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THE Canton Advocate.

Evil News Rides Fast, While Good News Baits!

VOL. V. CANTON, D. T., THURSDAY, JULY 1, 1880. NO. 11.

JOB DEPARTMENT.

Having New Job Type
AND
A FAST JOB PRESS

We are prepared to do anything in this line with
NEATNESS,
AND ON THE SHORTEST NOTICE.

Correspondence.

Correspondence solicited from all parts of the county, on all matter pertaining to local news. All communications must be accompanied by the writer's name, not necessarily for publication, but as a guarantee of good faith.

COMMENTS.

AUSTIN, Nevada, had an earthquake Thursday night.

SUFFOLK county, Long Island, is being devastated with locusts.

OF the 812 parishes forming the diocese of Cologne, 179 are at present vacantless.

AN English firm sold 8,000 fire-proof safes in Turkey before it was ascertained that the filling was only sawdust.

BEECHER'S party of sixty-four clergymen and their wives and children are taking a trip in the Cascade mountains.

THE register of Malham Tarn Church, England, lately restored, contains the record of a marriage solemnized by Oliver Cromwell as a magistrate.

ROME sticks to its project of a world's fair for 1885-6. An English company has offered for $12,000,000 to guarantee success.

A TRACT of fifty thousand acres on the Northern Pacific railroad has been bought for a colony from Belfast, Ireland.

THE long-projected removal of the headquarters of the Russian fleet to Sebastopol is likely to take place this summer.

Two officers at Winnemucca, Nevada, on Thursday found five tramps in a loaded and sealed box car from the east. They were nearly dead with hunger and thirst, but said they intended, if let alone, to go through to California or die in the attempt.

WILLIAM GINN, a young man of Plattsville, Shelby county, O., was a few evenings since bathing in a creek along which his neighbor Dorsey was hunting muskrats, and Dorsey, attracted by the movements made in the water, fired at the back of the young man's head, supposing it to be a muskrat. Twenty-eight No. 5 shot entered his head and back of the neck, making a very ugly wound.

TEARS, chemically considered, are a weak solution of chloride of sodium and phosphate of lime, the overflow of the lachrymal glands, caused by the contraction of certain muscles. A writer who has analyzed them "as a weapon" says. "The best method is to hold the heart erect, look the cruel tyrant in the face, and let the tears flow down while the lips feign a smile. If the head be bent forward the tears will be likely to run down the nose and drop off at the end, and that spoils the whole thing, for the eyes get red, and the nose sympathize with the moisture, and gets a sort of raw look at the end. To use tears with effect requires, in fact judgment. The effectiveness is gone as soon any mopping begins. A light hysterical sniffle may be permitted, if artistically executed, with a gasping sob, but no polishing off of the eye or nose is advisable."

THE Duke of Argyll began life as a very poor duke, but will probably end as a very rich one. His uncle had left the estate terribly "dipped," and then there were jointures still further to delete it. In fact, at one time he contemplated selling Roseheath, his beautiful historic seat in Dumbartonshire, but his slender means led to saving habits, which grew steadily upon him, and he has all his life lived so quietly and unostentatiously that he has gradually cleared away debts and now enjoys a splendid income, a large proportion of which he saves. His eldest son's wife has $30,000 a year from parliament, besides a marriage portion in cash of £50,000, and they have no children. The next son is a partner in Coutts' banking house. The third married a Manchester lady of fortune, and is in a stockbroking house which does a great deal of business for the Rothschilds. Another, now his father's secretary, is a parliament, and very likely will eventually be in office, and the last is in the navy. One daughter is married to the eldest son of the Duke of Northumberland, with over a million a year. The Duke of Argyll has for many years of his life been in receipt of public pay sufficient to cover the expenses of his villa home at Kensington.

IT is stated that Mr. Gladstone has taken office in direct opposition to the advice of his medical advisers. This is probably the case. Other men have been prime ministers when past seventy, but they have not combined the functions of first lord of the treasury and chancellor of the exchequer, and that, too, after such a terrific strain as the Midlothian campaign. Lord Palmerston only worked hard at very long intervals, and took excellent care of himself. Lord Russell had a wife who kept him in cotton-wool, nor did he, after he was sixty, do any very exhaustive work. Had Mr. Gladstone been content to take office as premier, with a seat in the lords, there is no saying how long he might not have held the position so far as his health was concerned, but it is highly improbable that he will now be able to do so. About seventeen years ago he broke down in a manner which for a brief while occasioned great alarm to his friends, and although very little was publicly said about it, he showed one evening very painful symptoms of an overwrought brain. Many of his friends hope for the interest of himself and party that after this session he will be induced to resign the chancellorship of the exchequer.

VERY LATEST NEWS.

A Record of Important Events, Domestic and Foreign.

WASHINGTON.

THE secretary of war granted leave of absence on the 23rd inst., for one year, to Lieut. Gustavus C. Broane.

