



HARVEY SICKLER, Editor.

TUNKHANOCK, PA

Wednesday, May 24, 1865.

Jefferson Davis and family, Alexander H. Stephens, C. C. Clay, Col. Reagan, Gen. Wheeler and sixteen others, were brought by steamer to Fortress Monroe on Friday last they are kept in close confinement. It is said by the paper of yesterday that Stephens has been taken to Ft. Delaware. Davis will be confined in Fortress Monroe. Great pains have been taken in fitting up cells to prevent an escape.

Read the communication of "L" in to days paper—also the opinions of the Tribune and other papers on Military tribunals. Such sentiments expressed by Democratic organs and speakers have been denounced as reasonable, by these same papers. Do they begin to fear that there may be other victims besides those now on trial?

The Newburyport Herald concludes an interesting history of the various substitutes for the large and costly pipe organ with the following well deserved notice of the Cabinet Organ: all these inventions were, however, but little more than a series of experiments, striving after an ideal, which should combine all excellencies and reject all imperfections, which, according to the universal testimony of the greatest musicians throughout the world, has at last been attained, in the 'Cabinet Organ' of Mason & Hamlin. Those who have had their ears pained by the thin, brassy sound of the old-fashioned seraphine, in which the wind was forced instead of drawn through, or who have tried to be thankful for the improved melodeon, but wishing there was more of it, can hardly realize that an instrument of the same class should be capable of such power, richness of tone, and surprising effects as the Cabinet Organ. It is fortunate, too, that their expense is so low as to place them within the means of almost every family in the land; and their influence will, we doubt not, be unbounded in musical, aesthetic, and social culture.

Imbroglio Between Generals Sherman and Halleck.

RICHMOND, Va., May 11, A. M.—Late in the night of the 10th instant some difficulty sprang up between Major General William T. Sherman, commanding the Military Division of the Mississippi, who had arrived in Manchester, and Major General Henry W. Halleck, commanding the Military Division of the James.

The rupture between the two Generals, it is understood, grows out of General Halleck's order countermanding the orders of Sherman to his subordinate commanders during the truce with Johnson, General Sherman wrote to General Halleck yesterday it is said, stating that in future all intercourse, of whatever nature, between them was forever at an end.

WASHINGTON, May 13.—It is currently reported that on Thursday General Halleck called on General Sherman at his quarters in Richmond, but the latter refused to see him. General Halleck stated that his object was to explain and apologize for the language he had used toward General Sherman in his despatches to Mr. Stanton. General Sherman has heretofore been about the only friend and defender of General Halleck among the higher officers of the army.

The officers of General Sherman are arriving here in considerable numbers. The greater part of the army will be at Alexandria by Monday or Tuesday. They all express much indignation at the official and newspaper structures on General Sherman's first arrangement for General Johnson's surrender. They say it was entirely uncalled for in view of the great services rendered by that army, and that the arrangement was in strict conformity to President Lincoln's views and policy.

General Sherman has telegraphed Gen. Howard that he should remain with his troops and march through to Alexandria with them.

The Correspondence Between Generals Halleck and Sherman.

[From the New York News] General Halleck to General Sherman: As you will be in Richmond in a few days, allow me to offer you the hospilities of my house here, where I shall be gratified to receive you and contribute to make your sojourn here agreeable.

General Sherman to General Halleck: Your proffered hospitality is respectfully declined. I had hoped to pass through Richmond without the painful necessity of meeting you. Your recent advisory despatch to the War Department is sufficient explanation.

General Halleck to General Sherman: I regret you declining my invitation, and the unfriendly spirit manifested in your note. If you knew the feeling in which you are held at the War Department in reference to your agreement with Johnson you would appreciate the motive of my despatch to which you refer. Permit me to assure you of my kind feeling toward you personally, my high admiration for your services.

General Sherman to General Halleck: I think I understand both the circumstances and the men sufficiently well to appreciate the motives of your despatch. Both you and Mr. Stanton sent me warning to beware of assassins. I did not then know that the authors of the warning were themselves assassins I had to fear.

THE PROOFS.

EDITOR N. B. DEMOCRAT:

A communication appeared in a recent issue of your paper on the subject of Reconstruction, in the course of which the writer employed the following language, viz:

"When the leading secessionists of the South were preparing to take their fatal leap they knew that the leading organ of the party then in power, the New York Tribune, was then advocating with earnest zeal and dangerous sophistry the right of secession. They knew that the then newly elected President had himself, years before, upon the floor of Congress, given emphatic expression to a substantially similar doctrine. They knew that Senators Hale, Seward and Chase, leading and controlling spirits in the same party, had presented and seconded a petition to Congress praying for a dissolution of the Union."

