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JOHN G. HALL,  
EDITOR & PROPRIETOR.

# The Elk Advocate.

JOHN G. HALL, Editor.  
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C. H. VOLK, Manufacturer and Dealer in Lager Beer, opposite the Railroad Depot, St. Mary's, Elk county Pa. [mar-22-66-1y.]

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1866



PHILADELPHIA & ERIE RAIL ROAD.—This great line traverses the Northern and Northwest corners of Pennsylvania to the city of Erie, on Lake Erie.

It has been leased by the Pennsylvania Rail Road Company, and is operated by them.

Its entire length was opened for passenger and freight business, October 17th, 1864.

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H. W. GWINNER,  
Gen'l. Ticket Ag't. Phil'a.  
ALFRED L. TYLER,  
General Supt. Wash't.

### RECONSTRUCTION.

TESTIMONY OF HON. ALEX. H. STEPHENS BEFORE THE COMMITTEE OF FIFTEEN.

The Truth Plainly Told.

[Continued from our last.]

APRIL 12, 1866. Examination of Alexander H. Stephens resumed. By Mr. Boutwell:

Q. Do you mean to be understood in your answer that there is no constitutional power in the government as at present organized, to exact conditions precedent to the restoration to political power of the eleven States that have been in rebellion? A. That is my opinion.

Q. Do you entertain the same opinion in reference to the amendment of the Constitution abolishing slavery? A. I do not. I think the States have abolished slavery in good faith as one of the results of war; their satisfaction of the constitutional amendment followed as a consequence. I do not think there is, any constitutional power on the part of the government to have exacted it as a condition precedent to their restoration under the Constitution, or the resumption of their places as members of the Union.

Q. What, in your opinion, is the legal value of the laws passed by Congress and approved by the President in the absence of Senators and Representatives from the eleven States? A. I do not know what particular laws you refer to, by my answer generally is that the validity of all laws depends on their constitutionality; this is a question for the judiciary to determine, my own judgment, whatever it might be, would have to conform to the judicial determination of the question; it is a question for the courts to determine.

Q. Have you formed any opinion upon that question? A. I cannot say that I have formed any material opinion in reference to any particular act of Congress embraced in the question.

Q. Assume that Congress shall, at this session, in the absence of Senators and Representatives from the eleven States, pass an act levying taxes upon all the people of the United States, including the eleven, is it your opinion that such an act would be constitutional? A. I should doubt if it would be; it would certainly in my opinion, be manifestly unjust and against all ideas of American representative government; its constitutionality would, however, be a question for the judiciary to decide, and I should be willing to abide by that decision, whatever it might be.

Q. If the eleven States have at present an immediate constitutional right to be represented in Congress on a footing with the States at present represented, has that had a continuous right from the formation of the government, or from the time of admission of the new States respectively, or has it been interrupted by war? A. I think, as the Congress of the United States did not consent to the withdrawal of the seceding States, it was a constitutional right, under the Constitution of the United States, to be exercised so soon as the seceding States respectively made their readines to resume their former practical relations with the Federal Government under the Constitution of the United States. As the general government denied the right of secession, I do not think any of the States attempting to exercise it thereby lost any of their rights under the constitution, as States, when their people abandoned that attempt.

Q. Is it or not your opinion that the Legislatures and people of the eleven States respectively have at present such a right to elect Senators and Representatives to Congress; that it may be exercised without regard to the part which persons elected may have had in the rebellion? A. I do not think they could exercise that right in the choice of their Senators and members so as to impair in the slightest degree the constitutional right of each House for itself to judge of the qualifications of those who might be chosen; the right of constitutional election of a State to choose and the right of each House of Congress to judge of the qualifications of those elected to the respective bodies are very distinct and different questions, and in this judgment of qualifications, I am free to admit that in my opinion no one should be admitted as a member of either House of Congress who is not really and truly loyal to the Constitution of the United States and to the government established by it.

Q. State whether from your observation the events of the war have produced any change in the public mind of the South upon the question of the reserved rights of the States under the Constitution of the United States? A. That question I answered in part yesterday; while I cannot state from personal knowledge to what extent the opinions of the Southern States upon the abstract question of the reserved rights of the States may have changed,

my decided opinion is that a very thorough change has taken place upon the practical policy of resorting to any such right.

