doux,
And joined the gayest scenes;
But lovers now have ceased to vow,
No way they now contrive
To poison, hang, or drown themselves,—
Because I'm Twenty-five!

Once, if the night were o'er so bright,
I ne'er abroad could roam,
Without the bliss, "oh honor, Miss,
Of seeing you safe home."
But now I go through rain or snow,
Positive, and scarce alive,
Through all the dark, without a spark,—
Because I'm Twenty-five!

They used to call and ask me all
About my health so frail;
And thought a ride would help my side;
—And now, alas! I am ill,
None care that I revive,
And my pale cheek in vain may speak,—
Because I'm Twenty-five!

Now, if a ride improve my side,
I'm forced to take the stage,
For that is deemed quite proper for
A person of my age.
And then no hand is offer'd me
To help me out alive,
They think it won't hurt me to fall,—
Because I'm Twenty-five!

Oh! dear, 'tis queer, that every year
I'm elbowed more and more,
For not a beau pretends to show
His head within our door.
Nor ride, nor card, nor soft address
My spirits now revive,
And one might tear as well be dead
As say,—"I'm Twenty-five."

MISCELLANEOUS.

WANT OF A LATCH.—The following anecdote related by M. Say, a French writer, shows the importance of Dr. Franklin's maxim "A stitch in time saves nine."

"Being in the country says he, I had an example of one of those small losses which a family is exposed to through negligence. For the want of a latchet of small value, the wicket of a barnyard leading to the fields was often left open—Every one who went through drew the door to—but as there was nothing to fasten the door with, it was left flapping; sometimes open and sometimes shut. So the ducks and hens and the chickens got out and were lost. One day a fine pig got out and ran off into the woods—and after the pig ran all the people about the place—the gardener, first caught sight of the runaway, and hastening after it sprained his ankle; in consequence of which the poor man was not able to get out of his bed for a fortnight. The cook found when she came back from pursuing the pig that the linen which she had left by the fire had fallen down and was burning; and the dairy maid in her haste, neglected to tie up the legs of one of her cows, the cow had kicked a colt which was in the same stable, and broken its leg.—The gardener's lost time was worth twenty crowns, to say nothing of the pain he suffered. The linen which was burned and the colt which was destroyed were worth as much more. Here then was caused the loss of forty crowns, as well as much trouble, plague and vexation for the want of a latch which could not have cost three pence.

M. Say's story is one of the many examples of the truth of the proverb—"For want of a nail the shoe was lost, for want of a shoe the horse was lost, for want of a horse the man was lost."

It is said that \$30,000,000 are derived in Europe by way of revenue on American tobacco, the cost of which here is only \$7,000,000.

If you wish to be wise, it is wise to wish

From the Baltimore American—
THE MIDDLE STATES AND THE SOUTH.

If the Southern people have any of that chivalric generosity upon which they pride themselves, it will not be difficult for them to perceive when they come to look at the subject, that their hostilities to an equitable Tariff is unjust and without good cause. It is unjust because it indicates a grasping disposition—a selfish desire to appropriate to themselves the chief benefit of national legislation in respect to trade, and to deny a fair participation therein to other portions of the country. It is without sufficient cause, for the reason that their own peculiar interests would suffer under the operation of a Tariff such as other interests require.

In reference to the first point, which we have alluded to on a previous occasion, the Frederick Examiner remarks: "Can any one believe that the peculiar notions of the Southern people would be long maintained, if their staple production were shut out of the English ports as are the productions of other parts of the Union? They have the benefit of free trade, but are not willing that measures should be resorted to for the purpose of securing equal privileges to the productions of a different latitude. If the same favor were extended to the productions of the articles of flour, tobacco and pork, that is afforded to cotton, it would open a source of unbounded wealth to the people of the States producing these articles. The only way whereby the British and European governments can be brought to terms in regard to this matter, is by relating upon their manufactures, their onerous impositions upon the production of our soil."

What would be the effect upon the cotton growing interest if a proper Tariff were laid including discrimination and the principle of retaliation—the whole being adjusted in a spirit of moderation and with a politic regard to the wants of every section of the Union? As to the foreign market for the cotton—that could not be affected; because Great Britain, France, and other manufacturing nations, take our cotton from necessity. To impose a heavy duty on it at present, when they cannot get supplies from other quarters, would be to distress their own manufacturers. If Great Britain could be supplied with raw cotton from India, and France from Egypt, they might then indeed lay restrictions upon our article; and with regard to the East, it is not likely that it may be safely assumed that whether we increase our Tariff or not, she will cut off American cotton the very moment it is ascertained that she can by any means do without it.