A nameless and somewhat rambling writer in the last Republican—who kindly comes to the relief of the editor of that amiable journal because "he does not exchange with you"—pronounces the statements above quoted "lies," alleging that there is "not one word of truth in the whole of them," and defies their author to prove them.

It affords me pleasure to comply with the writer's polite request by favoring him with such proofs as I happen to have at hand, which I trust will prove highly satisfactory to him.

In reference to the Tribune's advocacy of secession, I beg to quote from the New York Tribune of Nov. 9, 1860. "If the cotton states shall become satisfied that they can do better out of the Union than in it, we insist on letting them go in peace." The right to secede may be a revolutionary one, but it exists, nevertheless."

From same paper we quote again—"We must ever resist the right of any state to remain in the Union and nullify the laws thereof—To withdraw from the Union is quite another matter. Whenever a considerable section of our Union shall deliberately resolve to go out, we shall resist all coercive measures to keep it in. We hope never to live in a republic whereof one section is pinned to another by bayonets."

We quote again from the New York Tribune of Nov. 26, 1860. "If the cotton states unitedly and earnestly wish to withdraw peacefully from the Union, we think they should be allowed to do so. Any attempt to compel them by force to remain would be contrary to the principles enunciated in the immortal Declaration of Independence—contrary to the fundamental ideas on which human liberty is based."

It will be observed that my polite antagonist takes very strong exception to the message of ex President Buchanan in which the latter adverted to the fact that the Constitution is silent on the subject of secession;—neither giving the right, nor by express terms granting the power to prevent; but the Tribune broadly asserts the right of secession, and just as broadly denies the power to prevent secession. Again, from the New York Tribune of Dec. 17, 1860, (while South Carolina was in the act of seceding) I quote as follows. "If the Declaration of Independence justified the secession from the British empire of three millions of colonists in 1776, we do not see why it would not justify the secession of five millions of Southerners from the Union in 1861."

Again, from New York Tribune of Feb. 23d, 1861. Whenever it shall be clear that the great body of the Southern people have become conclusively alienated from the Union and anxious to escape from it, we will do our best to forward their views."

At this latter date seven of the southern states had already seceded. It is not necessary, therefore, for my present purpose, to follow the Tribune through its succeeding issues. These samples, covering a period of time when their effect was necessarily more mischievous than they could have proved at any other period of the nation's history, will suffice to show very clearly the truth of my assertion in reference to the Tribune's advocacy of secession. How very easy it is for my polite accuser to discover the note in Buchanan's eye; but how difficult to see the beam in the Tribune's, or perhaps, his own. This, however, would seem to be characteristic of the party of "great moral ideas";—and quite naturally so, because their own saintship being assumed, all who differ with them must necessarily be devils, or worse.

Again, we quote from Mr. Lincoln's speech in Congress on the 12th of January 1848.

"Any people, anywhere, being inclined and having the power, HAVE A RIGHT TO RISE UP AND SHAKE OFF THE EXISTING GOVERNMENT, AND FORM A NEW ONE THAT SUITS THEM BETTER."

Mr. Lincoln continued—"This is a most valuable, a most sacred right, a right which we hope and believe is to liberate the world. Nor is this right confined to cases in which the whole people of an existing government may choose to exercise it—ANY PORTION OF SUCH PEOPLE THAT MAY REVOLUTIONIZE AND MAKE THEIR OWN OF SO MUCH OF THE TERRITORY AS THEY INHABIT. More than this; a MAJORITY OF ANY PORTION OF SUCH PEOPLE MAY REVOLUTIONIZE putting down a minority intermingled with, or near about them, who may oppose their movements."

We have here, and in the foregoing extracts from the Tribune, distinct, emphatic, and reiterated affirmations of the whole doctrine asserted by Jefferson Davis and his co-conspirators in justification of their attempt to divide the Union. I might add columns of corroboration of this most mischievous doctrine by other leading members of the same party; but my statement in reference to them not having been denied by my amiable enemy, it is quite unnecessary for me to do so. Probably he is satisfied by this time that there is "one word of truth in the whole statement" that he pronounces "lies."