Q. What events or experience of the war have contributed to this change? A. First, the people are satisfied that a resort to the exercise of this right while it is denied by the Federal government will lead to war, which many thought before the late attempted secession would not be the case, and civil wars, they are also now very well satisfied, are dangerous to liberty; and, moreover, their experience in the late war, I think satisfied them it greatly endangered their own. I allude especially to the suspension of the writ of *habeas corpus* and the military conscriptions, the proclamations of martial law in various places, general impressments, and the levying of forced contributions, as well as the very demoralizing effects of war generally.

Q. When were you last a member of the Congress of the United States? A. I went out on the 4th of March, 1859.

Q. Will you state, if not indisposed to do so, the considerations or opinions which led you to identify yourself with the rebellion so far as to accept the office of Vice Presidency of the Confederate States of America, so-called? A. I believed thoroughly in the reserved sovereignty of the several States of the Union under the compact of the Union or the Constitution of 1787; I opposed secession, therefore, as a question of policy, and not one of right on the part of Georgia; when the State seceded, against my judgment and vote, I thought my ultimate allegiance was due to her, and I preferred to cast my fortunes and destinies with hers and her people, rather than to take any other course, even though it might lead to my sacrifice and her ruin; in accepting position under the new order of things, my sole object was to do all the good I could in preserving and perpetuating the principles of liberty as established under the Constitution of the United States. If the Union was to be abandoned, either with or without force, which I thought a very impolitic measure, I wished it possible to rescue, preserve and perpetuate the principles of the Constitution. This I was not without hope might be done in the new confederation of States termed. When the conflict arose, my efforts were directed to as speedy and peaceful an adjustment of the questions as possible. This adjustment I always thought to be lasting; would have ultimately to be settled upon a continental basis, founded upon the principles of mutual convenience and reciprocal advantage on the part of the States on which the Constitution of the United States was originally formed; I was wedded to no particular plan of adjustment except the recognition as a basis of the separate sovereignty of the several States; with this recognized as a principle I thought all other questions of difference would soon adjust themselves according to the best interests of the peace, welfare and prosperity of the whole country, as enlightened reason, calm judgment and a sense of justice might direct; this doctrine of the sovereignty of the several States I regarded as a self-adjusting regulating principle of our American system of State government extending possibly over the continent.

Q. Have your opinions undergone any change since the opening of the rebellion in reference to the reserved rights of States under the Constitution of the United States? A. My convictions on the original abstract question have undergone no change, but I accept the issues of the war and the result as a practical settlement of that question. The sword was appealed to to decide the question, and by the decision of the sword I am willing to abide.

Q. If the proposition were to be submitted to Georgia a one of the eleven States lately in rebellion, that she might be restored to political power in the government of the country upon the condition precedent that she would on the one hand extend suffrage to the negro, or on the other consent to their exclusion from the basis of representation, would she accept either proposition and take her place in the government of the country? A. I can only give my opinion; I do not think she would accept either as a condition precedent presented by Congress, for they do not believe that Congress has the rightful power under the Constitution to prescribe such a condition; if Georgia is a State in the Union, her people feel that she is entitled to representation without conditions imposed by Congress; and if she is not a State in the Union, then she could not be admitted as an equal with the others; if her admission were trammelled with conditions that do not apply to all the rest alike, general universal suffrage amongst the colored people as they are now there, would by our people be regarded as about as great a political evil as could befall them.

