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THE RIGHTS OF CITIZENSHIP.

Speech of Hon. Henry Winter Davis in the House of Representatives, March 2, 1865--The Administration De-nounced by one of its Sup-porters--The Horrors of Military Rule Un-veiled, &c.

Mr. Davis, of Maryland--Mr. Chairman, I appreciate the weight of the criticism of the distinguished gentleman from Pennsylvania, [Mr. Stevens,] and I am sure that nobody will say that I have ever embarrassed the proceedings of this House by any pertinacious adherence to schemes of my own. I have never embarrassed the House week after week by notions to tax or exempt whisky on hand. That would have been a more appropriate subject of criticism than such an amendment as this, which is never too early, and can never be too late until the voice of liberty shall cease to be heard in the United States. Then it will be impertinent to arrest the progress of supplies for the government by calling the attention of the representatives of the people to the freedom of their constituents. Let this bill perish a thousand times rather than that any vote should go on the records of this House declaring that the protection of the liberties of the citizens of Massachusetts and the citizens of Maryland are not of paramount importance to a vote of money for the violators of their rights. There has been no other period, sir, at which I could obtain the ear of the House on such an amendment. I have had my eye on the gradual intrusion of the military authority on the rights of the citizen from the outbreak of the rebellion. It was first instigated by the people; and the most eminent jurists of the land converted their clamor into the semblance of the voice of the law by maintaining the right of the President to suspend the habeas corpus without the authority of Congress--in the face of John Marshall's judgment. Gentlemen of the opposition, on this topic, have no right here to cast imputations on the administration. Geo. B. McClellan first set the bad example in an order illegally suspending the right of habeas corpus in Maryland. I refer to that not as an imputation on them, but because it shows that it is no party question with which we are dealing to-day, but an American question, a question of republican liberty endangered by the common madness of government and the people. The evil has gone so far that to-day every man feels, without the necessity of an argument, that there must be a stop put to military trials of citizens in the States here represented, or there is no law or liberty in the land. The honorable gentleman from Pennsylvania has said that convictions have taken place under laws passed by Congress. I admit it; but that proves only that Congress is also guilty of the usurpation. And the honorable gentleman from Massachusetts [Mr. Dawes] has told us that the law which he introduced has failed to serve the purpose contemplated, while it has developed consequences of which he did not dream. The honorable gentleman says that it ought to be repealed, and if it ought to be repealed, then carry the remedy to the root of grievance and discharge the men who were convicted under what was in form a law, but in fact a usurpation which had not the authority of the constitution. But, sir, have prosecutions stopped within the limits of the acts of Congress? If they had, I could have heard with more patience the appeal of my honorable friend from Pennsylvania. But every one knows that they have not. We in Maryland have known it by sharp castigation now for three years. It is now being known in New-York. And in Boston men have turned grey under persecutions not according to those laws. But, sir, what do you say with reference to trials for things that are not crimes under any law, for things that are not defined to be crimes, civil or military? What do you say to the trial of a loyal citizen in the city of Baltimore upon the charges and specifications which I hold in my hands, for forging Jefferson Davis's currency? One of my constituents is now in jail under those specifications, having been tried and condemned by a military tribunal for attempting to break down the rebel currency. I can state no other fact that will better illustrate the insolence of irresponsible military tribunals, known to no law, appointed under no law, restrained by no law, authorized by nobody, bound by no law, but the will of the men who sit in their uniforms to try the rights of American citizens according to the law of the sword.

Mr. Stevens--Do I understand the gentleman to say that this man was convicted on the ground of having counterfeited the rebel currency?

Mr. Davis, of Maryland--He was condemned for that, and is now in jail.

Mr. Stevens--Well, I think that a man who was fool enough to spend his time in such work ought to suffer some severe punishment.