ALL the regular annual appropritaion bills were signed by President Hayes in time to announce their approval before the hour of adjournment.

THE senate failed to act on the nomination of ex-Gov. Hartranft and it consequently lapses. The president will probably reappoint him.

SECRETARY RAMSEY will leave on the 23d inst., for the purpose of visiting and inspecting the military prisons at Fort Leavenworth and Rock Island.

THE citizens of Washington who had subscribed a considerable sum to fire a salute over Grant's nomination, declined to have it used for a salute after Grant was defeated.

THE convention of railway mail superintendents has closed. They agreed upon a number of regulations designed to procure more accuracy and expedition of the service.

IN the suit of Jessie Raymond against Senator Ben Hill, Judge Wylie sustained the demurrer of defendant, which asserted that the plaintiff's allegations were false, and that there was no cause for action.

MR. HENRY CLAY, a grandson of the great orator and statesman, has resigned his position as prosecuting attorney in Louisville, Ky., and offered his services to Capt. Howgate without compensation.

AT a recent meeting of the cabinet the recent outrages by Spanish cruisers on American vessels in Cuban waters were considered at some length. It was finally decided that an explanation should be demanded from the government at Madrid, and Secretary Evarts will open correspondence immediately.

THE government vessel Gulnare, which was to have been fitted out and furnished for the Howgate artic expedition, has been declared unsafe by the navy department. The subject was before the cabinet recently, and reports from various heads of bureaus were submitted pronouncing the vessel unfit for service.

AT the cabinet meeting a telegram from Gen. Hatch requesting permission to follow Victoria's Indians across the Mexican border was referred to the state department with a view to obtaining the consent of the Mexican government. The military authorities were directed to prevent the departure of the expedition from Southern Arizona to take possession of the state Sonora, Mexico.

SECRETARY RAMSEY received a communication announcing that a cipher dispatch has been received from the United States minister in Mexico, which contained information to the effect that the Mexican authorities declined to sanction the request of the United States, that Gen. Hatch be permitted to follow Victoria's band of Apaches across the border into Mexico.

FOUR members of the Ute commission—Hon. George W. Monnepenny, Mr. Russell, Mr. Bowman, and Col. Meackam—have been in consultation with Secretary Schurz regarding the discharge of the duties, upon which they expect immediately to enter. They left for the west on the 23d inst., and will meet first in Denver, and afterward proceed to Los Pinos, where they will be joined by Mr. Otto Mears, the remaining member of the commission. Their first duty will be to ascertain whether the "Ute agreement will be ratified by three-fourths of the members of the tribe.

FIRES AND CASUALTIES.

HARRY HALE, of Le Claire, Iowa, aged 18 years, jumped from a skiff into the river for a swim, and did not rise again.

RICHARDSON & Co's. saw, planing and flouring mill, of Snowhill Md., was burned last week, Loss $25,000.

A RUNAWAY accident at Cleveland resulted in the killing of one lady, the serious wounding of another and of a boy.

ROSEDALL & Co.'s furniture factory, North Frederick street, Baltimore, burned on the 22nd inst. Loss $200,000; insured.

DURING a conflagration at Auburn, N. Y., five firemen were seriously wounded by the falling of a wall, and one was killed.

HOWARD LUKEY, aged 15, of Canton Ill., accidentally discharged a revolver with which he was fooling, killing himself instantly.

A LITTLE son of Edwin Jones, of Forest, Ohio, fell under the wheels of a wagon, which passed over his head, killing him instantly.

WILLIAM HUBLER, an engineer, aged 60 was decapitated by an engine in the New York, Pennsylvania and Ohio yard on the 23d inst.

WHILE tending it, Matt Dalrymple of Buchanan, Mich., was gored by a bull, which tore one of his ears almost entirely from his head.

A FIRE in Batavia, New York, destroyed every building on Batavia street. Loss, $20,000, including M. Daly's furniture factory, $10,000.

PART of the town of Starkville, Miss., including the court house and Odd Fellows hall was burned last week. Loss $100,000; insurance $30,000.

THE large flouring mill of Russell, Daily & Co., of Cleveland, Ohio, one of the finest in the state, filled with flour and wheat, was totally destroyed by fire. Valued at $50,000; insurance $16,500.

A DESTRUCTIVE fire visited the village of Milton, Ind., consuming Miller & Rhines' flouring mills, the latter's residence and outbuildings, and much other property. Loss, $50,000; insurance, $8,000.

MR. C. C. CHENOWETH, of Kansas, recently a student in the state agricultural college, was drowned in the Kansas river, on Saturday last. He was teaching school in that vicinity, and was bathing at the time.

A BLAST exploding unexpectedly in an excavation on the river bank between West Forty-fifth and West Forty-sixth streets, New York, caused the death of three out of sixteen workmen employed there. The rest escaped.

THE soda and mineral water factory, owned by C. W. Arnold, of South Bend, Ind., was fired by incendiaries on the 18th inst., and burned. Four horses which were stabled in the basement, were roasted to death. John Gallagher's barn was also burned by incendiaries.