The effects of a Tariff in respect to a home market for cotton, would be decided in favor of the South. Even if the conditions under which our cotton finds access to British ports were not precarious, as they certainly are, it would be good policy to take measures for the gradual enlargement of strengthening the home market. That will be always accessible in times of war as well as in times of peace—always a sure resort to the full extent of its capacity. We have a population of seventeen millions—and in twenty years, it will be nearly double that amount. This vast population must be clothed, and the South will supply the means in so far as cotton is concerned. Why should not our own manufacturers be employed to work up the material? By extending due protection to them, the foreign trade of the South would not be sacrificed. But if that trade should injuriously be affected by the action of foreign governments, then would the judicious nature of our home policy be duly appreciated.

It was not however in reference to the manufacturing interests particularly that we intend to speak.

The movement going forward in favor of a discriminating Tariff is mostly from the producing Middle States. Such manufacturing establishments as can get along with a twenty per cent duty are not especially anxious for any further protection in their particular line; because if it were extended, there would be a domestic competition which would put down their profits as low as they are kept by foreign competitors. But the producers of wheat, pork and tobacco, the great agricultural interests of the Middle and Western States, embarrassed and restricted by the impositions of foreign nations—these are moving; and with remonstrances and expostulations and powerful arguments, they are directing their appeals towards the Capitol, and calling upon the Government for that protection which is justly due them. The South, satisfied with the facility with which her chief staple finds access to foreign markets, would repress this movement. But it will not do. The mechanical interests of the industrious of all classes in our towns and cities, will soon be joined heartily with those of the farmer and the tobacco planter. It will be impossible to stay the progress of things in this matter. If there is a new compromise to be had, the South must ask for it, and make the first tender—but we are willing to believe that the mutual interests of all sections will be found in reality to unite so harmoniously, that no compromise will be needed that shall involve the essential surrender in any quarter.

'Excuse haste and a bad pen,' as the hog said when he got out.

In adversity the real principles of men appear.

GOVERNOR'S MESSAGE.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

[CONCLUDED.]

I have recommended to three several legislatures the propriety of selling the stock which the State owns in the Bank of Pennsylvania, the Philadelphia Bank, and the Farmers' and Mechanics' Bank, and used every argument that I could bring to bear upon the subject, to convince them of the propriety of separating the Commonwealth from the Banks, and of disposing of the stock she holds in them. I recommended it in a message, communicated on the 7th March, 1839, on which day the market price of the said stocks were, for the Bank of Pennsylvania, \$400 for \$400 paid; Philadelphia Bank, \$108½ for \$100 paid; and the Farmers' and Mechanics' Bank, \$62 for \$50 paid. The same recommendation was again made on the 8th January, 1840, at which time the following was the price of said stocks—for Bank of Pennsylvania \$410; Philadelphia Bank \$99½; Farmers' and Mechanics' Bank \$54½. A similar recommendation was made 6th January, 1841, on which day the following sales were made, viz: for Bank of Pennsylvania \$412; Philadelphia Bank \$100; Farmers' and Mechanics' Bank \$52½, making the said stocks, held by the Commonwealth, worth \$2,157,870. By the last sales made during the present month, the market value of those stocks are, for Bank of Pennsylvania \$160; Philadelphia Bank \$48; Farmers' and Mechanics' Bank \$30; making the present total worth of those stocks \$902,424; by which it is seen that by the course pursued by the last legislature in refusing to authorize a sale, the loss sustained by the State, on those stocks, amounts to the formidable sum of \$1,255,446. I renew the same recommendation to you, for the reasons given, from time to time, in my several communications on that subject.

Before I dismiss the subject touching the banks, I desire to call your attention to the policy of re-chartering banks, by the legislature, during the present session, at all. When a charter for a bank has been granted to a number of individuals, for a fixed period of time, there is no express or implied obligation to renew it. On the contrary, the very limitation shows that its existence is to be terminated at the time designated. Its stockholders know this, and cannot complain if held to their bargain. The condition of banks never is known till they are wound up and closed. Their mode of doing business, enables them to defy public scrutiny, and to acquire a credit and standing to which they may not be justly entitled. Frauds and irregularities of years perpetration, are concealed from the eyes of the public, till a final settlement of the concerns of the bank is made. Little knots of persons confederate and gather round these institutions,—reap the benefit of their existence,—monopolize their advantages, and perpetuate their power. We seldom find among them the energy, intellect and enterprise of the community, but those who derive their consequence from their combinations sanctioned and invigorated by the law. I cannot think such a system as this of perpetuating these corporations, congenial to our free institutions. It establishes monopolies of the most odious kind, because not limited in duration. If the business of the community really requires the aid of a bank, instead of renewing the charter of the one about to expire, establish a new one. Let its subscription books be open to all, and if it be advantageous, let all share in its enjoyment, who may choose to do so, and if not advantageous let all participate in bearing the burthen.