Mr. Davis, of Maryland--If all fools are at the mercy of the military courts and they are to judge of it, they have a wide jurisdiction. [Laughter]

Then there is the case of Weisenfeld. This man was not charged with defrauding the government, under the act of Congress; he never placed himself within the reach of the law to which the gentleman from Massachusetts has referred. He was charged, and in my judgment charged falsely, and convicted on testimony which no jury in the world of any political complexion would weigh an instant, of having sold a few hundred dollars' worth of goods to a government spy to be sent across the lines to the southern confederacy. That trial by military commission was authorized by no law known to any statute-book in the U. States. The crime of trading with the rebels is expressly directed to be tried and punished by indictment before the U. States courts for a misdemeanor.

merely; but he now lies in a New York penitentiary, herding with felons, murderers, and thieves, though if legally convicted before Chief Justice Chase he could by law have been sentenced only to fine and imprisonment in jail! I am daily bested by letters and solicitations of loyal gentlemen, my firmest and best personal friends in the world, to go to the President and beg as a boon that this man be pardoned! I have had no stronger pressure brought upon me since I have been in public life. My reply is: if a petition is gotten up for Mr. Weisenfeld to pardon the President for his illegal oppression, I will sign it; but I will not deprecate the name of an American citizen by signing a petition to beg as a favor the personal liberty of an American citizen illegally and oppressively condemned by a military commission and that at the hands of the President who twice refused to refer his case to the courts of the U. States wide open for his protection, and, in the face of the laws and Constitution of the U. States subjected him to this illegal persecution. Sir, let him stay where he is till the voice of public indignation or the whippers of conscience compel his honorable discharge--not his pardon! Fill they who illegally confined him shall beg him to come forth! Mr. Chairman, the alarming fact is this--military commissions do not even profess to be governed by the laws of the U. States enacted by Congress. They have created a department of jurisprudence unknown to the laws of the United States, nowhere embodied in statutes or decisions, called the "customs of war." They try loyal men in loyal States, where no war rages, for a violation of what they call "the usages of war." Here are the products of the future empire of the United States; the rulings of the Judge-Advocate General on "the usages and customs of war" applied to peaceful citizens in loyal States where the courts are open, where the law alone ought to be the rule of every judgment and every conviction. This invention of the law of "the usages of war" and "military offenses," applied to citizens and friends instead of enemies, annuls every act of Congress. In vain does the act of the 3d of March, 1863, punish the aiding a soldier to desert by one not in the military service on legal conviction in the courts of the United States; in vain does the act of the 31st of March, 1863, punish fraudulent claims, false oaths, forged signatures, forging papers, embezzling U. States property, false receipts for arms, purchasing arms from soldiers, when committed by a person in the military forces of the United States, on conviction by court-martial, and at the discretion of the court-martial, but in the third section declares that any person not in the military forces of the U. States guilty of those acts, shall forfeit certain fines and be subject to certain imprisonment on conviction in the courts of the United States; for the military commissions presume to punish every one of those acts committed by citizens in defiance of the law securing them a constitutional trial. By the act of the 2d of March, 1863, forging pay certificates is punishable by the courts of the United States in the District of Columbia; yet a military commission punishes it within sight of the open court-house and of the President's mansion!

The act of March 3, 1863, expressly directs a person guilty of resisting the draft to be arrested by the provost marshal and to be forthwith delivered to the civil authorities, and, on conviction by them, subject him to fine and imprisonment; but the military commissions have annulled that law, and instead of delivering the person to the civil authorities for trial, themselves hold and try, convict and punish him; and this when the courts of the United States are wide open in the District where Congress sits in peace and enacts the laws which are thus defied! If these things be not arrested, there is no law but the sword, no judge but the majority of a military commission holding their commission at the will of the President. Now, sir, I have a word for the gentleman from Kentucky [Mr. Yeaman,] who moved to include persons engaged in violating the rules and customs of war. Does that mean citizens of the United States in loyal States, where the courts of the United States are open, where their act is treason, for which the statutes of the United States say they shall be tried, on indictment, before the courts of the United States, and who, the Constitution says, shall be tried no otherwise than by a jury of the State and district in which the crime was committed, and convicted only on the testimony of two witnesses? If it is notorious that they are guerrillas, in the name of conscience and common sense can not that be made to appear to a jury of their loyal fellow citizens, to be summoned by a marshal appointed by the President himself; presented by a district attorney that he appoints; adjudged by judges who hold their office during life; many of them now even appointed by Mr. Lincoln, and all liable to impeachment by us and conviction by the Senate if not fit to administer justice? If it be a matter of doubt; then the prisoners are entitled to that doubt; and if it is so plain that there is no doubt, then any tribunal will convict. That is my answer to that proposed amendment.