A 16-YEAR-OLD son of Walter Montgomery, of Atlanta, Ill., shot and fatally wounded a 10-year-old brother. The older brother was handling a revolver, and said to the younger: "Your money or your life," and fired, the ball entering just below the right nipple. The boy said he had no idea of shooting, and thought there was no load in the revolver.

SIMON WRIGHT, a cattle shipper of Maryville, Mo., in attempting to pass from one car to the other, at Burlington, Iowa, fell between them and was instantly killed. The accident occurred near the central part of the city, and the head, arms, and legs of the unfortunate man were cut off by the car wheels, leaving the trunk of the body an unrecognizable mass.

A TERRIBLE accident at Yellow Jacket mine, at Gold Hill, Nevada, occurred on the 21st inst., occasioned by a car-load of tools falling from near the surface to the bottom, where eight men were on the skip. Four were instantly killed, namely: Neil Gallagher, Al. Temby, Timothy Wilkins, and E. Whitcomb. John Frezona had his thigh broken, H. Williams has an arm off, and Barney Coyle and Frank Hammond are slightly injured.

As the special of the Burlington and Missouri river railroad, consisting of an engine and a pay car, were going east over the Atchison and Nebraska railroad, it struck an elderly gentleman on the track, about four miles from Lincoln, Neb., cutting off his head, both legs, and most fearfully mangling his body. All that remained of the unfortunate man, they gathered in a sheet and carried to Raco, where he awaits identification. The coroner has been notified.

CRIME.

THE body of an unknown man was found among the drift logs floating in the Mississippi, at Lansing Iowa.

GEO. S. CONGDON, of Lincoln, Ill., was accidently shot through the breast, while handling a revolver.

FOUR men were hanged in Brown county, Texas, last week by a mob, it is believed for crookedness with cattle.

MRS. GIESLER, of Fond du Lac, Wis., charged with setting fire to her husband's store, was examined before Justice Brasted and discharged.

BURGLARS broke into the foundry of B. T. Frederick, of Marshallton, Iowa, on the 22nd inst., blew open the safe and secured $80 in money and $800 in notes.

FRANK KIMBAL was fatally shot at Novelty, a Missouri station on the Quincy Missouri and Pacific railroad, by Joel Latham, a sport of that town. The affair grew out of a game of cards. Latham was arrested and lodged in jail at Edina.

THE safes of D. Lacharite's dry goods house and the postoffice, at Assumption, Ill., were blown open and the contents taken. Lacharite lost $300, and the postmaster upwards of $500 in currency and $300 in postage stamps.

ST. PATRICK'S Catholic church, of Joliet, Ill., was forcibly entered, and robbed of the gold and silver altar vessels and ornaments. James Egan's grocery was robbed the same night of about $25 in small silver and pennies. No clue to the robbers in either case.

CORONER WISHARD, of Indianapolis, has discharged Henry J. Brown, a colored man, first arrested for complicity in the Williams tragedy, also Eunice, the wife of Alonzo McClure, who is supposed to have fired the shot that killed Williams, and has ordered John Clark, another colored farm hand, into custody. He will make up his verdict to-morrow.

CHARLES LASSON, a negro, has been arrested in the town of Norway, Wisconsin, on the charge of malicious mischief, committed on the premises of John Storm, whose father had foreclosed the mortgage upon the estate of Lasson's deceased father, where the trespass was committed. The negro recognized before Justice Johnson in $200 to appear for trial on July 2nd.

AT Thomson Station, Tennessee, Tim Dodson and Fred Barnet, prominent citizens of the county, met on the road. They had previously had a dispute about a bet. Dodson started toward Barnet when the latter emptied the contents of a shot-gun into Dodson's head, tearing away part of his face and killing him almost immediately. The jury rendered a verdict of justifiable homicide.

THE preliminary hearing of the man supposed to be Jack Conners, the leader of the Neenah diamond robbery, took place at Oshkosh, Wis., on the 22nd inst., and the prisoner was identified not only as Conners, but also as one of the much wanted thieves. His bail was put at $5,000, and he will not be tried until the fall term of the circuit court.

THOS. THORNER, a house servant at the residence of Gen. James T. Worthington, near Chillicothe, Ohio, on the 23rd inst., brutally murdered a colored tenant at the place by the name of James D. Cotton. The Weapon used was a shot-gun, Thorner firing the entire charge in Cotton's neck, killing him instantly. The deed was done at Gen. Worthington's residence, and was caused by an old grudge, but was without provocation.

ANDREW and Thomas Johnston, brothers, farmed two hundred acres near the village of Corinth, Ontario, and for some time past they had been on bad terms. They went out to work on the farm, and about noon the neighbors found the body of Thomas, mutilated, and with his throat cut, near the stable. On searching further the body of Andrew with his throat cut was found at the bottom of a well close by. Andrew killed Thomas by first knocking him senseless with some heavy instrument and then cutting his throat. Andrew then ran to the well, and, after cutting his throat, jumped in. A huge jack-knife, covered with blood, was found near the well. Andrew leaves a widow and four children. Thomas was unmarried.