Now, let us suppose for one moment, that

that message of Mr. Buchanan's that excited such holy horror in the loyal writer's patriotic bosom, instead of a simple statement of how the constitution regards the alleged right of secession (denying the right, but at the same time noticing the absence of any provision authorizing the use of force to prevent, except in defence of the public property and of the functions of the officers engaged in the collection of the revenue) had contained the same language that I have quoted from Mr. Lincoln's speech in Congress, and from the Tribune. In that event, doubtless, the patriotic Stanton's mob courts would have had the venerable ex President's head upon a pole more than three years ago. But what especial sanctity does advocacy of secession and revolution derive from the pen of Greeley, or from the lips of men who created "the party of great moral ideas?" Ah!—There is a mighty difference 'twixt tweedle-dum and tweedledee." Does not the writer know that no statesman whose opinions are regarded even in his own party as authority upon questions of constitutional law has ever yet undertaken, by an analysis of that message, to show that Mr. Buchanan's statements therein, or his conclusions were wrong?—Does he not know that, until the bombardment of Fort Sumpter, Mr. Lincoln and Mr. Seward found themselves in precisely the same difficulty that Mr. Buchanan had encountered, and tacitly, if not expressly, recognized the soundness of the views he had expressed? When political tricksters wax so eloquent in their patriotic denunciation of that message, they uniformly ignore the fact that it was sent to Congress some two months before the attack upon Fort Sumpter, which relieved the country of all embarrassment upon this question by throwing the government upon the defensive.

In criticizing the conduct of public men it is at least fair to keep in view the state of facts existing at the time of the acts complained of—and in this connection it is but just to say, that at the time of Mr. Lincoln's speech, he had no reason to believe that the people of any section of the Union were then desirous of "shaking off the existing government and setting up another to suit them better." It had been better, however, if that doctrine had never formed a part of his official record; for we have no right to ignore the fact that that record, in connection with the plausible but fatal advocacy of similar doctrines by leading organs and leading men of the party whose advent to power was contemporaneous with secession, formed a very important element in southern estimate of the chances of success in that movement.

In common honesty, let me ask whether the southern secessionists had not a right to infer that whatever of power the then newly elected President, sustained by the Tribune and all the other influences to which I have adverted, could exert upon this question would be exerted in accordance with that record, and with those influences? Had they not a right to infer that all those men in the North who believed in the Gospel according to Greeley—which, if I understand it, decries Divine and the Law, and places in their stead "great moral ideas"—would say with their master, "if the cotton states shall become satisfied that they can do better out of the Union than in it, we insist on letting them go in peace." "The right to secede may be a revolutionary one, but it exists nevertheless." Of what avail to preach to them that "Mr. Lincoln had been constitutionally elected," when Mr. Lincoln had already furnished them with the reply that "any people, anywhere, being inclined and having the power, have a right to rise up and shake off the existing government and set up another to suit them better?"

Unfortunately for them and for the country, they accepted this bad logic, and acted upon it, doubtless in the hope that its authors would, in the language of the Tribune, "do their best to forward their views." For the proof in reference to the action of Senators, Seward, Chase and Hale upon the celebrated New England petition to Congress to advise some plan by which the Union may be divided, I would respectfully refer the writer to the Congressional Globe of that time I should be happy to furnish him with that date, but I have it not at hand. He can readily satisfy his enquiring mind by looking it up, or by enquiring as to the fact of any gentleman of ordinary intelligence whose memory has not an unfortunate habit of losing track of certain rather objectionable points in the records of certain public men.

I shall not follow the learned writer thro the remainder of his rambling performance further than to express my modest regrets that the communication to which he takes quite naturally, such violent exception, did not come up to the level of his comprehension. He says "when a man has committed a crime he should pay the penalty the law exacts," and argues quite elaborately that the leading secessionists "should not be permitted to escape the penalty of their crimes."

I certainly shall make no issue with him upon this subject. If he will look again over the communication to which he objects so strenuously he will find not the slightest objection to any course that may be taken with reference to leading secessionists, whether in the South or in the North in pursuance and under the sanctions of Law. Such a course I would by no means regard as a "vindictive and bloody policy," whatever objection it might be open to, upon other grounds;—What I do regard as a "vindictive and bloody policy" is that adopted and threatened by the impudent Stanton and his mob courts, in open defiance of law, and in plain violation of constitutional guarantees that cannot be thus stricken down without converting the government at once into an absolute and barbarous despotism. I venture to hope that it lies within the scope of my accuser's intellect to duly estimate the importance of these guarantees, and the necessity for guarding with a jealous watchfulness, against the slightest infringement of them. I am glad to know that since the date of my former communication a

number of the leading Republican Editors have exhibited strong evidence that their eyes are becoming fully opened to the danger with which the country is threatened from this source. If I erred in attributing to a majority of the party in power sentiments of approval of the lawless and high handed policy of the bad man who controls the war office and aspires to the control of the administration of justice, I would, most certainly, be very glad to know it. Be this as it may, it is very certain that until quite recently the only honest, hearty condemnation and disapproval of such outrages that met the public eye came from Democratic sources. The sooner, however, the public shall be brought to a just sense of the public dangers involved in the usurpation by Secretary Stanton and his subservient tools, of the control of the administration of justice in this land, the better for all concerned.