Besides, it is not a fit time to renew bank charters, or to establish new ones. The public mind is not settled on this subject, nor can we fully appreciate the soundness or unsoundness, of the banking system, until a resumption of specie payments takes place. Let the recommendations I have now submitted to you, be adopted, and let us wait a year at least to judge of their results—this experience will essentially aid future legislation, and perhaps rescue us from fatal errors. The history of the legislation of this Commonwealth, in regard to banks, is a succession of plausible theories; let us hereafter rest it on the solid basis of enlightened experience. Then may we hope to escape the rock, on which all our banks are now temporarily shipwrecked. I hope and trust most, if not all of them, are able to resume specie payments; but it is impossible to know this, or to confide in their ability and disposition to do so, until we have the proof, which they alone can furnish. The public has ceased to yield its credit to any corporate pretensions, which are not supported by corresponding acts.—I have appended several tables connected with this subject, as affording matters of convenient reference.

The general subject of creating and regulating corporations, is so intimately blended with that of the banking institutions of the Commonwealth, as to claim a place next in our consideration. I have remarked in former messages, that the creation of corporations for all purposes, has been carried to a fearful extent in this State. Year after year they have been springing up around us on all sides, and are rapidly becoming competitors with individuals in all sorts of business. When confined to their legitimate purposes, such as the con-

struction of canals and rail roads into our fertile interior, and rich mineral regions, I shall not utter a word of complaint; but to this limit, strictly should they be restrained. The increase of corporations is a growing evil. I have again and again cautioned the Legislature against the granting of corporate privileges; I cannot too strongly impress this caution upon your minds. On referring to the acts of the last legislature, we find the grant of corporate privileges to have been free and almost indiscriminate. So much so, that of 147 laws enacted, more than one third were either acts of incorporation, or acts supplementary thereto. I adhere to the opinion, heretofore expressed, that corporations ought never to be created, where the object to be accomplished is within the probable reach of individual exertion. They absolve men from personal liability, and may tend, by undue combinations and concentrated action, to embarrass the operation of government, and interfere with the popular sovereignty. Let the present Legislature set the example of resisting these monopolizing encroachments. If the propriety of this course was ever doubtful, the experience of a few years past has dissipated all doubt, and clearly marked out the path of duty.

On this subject, there is another matter which has been repeatedly brought under my notice. I allude to the extension of the authority to create corporations for various purposes, conferred on the courts of common pleas; by the 13th, 14th, 15th and 16th, sections of the act of the 13th of October, 1840, entitled "An act relating to Orphans' courts and for other purposes."—Charters of incorporation are procured under this law, on application to the respective courts of common pleas, without being subjected to any other restraint or control, than their own hasty perusal. Notice, to be sure, is directed to be given, but that is of little avail. There is no common standard for the whole State, as was the case when these charters were to be approved by the Attorney General, and the judges of the supreme court, and enrolled in the department of State, at the seat of Government. Under the old system, there was uniformity in the provisions contained in these charters, but now, under this new law, the discretion of different courts may essentially differ, and ultimate confusion and disorder cannot fail to ensue. These domestic corporations, as they may be called, are of great service to the public, but it may be fairly questioned whether it will not detract from their uses, to render their creation a matter too ready and unchecked. I invite your attention to this subject, and if you should agree with me in opinion, it will be easy to remove all ground of complaint, by restoring the power of granting these charters, to the hands in which it has been safely lodged, for upwards of half a century. The delay and inconvenience of the old system, were fully counterbalanced by the certainty, consistency and uniformity of the corporate powers and privileges enjoyed by the corporations created.

The Legislature, by the act of 18th June, 1836, conferred equity or chancery powers on our Supreme Court, courts of common pleas and district courts, in certain specified cases. There are also certain other enactments, on the same subject, in the 39th section of the act of 13th June, 1840, and perhaps in other acts. It is stated that some of the provisions of these various laws are incongruous, that the jurisdiction conferred is not expressly defined, and it has been decided by the Supreme Court that the parties aggrieved have no redress by appeal from the inferior tribunal to the Supreme Court, or by writ of error from the latter to the former. If it be deemed advisable to retain the features of these enactments in our jurisprudence, it would seem requisite that the evils complained of should be removed by legislative enactment.