FOREIGN.

A TELEGRAM from Buenos Ayres says hostilities have begun.

THE ex-Empress Eugenie has arrived at Greytown on her return to Europe.

THE French chamber of deputies passed the amnesty bill by a vote of 333 to 140.

NEWS from Cabul confirms the reports of a general rising of the central Asian tribes.

A DISPATCH from Bombay says: News from Cabul confirms reports of a general rising in central Asia.

A VIENNA dispatch says the rains in Northern Austria have done great damage. Many lives have been lost by floods.

WILLIAM THOMAS THORNTON, author of "Over-Population and Its Remedy," and other works, is dead.

THE deputies of the republican left, of the French chamber, have decided by a vote of 48 to 13 to favor amnesty.

VICTOR, the eldest son of the Prince of Wales, will enter the royal military academy, and, when qualified, receive an active commission.

AT the municipal elections in Rome, the clericals were almost entirely triumphant. Gen. Garibaldi was beaten by Prince Chiqui, the pope's marshal of Conclave.

IN the election in Paris, for municipal counsellor for the Pere La Chaise quarter, Trinquet, the communist, now in New Calendonia, received 2,238 votes and his opponent 1,580.

A CORRESPONDENT at Pera states that the Porte has forwarded its reply to the identical note to each Ambassador. The Porte refuses to recognize the right of the powers to arbitrarily dispose of any portion of Turkey in favor of Greece without consulting the Porte.

THE Liverpool *Courier* states there are grave dissensions in the cabinet. The Rt. Hon. Joseph Chamberlain, president of the board of trade, wishes to retire, his principal grievance being the failure of the government to recall Sir Bartle Frere from the governorship of the Cape of Good Hope.

A VIENNA correspondent says the Greek minister of war has issued orders summoning all officers and soldiers on furlough to join their regiments immediately. The Greek men-of-war are being armed, and torpedoes sunk at various points on the coast.

A CABLEGRAM says: News has been received that the attempted uprising by the troops in Cabanas fortress, Havana, has been suppressed. Six of the mutineers have been shot. An attempt to capture arms at Maestranza was unsuccessful. The cause of the uprising was the non-payment of the troops for the past six months.

HUMBERT, the pardoned communist, before the parliamentary committee, confirmed, with most important details, dates and names, the fact which successive ministers of the marine indignantly denied, that the most horrible tortures had been long and habitually inflicted on the convicts in New Caledonia.

GENERAL NOTES.

THE Hon. B. B. Lewis, an Alabama congressman, has resigned.

A PREACHER has been nominated for governor by the greenbackers of Colorado.

AMERICAN silver is at a premium of 7 per cent. at Port au Prince.

AN unsuccessful attempt has been made on the life of the grand shereef of Mecca.

A LARGER acreage than usual is under cotton crop in the Southern states this year.

THE president has reappointed ex-Gov. Hartranft, of Pennsylvania, collector of customs at Philadelphia.

THE army of Greece is to be increased from 12,000 to 40,000 men every one of whom is to have 1,500 cartridges.

SILVER CITY, New Mexico, is threatened with famine owing to the destruction of wagon trains by Victoria's Indians.

THE National Bank of Brattleboro, Vt., has failed, and the president of the institution is missing. Poor investments did it.

SENATOR VANCE, of North Carolina, was married at Louisville, on the 18th inst., to Mrs. Florence Martin. Vance was a widower.

PRESIDENT HAYES says, in reference to his contemplated visit to California, that his idea is to reach Sacramento in time to attend the state fair in September.

THE national prohibitionist convention held at Cleveland, Ohio, nominated Neal Dow, of Maine, for president, and A. H. Thompson, of Ohio, for vice-president.

MORE than a hundred people are sick at North Adams, Mass., from the effects of impure water. The illness is in the form of dysentary, and baffles the skill of physicians.

A PROPOSITION is under consideration at Montreal to send a battalion of French Canadian light infantry on a visit to London and Paris. The estimated cost is $60,000.

HANLAN, the oarsman, who was defeated the other day, has been directed by his physician to take absolute rest for several months.

FAVORABLE weather last week materially improved crop prospects in England. Although the wheat plant is reported thin in some places, there are sanguine hopes of a fair average yield.

SEVERAL strikes are reported in the English iron districts. The miners demand more wages, but the iron masters refuse to pay any more, saying that the state of trade will not permit it.

A LOCUST plague has inflicted enormous damages in that portion of Asiatic Turkey lying south of the Caucasian Mountains. Over 20,000 men are employed in endeavoring to destroy them.

IN the Providence boat-race, on the 18th inst., Hanlan was badly beaten. Ross came in the winner. Boyd, the English oarsman, made a very poor showing. Hanlan gave up half a mile from the finish, owing to a stitch in his side.