And now, having, I trust, fully performed my duty to you, excellent, but nameless foe, I beg to take leave of him with my best bow.

Republican Journals Admitting Democratic Opinions About the Respect Due to Constitutions, Laws and Civil Courts.

SECRET COURTS—THE TRIAL OF THE ASSASSINS.

[Editorial of the New York Times, of May 11, M. Seward's Organ] It is very possible the publication of the evidence taken on the trial of the conspirators at Washington might prevent the arrest of some persons implicated in the crime of assassination who are now at large; but their arrest must be of very great importance indeed, if the fear of their escaping is sufficient to justify the profound secrecy with which it has been determined to surround the proceedings. The chief of Booth's accomplices, it is fair to conclude, are those for whose apprehension a reward has been offered, Davis, Tucker, Sanders, & Co.—and it is not pretended that anything which may transpire at the trial at Washington, will, in the least degree, offset the chance of their escape.—They and their friends have certainly been as much put on their guard by the President's proclamation as they are likely to be by anything else that can occur.

It is not unfair to conclude, therefore, that "the parties who may escape, should publicly be given to the proceedings," and "parties" of an inferior degree of guilt, and now within the limits of the United States, and if so, we cannot help saying that it is for various weighty reasons to be regretted that their capture should be deemed either so important or difficult, as to be made the pretext or occasion of introducing into our criminal procedure so extraordinary an anomaly as that by a military commission for a capital offense with closed doors, and with an oath of secrecy imposed on all persons taking part in the proceedings. We think it would have been infinitely better to have postponed the trial till all publicity could do no harm, even if that period were likely to be six months distant, than introduce into this country so novel a tribunal, and one so repugnant to the spirit of our institutions, as that which is now sitting at Washington. It is one for which no precedent is to be found in the history of any free country, and one to which the worst European despots have rarely ventured, even in Poland or Hungary to resort. Even the unhappy victims of the Irish rebellion were prepared for the gallows in open court, and in the light of day.

Moreover, there are strong doubts entertained by ill affected persons at the North as to the existence of any good foundation for the charges made against Davis in the late proclamation. Abroad, all the enemies of the Government will certainly receive them with incredulity and derision; and there is no question that under all the circumstances it would be difficult to imagine a position more humiliating and embarrassing than that in which the government will stand, if it should appear that those charges were lightly or frivolously made. Nothing will prevent, the spread of such a presumption, except the production in open court of the evidence on which they were based, and its submission to the scrutiny of the prisoners' counsel and of the public at large. Those who flatter themselves that public opinion, either at home or abroad, will be much influenced by a version of it which has been edited and expurgated by the Judge Al. volume must be very simple people indeed. Nobody will permit himself, whatever his leaning may be, to attach any value to revelations made under conditions in which every rule of evidence is set at naught, and even the experience of every day life treated with contempt.

Secret Military Trials.

[From the New York Tribune] What makes the matter all the worse is, that on the very day on which this tribunal begins its proceedings, the state of things which alone could justify it if ANYTHING COULD JUSTIFY IT, had been formally declared at an end by proclamation, under the President's hand and seal: Foreign powers were warned that the war was over at the very moment that a tribunal was assembling, for whose constitution and procedure nothing but overwhelming and imminent danger to the national existence would be a sufficient warrant. Will they really believe that peace has been restored when a most atrocious crime has to be tried and punished by a military court sitting in secret in the national capital, and in a country in which all secret things, and above all, secret trials, have always been held in abhorrence? There is a curious old document in existence, known as the Constitution of the United States, which formerly had the force and effect of law in that large portion of our country not specially denominated by the slave power. Under the rule of our present Cabinet, it seems to have gone out of fashion; and, since Mr. Stanton's accession to the control of the War Department, it has be-

come practically obsolete.—Loyal citizens did not much mind this while civil war convulsed the country, threatening the permanent overthrow of our liberty and nationality; but now that the war is practically ended, it seems high time that the old parchment were exhumed and treated with some show of respect. There being, apparently, no copy extant in the Federal city, we quote from one in our possession, for the instruction and admonition of our magnates, certain amendments proposed by the States, when ratifying the instrument, which, being duly approved and adopted, became an integral part of our fundamental law—as follows:

ART. V. No person shall be held to answer for a capital or otherwise infamous crime unless, by a presentment or indictment of a Grand Jury except in cases arising in the land or naval forces, or in the militia when in actual service in time of war or public danger, nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb; nor shall he be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty or property, WITHOUT DUE PROCESS OF LAW; nor shall private property be taken for public use without just compensation.