I would also recommend an examination into the state and condition of the extent and business of the several judicial districts of this Commonwealth, so that the amount of labor of the several President Judges, some of whom are at present overburdened, may be in some measure equalized.

There are complaints of the accumulation of business in the courts of the city and county of Philadelphia, and especially of the difficulty of reaching, in a reasonable time, the trial of causes at nisi prius in the supreme court. This last is said to arise from the time that the court is necessarily obliged to devote to the business in bank, where they have to decide appeals, and writs of error. Whether such complaints be well founded or not, I am not prepared to say. A careful examination into the whole subject, and such enactments as shall be found necessary to meet any evils that may exist in the administration of justice, and give to every one an opportunity of speedily trying his cause, is respectfully recommended.

It is often made the subject of complaint, that the decisions of the supreme court are not published under the supervision of a Reporter, appointed by authority of law.—I think it is worthy your inquiry, whether the public interest would not be promoted, by providing for the appointment of such a Reporter, who shall be responsible to the public, for the manner in which he discharges his duty.

Complaints continue to be made in many counties of the manner of selecting jurors. Unless some additional guard be thrown around this inestimable right public confidence in the trial by jury will be much diminished. This most wise, and vener-

able of all human and social institutions, must be guarded against the possibility of encroachments, and this long boasted bulwark of liberty, protected from prostitution to purposes not intended by the constitution. I therefore recommend that the jurors be annually selected by the judges of the court of common pleas, or some two of them, together with the sheriff, and that they be drawn by them in open court, or that some other provision be made, that the trial by jury may be respected and effectually secured.

The laws relating to collateral inheritances imperatively call for revision, in order to insure the collection of money from that source. I respectfully recommend the adoption of the amendment suggested in a former communication, to enjoin it upon the registers of wills to inquire of all executors and administrators on oath, at the time of granting letters, whether the estate of their testator, or intestate, will be, in their opinion, the subject of the laws relative to collateral inheritances, and that the Register give notice of all such to the Attorney General, or his deputy, whose duty it shall be to make a record thereof, and enforce the collection, from time to time, of the moneys arising therefrom, and hand over his record to his successor in office.

The eight section of the sixth article of the constitution provides, that all officers, whose election or appointment is not therein provided for, shall be elected or appointed as shall be directed by law. There has been no legislative action on this subject, so far as regards the officers of Surveyor General, Secretary of the Land Office and Auditor General, since the adoption of that instrument. As the commissions of the present incumbents will expire on the 10th day of May next; it would seem to be a suitable time, for providing by law, for the tenure of those offices. They, with the Secretary of the Commonwealth, constitute what is usually denominated the cabinet, and the Executive is answerable to public opinion for the manner in which they perform their duties; yet under the existing laws he possesses no power of removing them, even for the most palpable dereliction of duty, during the time for which they are commissioned. I respectfully commend this subject to your attention, and that those officers be placed, as to tenure, on the same footing as the constitution has placed that of the Secretary of the Commonwealth.

So far as respects the office of Attorney General, it seems proper that the tenure should remain as it is. It is in truth a common law office—the incumbent is the legal adviser of the Governor, and heads of department, and is the legal hand by which the Executive functions are performed.

The duty will probably devolve on you to make provision for the election of representatives, to represent this State in the Congress of the United States. As soon as Congress shall have decided on the apportionment, according to the last census, no time shall be lost to lay the same before you.

The report of the Superintendent of Common Schools will put you in possession of the state and condition of our colleges, academies, female seminaries and schools. The general evil, of which we have just cause to complain, is the incompetency of many of those employed as teachers. The compensation to them is generally low, and yet it is generally more than many of them can earn as teachers, if the possession of knowledge and the capacity to impart it, be requisites of those entrusted with the moral and mental training of the rising generation. Upon this, and upon all other subjects connected with this important work of education, I must refer you to the report and documents which the superintendent will furnish, and shall only remark, that I will most cheerfully co-operate in any and all measures, which shall place the means of acquiring a sound and practical education within the reach of all the children of the Commonwealth—elevate the character, and improve the qualifications of our teachers, and enlarge the usefulness, and increase the benefits to be derived from our colleges, academies and seminaries. A sound education, under proper moral & religious training, is the best legacy a parent can bequeath to his child, and the best provisions a patriot can make to secure the permanence of republicanism in its purity. To our system of common schools, alone, can we look as the means of imparting this education; and on this system, at last, as the corner stone, must we rest our free institutions, and our best hopes, to see them descend unshaken to those who come after us.