Mr. Yeaman--I ask the gentleman to yield to me.

Mr. Davis of Maryland--certainly, for a question.

Mr. Yeaman--I only desire, Mr. Chairman, to state that there is now a law of the Congress of the United States prescribing the mode and manner of trying these vagabonds, cut-throats and robbers, who have to-day become the greatest scourge to the States of Missouri, Tennessee, and Kentucky. In reply to the suggestion, if it is so notorious that they are guerrillas why cannot it be proved and established in a court of justice, I will say now that in three-fourths of Kentucky we have no courts of justice, because from the acts of these men we cannot hold them. In eight counties of my own district they have burned our court-houses, and the officers of the law cannot go there, juries cannot be summoned, and witnesses cannot tes-

Bedford Gazette.

VOLUME 60. Freedom of Thought and Opinion. WHOLE NUMBER, 3112 BEDFORD, PA., FRIDAY MORNING, JUNE 2, 1865. VOL. 8, NO. 44.

Table with 4 columns: Rates of Advertising, One square, three insertions, One square, each additional insertion, 2 months, 6 months, 1 year.

Particulars of the Capture of Jeff. Davis. A correspondent of the New York Tribune, writing from Hilton Head, gives the following particulars of the capture of Jefferson Davis.

Through the kindness of Lieut. Col. Pritchard, in charge of the prisoners, your correspondent was permitted to visit the steamer, and learned from the Colonel and others the particulars of the capture, which was made by a detachment of 128 men of the 4th Michigan Cavalry, under Lieut. Col. B. D. Pritchard, about one mile from Irwinstville, Ga., and about 100 miles southeast from Macon. The Colonel learned on the 9th inst. where they were encamped, and just before daylight on the 10th surrounded the camp. It was supposed that Davis had a considerable force as guard, and a severe fight was expected. By an unfortunate and so far unaccountable accident one part of the force fired upon another, and before the mistake was discovered two men were killed and six others slightly wounded. Capt. Hudson had placed a strong guard around the tent where Davis was supposed to be, and when the firing commenced, thinking his duty called him to the fight, he left the tent in charge of a corporal with orders to let no one pass out. The corporal went to the door where he was met by a lady, who proved to be Mrs. Davis, and who said that tent was occupied by ladies, and she hoped they would be permitted to dress before being disturbed. Very soon, she again and voluntarily appeared at the door, with another person in petticoats, morning dress and a woollen cloak, with a hood closely drawn over the head and a pail on her arm. Corporal ordered halt! which was of course obeyed, but Mrs. D. feelingly appealed to the Corporal to allow her mother to go to the spring for a pail of water--it was hard, even if they were prisoners, not to be allowed to get a little water for their morning ablutions. Mr. Corporal just then observed that the morning dress was not quite long enough to conceal a pair of boots looking rather too heavy for "mother" to wear, and with his Spencer carbine presented to the aged lady's head, ordered her to remove that cloak. The argument was persuasive, even to the chivalry. The disguise was removed and Jeff. Davis appeared in full view. Davis said he should have defended himself if he had been armed--even if he had a revolver he would have fought with it as long as he could. The Corporal replied to him, that he didn't appear to be in very good fighting condition just at that time. After a hurried breakfast the party was put in marching order. The prisoners, in ambulances, preceded by the band of the 4th Michigan Cavalry, playing first "Yan-lee Doodle," which had evidently a depressing influence on the feelings of Mr. Davis; but when in a few minutes the band struck into the somewhat familiar air of "John Brown's Body's Marching On," it was too much for endurance, and he actually fell prostrate in the ambulance, and was kept concealed from view by his friends for a considerable time. C. C. Clay was not captured, but wrote to Gen. Wilson that having learned that a reward had been offered for his apprehension as an accomplice in the assassination of President Lincoln, and feeling entirely innocent of such a charge, he would at once give himself up for due examination and trial. Gen. Wheeler asked and expected to be paroled, under the armistice granted by General Sherman, but Col. Pritchard "couldn't see it." Instead of accepting the terms of the armistice and laying down his arms, the General undertook to keep up the war, fighting his way thro' the country, and the Colonel decided that his case must be settled by higher than his authority. Jefferson Davis looks careworn and dejected. None shook his hand; but some of the visitors, desiring to hear him talk, commenced conversations with him upon ordinary topics--the weather, &c., &c. It was noticed, in all his conversations, that his eyes were constantly toward the floor, as though the eye of a Yankee were not pleasant and agreeable to meet. He is dressed in a fine gray suit, and wears a drab soft hat. The last four years have added apparent more than ten to his age. With Mr. Stephens it is different. He is, for him, in tolerable health, and his eyes are keen and pleasant to look upon. He is very agreeable in conversation, and earnestly desires a permanent restoration of the Union. He says the advice and warning which he gave to the people of Georgia before she seceded were such as a wise man ought to give, but the majority overruled him. He concedes that slavery is at an end in this country. Chief Justice Chase Begging Negro Votes. It is said to be well understood in Washington circles that Chief Justice Chase is already out as a candidate for the presidency in 1868. He is taking time by the forelock, and is resolved to make a sure thing of the nomination of the radicals this time. He has issued another circular, similar in form to the one gotten up by his friends last spring; and it is now being circulated extensively, though secretly, in Ohio, and throughout the Western States. His trip to the South is looked upon as an electioneering tour, and he has been making speeches for buncombe to such audiences as he could gather. The New York Herald has the following notice of a speech made by him at Charleston, a few days since: The Chief Justice of the United States is now on a stumping tour along the Southern coast, entertaining the negroes with his ideas of reconstruction. We gave yesterday his first speech, delivered in Charleston to a promiscuous audience, composed mostly of negroes. The burden of this speech is advice to the negroes in regard to their duties and relative to their course of action in their new relations with the rest of mankind. After urging upon the colored people to be industrious and economical, he delivered an essay on the importance of the right of negroes to vote. In his remarks upon that subject he throws considerable doubt upon the