THE supreme court of Indianapolis, has decided against the constitutional amendments adopted at the late special election. The effect of this is to continue Indiana as an October state, as regards the matter of state elections.

THE state greenback convention of Colorado, nominated Rev. A. J. Chittenden, for governor, Abert Campbell for lieutenant governor, G. W. King for secretary of state, John H. Picket for treasurer, and L. T. Hollingsworth for attorney general. Resolutions were adopted endorsing Dennis Kearney.

ON the 17th inst. the Indiana republican convention placed the following ticket in nomination: For governor, A. G. Porter; for lieut.-governor, Thos. Hanna; for judge of the supreme court, third district, Byron K. Elliot; for judge of the supreme court, fifth district, Wm. A. Woods; for secretary of state, E. H. Wolf; for state treasurer, Roswell S. Hill; for attorney-general, D. P. Baldwin; for reporter of the supreme court, Francis M. Dice; for clerk of the supreme court, Daniel Boyce; for superintendent of public instruction, J. M. Bloss.

THE oldest inhabitants of Dubuque and Prairie du Chien never saw a flood like that now raging in the Mississippi at those places. Dubuque reports the water twenty-three feet above low-water mark and fourteen inches above the high-water mark of 1870. All the mills and machine shops are submerged, and many lumberyards are afloat. At Prairie du Chien all railroads are under water, and no newspaper mails have been received for more than a week. The cemetery at Davenport has been flooded and several coffins washed away.

Milwaukee Market.

MILWAUKEE, June 23.—Flour—Dull and weak. Wheat—Opened steady; ½c lower; closed quiet; No. 1 hard, 1.08; No. 1, 1.00; No. 2, 92; June, 92, July, 92½. Aug., 86, No. 3, 82; No. 4, 77; rejected, 60. Corn—Easier; No. 2, 35.Oats—Quiet; No. 2, 26. Rye—Quiet and steady; No. 1, 75¼. Barley—Dull and lower; No. 2, 70.

Chicago Market.

CHICAGO, June 23.—Flour—Dull and tending downward. Wheat—Demand fair, but at lower rates; No. 2, Chicago Spring, 90@90¼ for cash; 90¾ for June; 98¾ bid for July; 83½ for August; No. 3, Chicago spring, 83. Corn—Inactive and lower; 34⅞ for cash; 34¾ for June; 35@35⅛ for July; 35½ for August; rejected 33. Oats—In fair demand at lower rates; 26¼ for cash; 26½@26¾ for June; 25⅛@25¼ for July; 22½ for August; rejected, nominally. Rye—Quiet at 75c for cash; 59½ for July. Barley—Dull; No. 2 spring, 73. Pork—Active, prices advanced; irregular, at 11.80 for cash; 11.80@11.82½ for July; 11.90@11.92½ for August. Lard—Moderatively active and higher; 6.90 for cash; 6.90 for June; 6.90 for July; 6.92½@6.95 for August. The "Drovers' Journal" reports: Hogs—Receipts, 21,000; shipments, 2,700; mixed packing, 4.15@4.40; choice heavy, 4.40@4.55; light, 4.20@4.40. Cattle—Receipts, 3,800; shipments, 1,800; heavy, steady; light, active and strong; shipping, 4.20@4.80; stockers, 2.80@3.20. Sheep—Receipts, 600; shipments, none; weak; common to good, 1.45@4.00;

Another Story of Lincoln.

General McClernand and Commodore Kountz, of Pittsburg, during the war originated a Missouri campaign. The atter went to Washington and enlisted Secretary Stanton in his favor. The trio waited on Lincoln, and Stanton explained the project and named McClernand to lead the troops. "But," said Mr. Lincdln, "I hate to put McClernand over Grant; Grant is doing well enough." "Yes," retorted Stanton, "but to carry out this programme we must have a dashing man." With his usual merry eye twinkle Lincoln replied: "O, if you want a dashing man I'll send for Pope. He came dashing into Washington, you know, with not a man behind him, and when no man in Washington had the least curiosity to see him!"

Nelly Grant's colored portrait appears in a recent English publication,

FOR weeks past the mortality of London has been only 20 to the 1,000.

VETOED.

Full Text of Pres. Hayes' Veto of the Deputy Marshal Bill.

President Hayes sent the following veto message to the senate June 15:

After mature consideration of the bill entitled An act regulating the pay and appointment of deputy marshals, I am constrained to withhold from it my approval, and return it to the senate, in which it originated, with my objection to its passage.

The laws now in force on the subject of the bill before me are contained in the following sections of the revised statutes: Section 2021: Whenever an election at which representatives or delegates in congress are to be chosen is held in any city or town of 20,000 inhabitants or upwards, the marshal for the district in which said city or town is situated, shall on application in writing of at least two citizens residing in such city or town appoint special deputy marshals whose duty it shall be when required thereto to aid and assist supervisors of election in the certification of any list of persons who may have registered or voted to attend in each election district or voting precincts, at the times and places when and where the registration may by law be scrutinized, and the names registered and votes be marked for challenge, and also to attend

ALL TIMES FOR HOLDING ELECTIONS

the polls in such district or precinct."