Q. If the proposition were to extend the right of suffrage to those who could

read and those who had served in the Union armies, would that modification affect the action of the State? A. I think the people of the State would be unwilling to do more than they have done for restoration. Restricted or limited suffrage would not be so objectionable as general or universal, but it is a matter that belongs to the State to regulate. The question of suffrage, whether universal or restricted, is one of State policy exclusively, as they believe. Individually, I should not be opposed to a proper system of restricted or limited suffrage to this class of our population; but, in my judgment, it is a matter that belongs of right to the States to regulate exclusively each for itself, but the people of that State, as I have said, would not willingly, I think, do more than they have done for restoration; the only view, in their opinion, that could possibly justify the war which was carried on by the Federal government against them, was the idea of the indissolubleness of the Union; that those who held the administration for the time were bound to enforce the execution of the laws and the maintenance of the integrity of the country under the Constitution; and these that was accomplished, since those who had assumed the contrary principle—the right of secession and the reserved sovereignty of the States—had abandoned their cause, and the administration here was successful in maintaining the idea upon which war was proclaimed and waged, and the only view in which they supposed it could be justified at all when that was accomplished—I say the people of Georgia supposed their State was immediately entitled to all her rights under the Constitution. That is my opinion of the sentiment of the people of Georgia, and I do not think they would be willing to do anything further as a condition precedent to their being permitted to enjoy the full measure of their constitutional rights. I only give my opinion of the sentiment of the people at this time. They expected that, as soon as the Confederate cause was abandoned that immediately the States would be brought back into their practical relations with the government as previously constituted. That is what they looked to. They expected that the State would immediately have their representatives in the Senate and in the House, and they expected it in good faith as loyal men, as the term is frequently used. I mean by it loyal to law, order, and the Constitution, to support the government under the Constitution. That was their feeling; they did what they did believing it was best for the protection of constitutional liberty. Toward the Constitution of the United States, as they construed it, the great mass of our people were always much devoted in their feelings as any people ever were toward any cause. This is my opinion. As I remarked before, they resorted to secession with a view of maintaining more securely these principles, and when they found they were not successful in their object, in perfect good faith, as far as I can judge from meeting with them and conversing with them, looking to the future developments of their country, in its material resources as well as its moral and intellectual progress, their earnest desire and expectation was to allow the past struggle, lamentable as it was in its results, to pass by, and to co-operate with the true friends of the Constitution, with those of all sections who earnestly desire the preservation of constitutional liberty and the perpetuation of the government in its purity. They have been a little disappointed in this, and are so now. They are patiently waiting, however, and believing that when the passions of the hour have passed away this delay in restoration will cease. They think they have done everything that was essential and proper, and my judgment is that they would not be willing to do anything further as a condition precedent. They would simply remain quiet and passive.

Q. Does your own judgment approve the view you have given as the opinion of the people of the State? A. My own judgment is very decided that the question of suffrage is one that belongs under the Constitution, and wisely so too, to the States respectively and exclusively.

Q. Is it your opinion that neither of the alternatives suggested in the question ought to be accepted by the people of Georgia? A. My own opinion is that these terms ought not to be offered as conditions precedent. In other words, my opinion is that it would be best for the peace, harmony and prosperity of the whole country that there should be an immediate restoration, an immediate bringing back of the States into their original practical relations, and let all these questions then be discussed in common council. Then the representatives from the South could be heard, and you and all could judge much better of the tone and temper of the people, than you could from the opinions given by any individuals; you

may take my opinion, or the opinion of any individual, but they will not enable you to judge of the condition of the State of Georgia so well as from her own representatives to be heard in your public councils in her own behalf; my judgment, therefore, is very decided that it would have been better, as soon as the lamentable conflict was over, when the people of the South abandoned their cause and agreed to accept the issue, desiring as they do, to resume their places and to look to the halls of Congress and the courts for the protection of their rights in the Union—it would have been better to have allowed that result to follow under the policy adopted by the administration than to delay it or hinder it by propositions to amend the Constitution in respect to suffrage or any other new matter. I think the people of all the Southern States, would, in the halls of Congress, discuss these questions calmly and liberally, and if they did not show that the views they entertained were just and proper, such as to control the judgment of the people of the other sections and States, they would quietly, patiently, and patriotically yield to whatever should be constitutionally determined in common council; but I think they feel very sensitively to the offer to them of propositions to accept while they are denied all voice in the common council of the Union under the Constitution in the discussion of these propositions. I think they feel very sensitively that they are denied the right to be heard, and while, as I have said, they might differ among themselves in many points in regard to suffrage, they would not differ upon the question of doing anything further as a condition precedent to the restoration; and in respect to the alternate conditions to be so represented, I do not think they would accept the one or the other. My individual general views as to the proper course to be pursued in respect to the colored people are expressed in a speech made before the Georgia Legislature, referred to in my letter to Senator Stewart; that was the proper forum, as I conceive, in which to discuss this subject; and I think a great deal depends in the advancement of civilization and progress looking to the benefit of all classes that these questions should be considered and kept before the proper forum.

Q. Suppose the States that are represented in Congress, and Congress should be the opinion that Georgia should not be permitted to take its place in the government of the country except upon its assent to one or the other of the two propositions, is it then your opinion that under such circumstances Georgia ought to decline?

Witness—You mean the States now represented, and these only? Mr. Boutwell—Yes. Witness—You mean by Congress—Congress as it is now constituted, with the other eleven States excluded? Mr. Boutwell—I do. Witness—And you mean the same alternative propositions to be applied to all the eleven States as conditions precedent to their restoration? Mr. Boutwell—I do. A. Then I think she ought to decline under the circumstances, and for the reason stated, and so ought the whole eleven. Should such an offer be made and declined, and these States should thus continue to be excluded and kept out, a singular spectacle would be presented; a complete reversal of position would be presented. In 1861 these States thought they could not remain safely in the Union without new guarantees; and now when they agree to resume their former practical relations in the Union, under the Constitution as it is, the other States turn upon them and say they cannot permit them to do so safely to their interest without new guarantees on their part. The Southern States would thus present themselves as willingly for immediate union under the Constitution, while it would be the Northern States opposed to it. The former disunionists would thereby become unionists, and the former unionists practical disunionists.