present Administration favoring the policy of clothing the colored race with the privileges of the elective franchise, adding, "I am no longer in its councils." He, however, took special pains to show that he had long favored that policy, and endeavored to prove that the idea originated with him referring to a speech delivered twenty years ago in Cincinnati. He appeared desirous of impressing upon his audience that he was the father of the idea of elevating the negro, but at the same time informing them that there were obstacles in their way, but by perseverance they would finally accomplish it--that is, when he became President.

Can any American imagine a more disgraceful proceeding than that! Here is the Chief Justice of the United States, begging votes of a promiscuous crowd of ignorant negroes, in one of the principal cities of the South, before they have any right to exercise the right of suffrage; and when it is clear that no such right can be conferred upon them except through a clear and palpable violation of the Constitution of the United States; of which Mr. Chase, as Chief Justice of the Supreme Court, is the sworn guardian and defender. This single disgusting exhibition is enough to damn the doctrine of negro suffrage to eternal infamy. Let any man imagine what would be the condition of this country, or of any State in it where there is a large negro population, were the right to vote given to them. What white man, with a decent sense of self-respect, would appear on the hustings where he had to solicit the votes of every ignorant and degraded negro in the district? What decent white man is there who would not feel himself to be degraded when every fifty and ignorant negro could jostle him as he approached the polls to deposit his ballot? How long would the right of suffrage be regarded as of any worth after it had been so basely prostituted. We should speedily see State Legislatures and the halls of Congress filled with such low wretches as would not scruple to associate on intimate terms with the negro. He who would put himself nearest on a level with them would be most certain to receive their support, and in almost any district in the South they would be the controlling political element. Only a negro, or some white wretch utterly lost to all sense of decency, could be elected to office. It is hard to preserve proper composure when speaking of such things. Every instinct of the nobler race revolts at the outrageous doctrine boldly and shamelessly advocated by such well known leaders of the Republican party as Salmon P. Chase. --Lancaster Intelligencer.

Income of Farmers. The following letter from the Deputy Commissioner of Internal Revenue, may be of interest to farmers:

TREASURY DEPARTMENT, OFFICE OF INTERNAL REVENUE, WASHINGTON, March 11, 1865.