Section 2022. The marshal and his general deputies shall keep the peace and support and protect supervisors of election in discharge of their duties, preserve order at such places of registration, and at such polls, prevent fraudulent registration and fraudulent voting thereat, or fraudulent conduct on part of any officer of election and immediately at the place of registration or polling place or elsewhere, and either before or after registering or voting to arrest and take into custody with or without process any person who commits, or attempts or offers to commit acts or offenses prohibited herein, or who commits an offense against the laws of the United States; but no person shall be arrested without process for any offense not committed in the presence of the marshal or his general or special deputies, or either of them, or of supervisors of elections, or either of them; and for the purposes of arrest or preservation of the peace the supervisors of election shall in the absence of marshals' deputies, or if required to assist such deputies, have the same duties and powers as deputy marshals; nor shall any person on the day of such election be

ARRESTED WITHOUT PROCESS

for any offense committed on the day of rgistration.

Section 2023. Whenever any arrest is made under any provision of this title, the person so arrested shall forthwith be brought before a commissioner, judge or court of the United States for the examination of offenses alleged, and such commissioner, judge or court shall proceed in respect thereto, as authorized by law in the case of crime against the United States.

Section 2024. The marshal or his general deputies, or such special deputies as are thereto specially empowered by him in writing, and under his hand and seal, whenever he or either or any of them is forcibly resisted in executing their duties under this title, or shall by violence, threats or menaces be prevented from executing such duties, or from arresting any person who has committed any offense for which the marshal or his general or special deputies are authorized to make such arrest, are and each of them empowered to summon and call to his aid by-standers or a *posse comitatus* of his district.

Section 2028. No person shall be appointed a supervisor of election or deputy marshal under the preceding provisions who is not at the time of his appointment a qualified voter of the city, town county or parish election district or voting precinct in which his duties are to be performed. If any person be appointed supervisor of election or special deputy marshal under the provisions of this title of the elective franchise, and has taken the oath of office as such supervisor of election or such special deputy marshal, and thereafter neglect or refuses

WITHOUT GOOD AND LAWFUL EXCUSE

to perform and discharge fully the duties of such office until the expiration of the term for which he was appointed, he shall not only be subject to removal from office with loss of all pay or emoluments, but he shall be punished by imprisonment with not less than six months or more than one year, or by fine of not less than $200 and more than $500, or by both fine and imprisonment, and shall pay the cost of prosecution.

Section 5522. Every person whether with or without any authority, power or process, or pretended authority, power or process of any state or territory or municipality, who obstructs, hinders assaults, or by bribes solicited, taken or otherwise, interferes with or prevents supervisors of elections or of either of them, or the marshal or his general or special deputies or either of them, in the performance of any duty required of them, or which he or they, or either of them may be authorized to perform by any law of the United States, in the execution of a process or otherwise, or who by any means before mentioned, hinders or prevents a free attendance at such places of registration or at polls of election, or to and from any room where any such registration or election or canvass of votes, or of making any returns or certificates thereof may be had or who molests, interferes with removes or ejects from any such place of registration or poll of election; or of canvassing the votes cast therent, or of making returns of certificates thereof, any

SUPERVISOR OF ELECTION,

the marshal or his general special deputies or either of them, or who threatens or attempts, or offers so to do, or refuses or neglects to aid and assist any supervisor of election or marshal or his general or special deputies or either of them, in the performance of his or their duties when required by him or them, or either of them, to give such aid and assistance, shall be liable to instant arrest without process, and shall be punished by imprisonment of not more than two years or by fine not more than $3,000, or by both such fine and imprisonment; and shall pay the cost of prosecution."

The Supreme Court of the United States in a recent case of ex-parte Siebot and others, decided at October term, 1879, on a question raised in the case as to the constitutionality of the sections of the revised statutes above quoted, uses the following language: These portions of the revised statutes are taken from the act commonly known as the enforcement act, approved May 31, 1870, and entitled an act to enforce the right of citizens of the United States to vote in the several States of this Union, and for other purposes, and from a supplement of that act approved July 23, 1871. They relate to the elections of members of the house of representatives and were an assertion on the part of congress of power to pass laws for

REGULATING AND SUPERINTENDING

said elections and for securing the purity thereof, and the rights of citizens to vote thereat peaceably and without molestation. It must be conceded to be a most important power and of a fundamental character in the light of recent history, and of violence, fraud, corruption and irregularities which have frequently prevailed at such elections. It may easily be conceived that the exertion of power, if it exists, may be necessary to the stability of our form of government.

