Democratic Sentinel

FRIDAY FEBRUARY 25 1887

Entered at the postoffice at Rensselaer, Ind., as second-class matter.)

RENSSELAER TIMETABLE

PASSENGER TRAINS.

NORTH.	SOUTH.
4:39 A. M.	11:27 A. M.
8:46 A. M,	7:54 P. M.
4:01 P. M.	10:50 P. M.

The dependent pension bill failed to pass over the President's veto.

The action of the Supreme Court does not affect the validity of the election of Senator-elect Turpie. The concurring opinion of the Judges that a joint convention has the right to select its presiding officer does away with one of the points raised by the Republicans.

The action of the Supreme Court did not determine the validity of Robertson's claim to the office of Lieutenant Governor, but so persistent was he in his demands for the place that President Smith found it necessary to direct his removal from the Senate chamber.

If the Supreme Court had waived a mere technicality and accepted its jurisdiction over the constitutional proposition of the validity of the election of Lieutenant Governor the disgraceful scene which occurred in the Senate the other day would not have happened.

A Political Blatherskite.

Valparaiso Messenger: Senator Kennedy, of Rush, is an old political blatherskite. In violently waving the bloody shirt in the Senate, recently, he wanted to know, speaking of the record of Democrats in the war of the rebellion, who it was that had been arrested during the war becaues he was at the head and front of the Knights of the Golden Circle?—"Why, his name is L. P. Milligan," sarcastically replied Senator Fowler, "and your party ran him as a State Senator in Huntington county in 1886 against a brave Democratic soldier, Captain William J. Hilligas." This rather stunned Senator Kennedy for a time, but he soon rallied again and charged that a man named Conroy, one of the greatest blackguards and murderers in Indianapolis, had been recommended by Governor Gray and other influential Democrats for a position under the Federal Government. "Yes, and as soon as it was found out who Conroy was," retorted Senator Bailey, "he was bounced out of office by President Cleveland. He was then taken up by the Republicans, and is now a Republican Assistant Doorkeeper of the Indiana House of Represepresentatives." This completely stunned Senator Kennedy, and he shortly afterward retired from the Senate Chamber and madly rushed off.

And Senator Kennedy might have been further informed that Bowles and Horsey-- Milligan's associates on trial—were active Republicans, and that last, but not least, Dodd, the active promoter and organizer of Golden Circle organizations throughout the State, was permited to escape to Wisconsin, where he was made Chairman of the Republican State Central Committee. These wholesome truths cannot be too frequently repeated for the benefit of the self-righteous Pharisees of the "trooly loil" Republican party.

The Lieutenant-Governorship,

The Judges of the Supreme Court are unanimous in the opinion that the action of Smith vs. obertson should have been instituted in Allen county, which is simply a technical matter. Each of the Judges delivers an individual opinion.

Judg Niblack, without discussing the validity of the election, declares that the General Assembly has the sole right to determine the question; and upon Mr. Smith's right to preside over the Senate and the right of the joint assembly to select its presiding officer, says:

"So far as I am able to perceive the Senate has the unquestionable right to determine who is entitled to act as its presiding officer. Section 16, article 4, of the Constitution declares that each House shall have all powers necessary for a branch of the Legislative Department of a free and independent State. This provision is nothing more than an affirmation of the principles of the parliamentary law as applicable to the separate powers and relative independence of the two houses of a legislative body like our General Assembly. Each house is entitled to decide every question which falls within its own exclusive jurisdiction.—When, therefor there is a contest as to which of two persons is entitled to preside over the Senate, the question, from the very necessity of the situation, becomes one ever which the Senate must decide. It may, as a matter of abstract law, decide indirectly, but, if it shall, I know of no tribunal this side of the ballot-box which is authorized to review its decision. * * * Then, too, I know of nothing in the Constitution or any statute or prescribed by any rule of parliamentary law which designates any officer as the person entitled to preside when the two houses meet in joint convention. The right of a particular person or offier to thus preside might be established by a joint rule of the two houses, but the complaint in this case makes no mention of such a joint rule. Assuming, therefore, that no such rule is in existence, I have no reason for believing that when the the two houses assemble in joint convention, an adequate majority of the body thus composed, may not call whomsoever it pleases to the President's chair and authorize him to preside for the occasion. It has most usually been the custom in this State for either the Lieutenant Governor or resident pro tempore of the Senate to preside on such occasions, but the custom has not ripened into or ever been accepted as a precedent of binding authority. If, therefore, a joint convention may select whomsoever it pleases to preside over its proceedings it is too plain for argument that no court can inhibit the person thus selected from so presiding."