Sir:--Your letter of March 9th, in regard to farmer's income returns is received. I reply that the act of July 1, 1862, under which returns were made for the annual income taxes of 1862 and 1863, required farmers to make returns of the entire crop harvested. But the act of June 30th, 1864, now in force, under which the returns for the special income tax of 1863 were made, requires farmers to return each year the amount of produce sold. It will be found that the farmer's income returns of 1864 will include some portion of the crop of 1863, and which was taxed as income for that year. There is an apparent injustice in subjecting the same income to tax in two different years when sold; but consideration of the question will show that it is only an apparent one. For, suppose the income of a farmer to be the same every year, and the rate of tax the same, it is plain that the amount of tax should always be the same. Now, the farmer does not sell the whole crop of each year within that year; and if he is taxed in 1864 on such produce only as he raised and sold within that year, it is clear that he will not pay the full tax due on his real income. Suppose the yearly crop to be the same, the farmer will, in the last year of the tax, raise a certain amount of produce on which he will pay no tax, because unsold, and such produce will, on an average, be a fair offset against the produce raised in 1863, but sold in 1864, and which consequently pays two taxes. It is true that in particular cases hardships will arise from the fact that the practice of farmers is not uniform in regard to selling or storing produce, and in other cases farmers will escape their just share of tax for the same reason. But the same occasional inequality will occur under any general provision of law, and cannot be avoided. The entire amount, therefore, of produce sold in 1864 must be returned as income by farmers, without regard to any taxes previously paid on any such produce. Very respectfully, E. A. ROLLINS, Deputy Inspector, U. S. Revenue Inspector, Towson, Maryland.

President Johnson's Opinion of the Use of Ardent Spirits. The New York Observer says: We have great pleasure in laying before our readers the following letter from E. C. Delavan, Esq., which gives to the American people the opinion of several Presidents on the use of ardent spirits. It presents the names of the late Mr. Lincoln and his successor, Andrew Johnson:

SOUTH BALLESTON, Saratoga Co., April 29, 1865.

Messrs. Editors:--In 1833, I visited ex-President Madison, who signed the declaration below. On my return from Virginia I called on President Jackson and ex-President Adams. They added their signatures. The declaration is on parchment. Every succeeding President has added his name except President Harrison. He died before I had time to forward it; but that he would have signed it I have no doubt, had he lived, as I was given to understand, after his death, that he had abandoned his interest in a distillery from principle. President Johnson has now returned the document to me with his autograph. Yours, truly, EDWARD C. DELAVAN. PRESIDENTIAL DECLARATION. Being satisfied from observation and experience, as well as from medical testimony, that ardent spirits, as a drink, is not only needless, but hurtful, and that the entire disuse of it would tend to promote the health, the virtue and the happiness of the community, we hereby express our conviction, that should the citizens of the United States, and especially the young men, discontinue entirely the use of it, they would not only promote their own personal benefit but the good of our country and the world. James Madison, Andrew Jackson, John Quincy Adams, M. Van Buren, John Tyler, Z. Taylor, Millard Fillmore, James K. Polk, Franklin Pierce, James Buchanan, Abraham Lincoln, Andrew Johnson.

We are frequently asked what the words "Sic Semper Tyrannis" used by Booth, this assassin mean. We answer that they are Latin, and mean "May the fate of Tyrants ever be thus." It is the motto of Virginia, and illustrates a man killing a tyrant with a sword, and having his foot on his neck. --Hamburg Advertiser.

Much excitement exists in Pittsburg about a house on Pennsylvania Avenue in that city, which is said to be haunted. Several columns of marvellous things are published in relation to it, enough to make any person believe that he saw a ghost himself every dark night, through the terror of reading of such dark horrors.

There are 300,000 houses in London, which, if all sat in a row, would reach across France, and over the Pyrenees. Land is in demand and has been sold at the high price of \$1,000,000 per acre.

To dream, only to dream, that you've committed a capital crime, is lucky--for you.

In order to deserve a true friend, you must first learn to be one.

Ladies will sooner pardon want of sense than want of manners.

The total police force of London last year, was 7,190, and its expense \$2,800,000.

ALIX of vinegar is good to set colors, red, green, or yellow.