The greatest difficulty in coming to a just conclusion arises from a mistaken notion with regard to the relations which subsist between the state and national governments. It seems to be often overlooked that a national constitution has been adopted in this country establishing a real government therein, and which, moreover, is or should be as dear to every American citizen as his state governments is. Whenever a true conception of the nature of this government is once conceded, no real difficulty will arise in the just interpretation of its powers. But if we allow ourselves to regard it as a hostile organization, opposed to the proper sovereignty and dignity of state governments, we shall continue to be vexed with difficulties as to jurisdiction and authority. No greater jealousy is required to be exercised toward this government in preference to a preservation of our liberties than is proper to be exercised towards state governments. Its powers are limited in number and clearly defined and its action within the scope of those powers is restrained by a sufficiently rigid bill of right for the protection of its citizens from oppression. The true interests of the people of this country requires that both national and state governments should be allowed, without jealous interference on eithe side, to

EXCERCISE ALL THE POWERS

which respectively belong to them according to fair and practical construction of the constitution and State rights, and the rights of the nation and state should be equally respected. Both are essential to a preservation of our liberties and the perpetuity of our institutions, but in endeavoring to vindicate one we should not allow our zeal to nullify or impair the other.

The true doctrine, as we conceive, is this, that while states are really sovereign as to all matters which have not been granted to the jurisdiction and control of the United States, the constitution and constitutional laws are, as we have already said, the supreme law of the land, and when they conflict with the laws of states they are of paramount authority and obligation. This is the fundamental principle on which the authority of the constitution is based, and unless it be conceded in practice as well as on theory, the fabric of our constitution as it was contemplated by its founders, cannot stand.

The questions involved have respect not more to autonomy and existence of states than to a continued existence of the United States as a government to which every American citizen may look for security and protection in every part of the land. Why do we have marshals at all if they cannot physically lay hand on persons and things in the performance of their proper duties? What functions can they perform if they cannot use force in executing the process of courts? Must they call on the nearest court for protection? Must they rely on him to use requisite compulsion and to keep the peace while they are soliciting and entreating the parties and bystanders to allow the law to take its course? This is

A NECESSARY CONSEQUENCE

of the position assumed. If we indulge in such impracticable views as these and keep on re-fining and re-fining, we shall draw the national government out of the United States and delegate it to the District of Columbia, or perhaps to some foreign soil. We shall bring it back to a condition of greater helplessness than that of the old confederation. The idea is based on the starved and impracticable view of nature and powers of the national government. It must execute the powers or it is no government. It must execute on land as well as on sea, on things as well as on persons, and to do this it must necessarily have power to command obedience, preserve order and to keep peace; and no person of power in this land has the right to resist or question its authority so long as it keeps within the bounds of its jurisdiction.

I have deemed it fitting and proper to quote thus largely from an important and elaborate opinion of the supreme court, because the bill before me proceeds upon the construction of the constitution as to the powers of the national government, which is in direct conflict with the judgment of the highest judicial tribunal of our country. Under sections of the present law above quoted, officers of the United States are authorized and it is their duty in case of congressional elections to keep the peace at the polls and place of registration, to arrest immediately any person who is guilty of crime against the United States election laws, and to

PROTECT ALL OFFICERS OF ELECTION

in the performance of their duties, and whenever an arrest is made to bring the person so arrested before a commissioner, judge or court of the United States for examination of offenses alleged against him. Such special deputy marshals are specially empowered thereto by the marshals, in writing, and if forcibly resisted may call to their aid the by-standers or a *posse comitatus*. It is made a crime punishable by fine or imprisonment to hinder, assault or otherwise interfere with the marshal or his special deputies, or to threaten or attempt to do so. If any person appointed such special deputy marshal has taken the oath of office, and thereafter neglects or refuses to fully discharge the duties of such office, he is punishable not only by removal from office but by fine and imprisonment. The functions of special deputy marshals now provided for by law being executive, they are placed under the authority of a well known chief executive officer of the courts of the United States. They are in fact, not merely in name, the deputies of the marshal, and he and his bondsmen are responsible for them. A civil force for the execution of the law is thus instituted in accordance with long established and familiar usage which is simple, effective and under a responsible head.

The necessity for a possession of the powers by appropriate officers will not be called in question by intelligent citizens who appreciate the importance of peaceable, orderly and lawful elections. Similar powers are conferred and

EXERCISED UNDER THESE LAWS

with respect to state elections. The executive officers of the United States under existing laws have no other or greater power to supervise and control the conduct of congressional elections than state executive officers exercise in regard to state elections.

The bill before me changes competely the present law by substituting for special deputy marshals of the existing statutes new officers hitherto unknown to law and who lack the power, responsibility and protection as executive officers. The bill under consideration is as follows:

Be it enacted, by the senate and house of representatives of the United States of America in congress assembled, That from and after the passage of this act the pay of all deputy marshals for services in reference to any election shall be $5 for each day of actual service, and no more.