Judge Elliott says:

"I fully concur in the opinion of my brother Niblack, that the courts have no jurisdiction of the subject matter of this action, and as the subject has been by him so fully and so ably discussed, little can be added.

Judge Zollars, as to the power of the General Assembly, agreeing with Judges Niblack and Elliott, says:

"It must be waged and settled before the General Assembly.—That tribunal alone has jurisdiction of the subject matter. It has exclusive jurisdiction over everything that pertained to the controversy, both of the law and fact. It ought to be presumed that that tribunal was a capable and impartial one. The fathers had sufficient faith in it to establish it. Their work must be respected and trusted."

Judge Mitchell maintains that the court has a right to decide the main question involved, thus dissenting from Judges Niblack, Elliott and Zollars. He holds that the election of last November was invalid, and says:

"There is nothing in the Constition which so much as raises an inference that the office of Lieutenant Governor can become vacant in a legal or actual sense. If there was a vacancy, then the very Constitution which created the office filled the vacancy. An executive system in which the Chief Executive could in any event appoint his own successor apparent, thereby vesting such appointee with power to become President of the Senate, has in my opinion found no precedent in our form of government. The argument is that a vacancy in the office of Lieutenant-Governor having occurred, such vacancy was to be filled first by appointment by the Governor, and then by the electoral body in November, 1886, under the provisions of Section 4,678, R. S. 1881. To this there are three answers: (1) There was no vacancy. (2) If there was, the Constitution provided a mode of filling it other than by the electoral body, viz.: by the election of a President pro tempore of the Senate. (3) The Constitut on by the clearest implication prohibits an election for Governor or Lieutenant-Governor except for the term of four years, which term can in no case commence at any other than the time specified in that instrument. That the Constitution makes no provision for election to fill vacancies in the office of Governor or Leutenant-Governor, or for the limitation of the terms of persons elected to fill vacancies in those offices, is conclusive that no such vacancies were contemplated."

Judge Howk concurs with Judge Mitchell in the following terms:

"My judgment yields a ready and earrest assent to each and all of the momentous questions discussed by him in this important cause. I cannot say aught which would give additional force to his able and exhaustive arguments upon each of these questions.—Therefore, I content myself with earnestly concurring in his opinion"

The Cincinnati Times-Star, a republican paper, whose editor served all through the war in the union army, in commenting on the recent pension bill vetoed by the president says:

"A word with honest soldiers about the pauper pension bill. The pension for which it provides is not for disease, or wounds, or meritorious service, or length of service, or service of any sort. The mere fact that a man had his name on the army roll for a few months and is now dependent entitles him to $12 a month His dependence may be the result of indolence, or improvidence, or intemperance, or debauchery it makes no difference He may have been a mercenary substitute, a bounty jumper, a sneak, a professional skulker who never was under fire in his life, it is all the same The bill pays a premium on pauperism and perjury It is an insult to honest soldiers who are struggling to support themselves, and an outrage on the government which is made to tax worthy soldiers for the support of the unworthy The pauper pension bill is a perversion of the theory of military pensions unknown in an civilized country on earth and soldiers should be the first to resent it and protest against it—It is estimated that the bill will increase the annual expenditure from $75,000,000 the present sum to $145,000,000, or nearly $5 a year for every man, woman and child in the union This of itself would be a serious objection to the pauper bill, were it otherwise defensible, which it is not The government already provides for all disabilities incurred in its service In the name of reason and conscience what more should be asked for it?—For what other disabilities should it provide?'

NOTICE OF SURVEY.

Survey of Sec 2 T 30 R 7 w. affecting Sections 1, 3, 10, 11, 12, in same township and range

NOTICE is hereby given to David W. Shields Jacob St. John, Stephen T. Comer and John Makeever, in Section 2; Thos. Wiffer and D. W Shields in Section 1; F M Larkin and D J Thompson in Section 3; John B Stump in Section 12; Rosamond C Kent, S P Thompson, Benjamin Snow Mary Fay in Section 11, that I own the south ½ and the southeast ¼ of the northeast ¼ of section 2, township 30 north range 7 west, in Jasper county, Indiana and that I will proceed with the Surveyor of said county to make a legal survey of said section or so much thereof as may be necessary to establish the corners and lines of my land. Said survey to begin on Wednesday the 9th day of March A D 1887

JAS H LOUGHRIDGE

JAS C THRAWLS. Surveyor

Feb 18 1887