ART. VI. In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense.

ART. VII. In suits at common law, where in the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved; and no fact tried by a jury shall be otherwise re-examined in any court of the United States than according to the rule of the common law.

ART. VIII. Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishment inflicted.

We have made our citations full, not merely in deference to the apparent inaccessibility of the document at Washington, but because we wished every reader to see that the passages we have placed in Italics are not garbles nor picked, but that they are of the essence and vitality of the Constitution itself. Being so, how can we justify, or excuse, or even keep silence with regard to the military trials just initiated at Washington? A miscreant, acting in concert with other assassins, has attempted the life of the Secretary of State, and, though his purpose was defeated, he nevertheless severely wounded Governor Seward, his oldest son, and two or three others who nobly resisted him. Of course, this villain and his confederates should be sternly dealt with; but why not according to law? What reason, what excuse, can be urged to justify the sending of this case before a court martial and having it tried in secret? How can such a trial be reconciled with the plain provisions of the Constitution above quoted?

As to the military trial of those who conspired with Booth to assassinate the President, and aided to achieve that fell purpose, the outrage is not so flagrant; but such trial is at best a blunder, while enshrouding it in secrecy is utterly indefensible. To try a doctor for his life, because he set a stranger's broken bone and gave or sold, or lent him a pair of crutches may just do; but to try him in secret allowing no report of the testimony but such as the prosecution sees fit to make, is nothing less than abominable. Two months ago, it would have been endured for the country's sake; now, there is no reason that it should be. We warn all who take any voluntary part in these strange proceedings that rebellion is suppressed, the war is at an end, and the right to suspend the privilege of habeas corpus and make the will of a Secretary of War the supreme law of the land, has expired. If our present Secretary cannot be made to realize these grave truths, it is high time he had a successor; and if our Attorney General believes the assault of Secretary Seward now "legally triable before a military commission," he badly needs his own time for the completion of his legal studies, while the government needs a different law officer. There may be plier ways of setting forth these convictions, but none of these would do them justice.

Gentlemen of the Cabinet! the war eastward of the Mississippi is ended; the rebellion is suppressed; the Union is reestablished, and peace virtually restored; wherefore the people demand of you a speedy and thorough return to the safe and orderly ways of law and liberty. Do not compel them to speak in tones that you cannot refuse to hear!

(From the Phila. Ledger, 12th inst.)

SECRET MILITARY TRIBUNALS. The attempt of Mr. Stanton to set aside the courts of law for the trial of offences and to substitute secret military tribunals are not receiving that quiet denunciation he possibly hoped for from the public. The most strenuous supporters of the Republican party are loud in their condemnation of this as arbitrary, and unwarrantable by any law or precedent in the history of the Government. The people know what courts and juries are, and submit to their decisions with respect, because they see all the machinery and processes by which a decision is reached, and know that condemnation comes only from the preponderance of testimony upon a jury's mind. Military courts they knew nothing about nor are they permitted to know, for everything is done in secret and only their judgments are announced. This outrages every man's sense of justice, and creates a suspicion against the fairness of the proceedings, which weakens the reverence which ought to be popularly felt for tribunals that have the power of deciding upon the life and liberty of the citizen. The war which this country has so

successfully waged was a war for freedom and the rights of humanity. The people do not wish to see it end with their lives in danger. Nothing more endangers them than this subversion of jury trials and the substitution of secret military courts sitting in judgment upon the lives and personal freedom of the citizens. If there is anything the people regard as sacred, and the best security for their rights, it is the institution of justice—an open trial by the jury of their countrymen. Closed doors and secret investigations, with life and liberty at stake, look to much like the days of inquisition ever to be tolerated as a part of the administration of justice in a free land. Mr. Stanton greatly mistakes the temper of the American people, when he undertakes this dangerous innovation upon the established institutions which every man has learned to respect, and which he, himself, is bound to recognize and defer to this by his oath of office. There is no functionality in this country above the laws, and the strength of power in the heads of the government, is in adhering to them in their integrity and as the people have created them.

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