The duties of the Superintendent of Public Schools have become so onerous, as to occupy almost the entire attention of the incumbent, and to leave him but little time to devote to the other duties of Secretary of the Commonwealth. I respectfully recommend this subject to your consideration, and whether a regard to the public interest does not require a separation of the duties of Superintendent, from that of Secretary of the Commonwealth.

I cannot but repeat what I said in my first annual message, that we are in need of a proper system of school books, to be used in our schools, and which should be composed by competent persons for the instruction of the youths of Pennsylvania; such a course, as would tend properly to impress our youth with a due regard for our own Commonwealth, and endear her to their hearts. Her position, wealth and intelli-

gence; the admirable and free system of her laws; her unwavering patriotism and devotion to republican principles; her distinguished philanthropy and benevolence, entitle her, to a pre-eminence degree, to the love and veneration of her children, who should be early taught to estimate her great characteristics.

The twenty-third section of the first article of the constitution of this Commonwealth provides that "every bill which shall have passed both Houses shall be presented to the Governor. If he approve he shall sign it, but if he shall not approve he shall return it, with his objections, to the house in which it originated, who shall enter the objections at large upon their journals and proceed to reconsider it."—The section then proceeds to provide, that such bill, so returned, shall not become a law, unless two thirds of each house shall, on a call of the yeas and nays, agree to pass the bill. This provision was inserted in our constitution of 1790, and retained in that of 1838, from a conviction of its use, as well as necessity. It was intended for the protection of the people against hasty, improvident and improper legislation. The constitution, while it gives to the two houses the right to prepare, to amend and pass the several bills, still makes the Executive an active constituent part of the legislative power. This concurrence, in acts of legislation, is required to be expressed in an approbation of the act proposed. When he conscientiously believes that the proposed measure is wrong, he would be reprehensible, were he to give an approbation, he cannot feel. Deriving his power and authority directly from the people of the whole State, his interposition of the veto power, may be essentially necessary, to preserve the interests of the Commonwealth, from the operation of local causes. Whatsoever reasons, however, induced the imposition of this duty upon the Executive originally, it is enough to say, that the duty is enjoined in our organic law, and I believe wisely. It has been my lot, as well as that of all my predecessors, I believe, on several occasions to exercise this power thus conferred. I have always done so with due deliberation, and only when the exigencies of the occasion furnished to me satisfactory and conclusive reasons for so doing. It is, however, a power which I have never hesitated to exercise, when duty required it at my hands. During the last session of the Legislature, I was obliged to exercise this power oftener than heretofore. I did so, at a time, when my conduct was about to undergo the ordeal of public opinion, and there seemed to be a disposition to make the exercise of this power, an important issue before the people. That issue was laid, and the result has expressed the voice of the public upon it in a way not easily to be misunderstood.

Had the duty, thus enjoined by the constitution upon the Executive, been freely and fearlessly performed, in the early legislation upon the subject of our internal improvements, we should not now be involved in debt to the extent we are and there would not have been millions of dollars expended upon works of doubtful utility, or of minor public importance. Our main and leading avenues of intercommunication alone, would have been constructed, and the State saved from all danger of being dishonored by failing to meet her engagements. Far be it from me to reflect on my predecessors, but it is our duty to gather wisdom from experience, and to avoid, as far as possible, the repetition of error.

In the months of June and August, next, the commissions of the militia officers within this Commonwealth will expire by their own limitation. It would therefore, seem to be a fit time to take up that very important, but much abused subject. One of our most important duties is to cherish and encourage the true military spirit among our citizen soldiers. In war, and in all trying emergencies, on them we must rely, chiefly, to protect our homes and freedoms from aggression,—our national honor from insult,—and our liberty from destruction. It is too much the habit of some, who should know better, to decry and undervalue our militia and volunteers.—Those who remember their services in the revolution, and late war with Great Britain, entertain a very different opinion. Let the organization of volunteer companies be promoted,—let them be furnished with arms and accoutrements,—let them devote all the time they can spare, to the acquisition of military discipline, and they will speedily silence the voice of censure and of prejudice, and strengthen the arm of our national defence.

A convention was held within the last season for the purpose of devising and recommending a more effective military system, and the result of their labors will shortly be laid before you; in relation to which I take occasion to say, that the opinions of that convention, combining as it does, much of the talent, experience and military knowledge of the country, will be entitled to, and doubtless will receive at your hands, the most respectful consideration. American freemen should never lose sight of the solemn injunction of the father of our country, "in time of peace prepare for war."

The geological survey of the State is nearly completed,—the past season having brought the explorations to a close. As soon as the field work can be reduced to shape, the State geologist will, this winter, enter upon the preparation of his general report, intended to embody the results of the