SALE OF THE "SHENANDOAH."—The London Times says: Mr. C. W. Kellock, of the firm of Kellock & Co., offered for sale yesterday, at Liverpool, the screw steamer Shenandoah, 790 tons, net register, known as the late famous Confederate cruiser. She was built at Glasgow, on the composite principle, and has engines of one hundred and forty horse-power. She was put up at £10,000. The broker remarked that the condition of sale, which required the purchaser, at the time of delivery, to sign a certificate or declaration that the vessel had not been bought for any beligerent or warlike purpose, or for any beligerent nation, was not intended to prevent the purchase by a subject of any beligerent nation, but simply to prevent her employment for warlike purposes. There was a numerous attendance, and for some time the bidding was very spirited. She was at length knocked

down to Mr. M. R. Wilson, for £15,760. Two and a half years ago she cost £35,000.

### MISCELLANEOUS ITEMS.

—What kind of mornings are most like vegetables? Those that turn up a little reddish.

—Patience; a virtue which some people think every one wants but themselves.

—Hon. Hiester Clymer has resigned his seat in the State Senate.

—How many an enamored pair have courted in poetry and lived in prose.

—Woman.—An essay on grace, in one volume, elegantly bound.

Gentleman.—A manual of good manners, bound in cloth.

—A dyspeptic man thinks more of himself in a week than a well person does in a year.

—Men's brains ought to work very smoothly now, they have so much oil on them.

—Why should volunteers especially dislike the letter T? Because it turns rifles into trifles.

—Some one says that going to law is mighty cold business; for all you ever get is but just ice, and sometimes you don't get that.

—A man maketh a wry face over a gill of whiskey, but he taketh down a gallon of whiskey without a twist of his snout.

—Why is an offer like a matrimonial engagement? Because it begins with an offer and ends with a ring.

—Why is a tree when being directed of its leaves, like a tree in the fulness of fruit? Because it is baring.

—A man must have a very bad opinion of himself not to appear what he really is.

—An Englishman being asked how he spelt saloon, replied—"With a hess, a hay, a hell, two hoes and a hen."

—It is not enough that you are praised by the good; you have failed somewhere in your duty if you are not cursed by the bad.

—A man who retires from business and lives on the interest of his money may be said to be resting on his oars.

—In marriage the heart of a widow is like a furnished apartment, where one is apt to find something left there by a former lodger.

—Never tread on the tail of a cat, or tell a woman she is not handsome, unless you are fond of music.

—A Misnomer.—Calling a certain nether garment between five and six feet in diameter, a "petty coat."

—Nothing makes the earth so capacious as to have friends at a distance; they make the latitudes and longitudes.

—The orator who "carried away his audience" is earnestly requested to bring it back, by persons who had friends present.

—None ever have been so good and so great, or have raised themselves so high as to be above the reach of trouble.

—If a man repeath whatsoever he seweth, what a harvest of coats and breeches our tailors will have one of these days.

—A Western editor, pulling an express company, says: "Anything entrusted to its care will go through straight." How about corkersw's?

—Josh Billings said the other night that a good way for a man to train up a child in the way it should go was to travel that way occasionally himself.

—One principal point of good breeding is to suit our behaviour to the three several degrees of men—our superiors, our equals, and those below us.

—The man everybody likes is generally a fool. The man nobody likes is generally a knave. The man who has friends who would die for him, and foes who would love him broiled alive, is usually a man of some worth and force.

—Everybody knows the superstitious reverence the Queen pays to Prince Albert's memory. One day after Lord Palmerston had exhausted voice and reason in a vain attempt to bring her to his way of thinking, which she resisted because "my poor Albert thought so and so," his lordship exclaimed: "By Jove, 'tis a hard thing to argue against a live prince; to argue against a dead prince is a thing impossible."

—An exchange says a good joke is told of an ex-officer who figured in the confederate army to the extent of three wreathed stars on his collar. A friend remarked to him on the street that he heard so and so said of him, and wished to know if it was a truthful statement. "Well, if a negro told you that, he is simply mistaken; but, sir, if it was a white man, he is a damned liar."