Sec. 2. That all deputy marshals to serve in reference to any election shall be appointed by the circuit court of the United States, for the district in which such marshals are to perform their duty in each year, and judges of the several circuit courts of the United States are hereby authorized to

OPEN THEIR RESPECTIVE COURTS

at any time for that purpose; and in case circuit courts shall not be open for that purpose at least ten days prior to registration, if there be one, or if no registration be required then at least ten days before election, the judges of district courts of the United States are hereby respectively authorized to cause their courts to be opened for the purpose of appointing such deputy marshals, who shall be appointed by said district courts, and the officers so appointed shall be in equal numbers from different political parties, and shall be well known citizens, of good moral character and actual residents of the voting precincts in which their duties are to be performed, and shall not be candidates for office at such elections; and all laws and parts of laws inconsistent with this act are hereby repealed. Provided, that marshals of the United States for whom deputies shall be appointed by the court under this act shall not be liable for any acts of such deputies."

It will be observed that deputy marshals proposed by the bill before me are

DISTINCTLY DIFFERENT OFFICERS

from special deputies of the marshal, as such officers are now provided for in the statutes. This bill does not connect the new officers with the existing laws relating to special deputy marshals, so as to invest the proposed deputy marshals with the same powers, to impose upon them the same duties and to give them the same protection by means of criminal laws. When new officers are created, distinct in character and appointed by different authority, although similar in name to the officers already provided for, such new officers are not held by similar responsibility to the criminal law, do not possess the same powers and are not similarly protected, unless it is expressly so provided by legislation. The so-called deputy marshals provided for in this bill will have no executive head. The marshal can neither appoint nor remove them. He cannot control them, and he is not responsible for them. They will have no authority to call to their aid, if resisted, the *posse comitatus*. They are protected by no criminal statutes in the performance of their duties. An assault upon one of these deputies, with intent to prevent a lawful election, will be no more than an ordinary

ASSAULT UPON ANY OTHER CITIZEN.

They cannot keep the peace. They cannot make arrests when crimes are committed in their presence. What powers they have are confined to the precincts for which they were appointed; the deputy marshals of this bill cannot keep the peace, make arrests, hold prisoners, take prisoners before a proper tribunal for hearing, nor perform any other duty. No oaths of office are required of them, and they give no bond. They have no superior who is responsible for them, and they are not punishable for neglect of duty or misconduct in office.

In all these respects this bill makes a radical change between the powers of United States officers at national elections and the powers uniformly possessed and exercised by state officers at state elections. This discrimination against the authority of the United States is a departure from the usage of the government, established by precedent beginning with the earliest statutes on the subject, and violates the true principles of the constitution. The supreme court, in the decision already referred to, says: "It is argued that the preservation of peace and good order in society is not within the powers confided to the government of the United States, but belongs exclusively to the States. Here, again, we are met with the theory that the government of the United States does not rest upon the soil and territory of the country. We think that this theory is founded on an entire

MISCONCEPTION OF THE NATURE

and powers of that government. We hold it to be law incontrovertible principle that the government of the United States may by means of physical force exercise through its official agents and execute on every foot of American soil the powers and functions that belong to it."

This necessarily involves power to command obedience to its laws and hence power to keep the peace to that extent. This power to enforce its laws and execute its functions in all places does not derogate from the power of the state to execute its laws at the same time and in the same place. The one does not execute the other, except where both cannot be executed at the same time. In that case the words of the constitution itself show which is to yield. This constitution and all laws which shall be made in pursuance thereof shall be supreme laws of the land

In conclusion, it is proper to say that no objection would be made to the appointment of officers to act with reference to elections by the courts of the United States, and that I am in favor of appointing officers to supervise and protect the sections without regard to party. But the bill before me, while it recognizes the power and duty of the United States, and to provide officers to guard and scrutinize Congressional districts fails to adapt its provisions to existing laws so as to secure efficient supervision and protection. It is therefore returned to the senate where it originated, for that further consideration which it contemplated by the constitution.

(Signed) RUTHERFORD B. HAYES.
Executive Mansion, 15th June, 1880.

Prejudice Kills.

"Eleven years our daughter suffered on a bed of misery under the care of several of the best (and some of the worst) physicians, who gave her disease various names but no relief, and now she is restored to us in good health by as simple a remedy as Hop Bitters, that we had pooched at for two years, before using it. We earnestly hope and pray that no one else will let their sick suffer as we did, on account of prejudice against so good a medicine as Hop Bitters."—The Parents. —*Telegram.*

AN AWFUL FATE.

Caught in a Wolf Trap and Devoured by Wolves.

All the Year Around.

The favorite trap employed for wolves in Burgundy is the tanquerard. This is the most dangerous even to man, the strongest that is made requiring two men to set it. It has springs of formidable power and delicacy, and when these are touched the jaws of the trap, armed with rows of teeth shut one within the other. It spite of every precaution, however, very sad occurrence will happen in these forests.

Some years ago a trap was placed near a deserted footway, and the usual warning precautions taken. The same day a young man anxious to present to his fiance some tur