

# BELLEFONTE PATRIOT.

BELLEFONTE, CENTRE COUNTY, PENNSYLVANIA, PRINTED BY THOMAS J. PETRIKIN.

Vol. VII.

WEDNESDAY, December 24, 1823.

No. 4.

## Eighteenth Congress

Wednesday, December 24.

### House of Representatives.

The House resolved itself into a committee of the whole on the state of the Union, Mr. Condit in the chair, and proceeded to the consideration of the Message of the President of the U. States.

Mr Taylor, of New York, submitted the following resolutions:

1. Resolved, That so much of the Message of the President of the United States as concerns our political relations with other independent governments, be referred to the committee on Foreign Affairs.

2. Resolved, That so much of the President's Message as relates to commerce, to the erection of piers in the Delaware Bay, and the removal of obstructions to the entrance of the Harbor of the Port of Presque Isle, be referred to the Committee of Commerce.

3. Resolved, That so much of the President's Message as relates to a revision of the Tariff, with a view to the encouragement of manufactures, be referred to the Committee on manufactures.

4. Resolved, That so much of the President's Message as relates to the Army, the Militia, the Ordnance Department, the Military Academy, Fortifications, Armories, and Arsenals, be referred to the committee on military affairs.

5. Resolved, That so much of the President's Message as relates to the organization of the Naval Establishment, and the suppression of Piracy, be referred to the Committee on Naval Affairs.

6. Resolved, That so much of the President's Message as relates to the Revenue and redemption of the Public debt, be referred to the committee of Ways and Means.

7. Resolved, That so much of the President's Message as concerns the Post office Department, and the revision of the laws relating to the same, be referred to the committee on the Post Office and Post Roads.

8. Resolved, That so much of the President's Message as relates to the settlement of the Public Accounts, be referred to the Committee on Public Expenditures.

9. Resolved, That so much of the President's Message as concerns our relations with certain Indian tribes be referred to the committee on Indian Affairs.

10. Resolved, That so much of the President's Message as relates to the suppression of the African slave trade, be referred to a select committee.

11. Resolved, That so much of the President's Message as relates to the Cumberland Road, be referred to a select committee.

12. Resolved, That so much of the President's Message as relates to the connection of the waters of the Chesapeake and Ohio, by means of a Canal, be referred to a select committee.

13. Resolved, That the said select committees have leave to report by bill, or otherwise.

These resolutions were severally agreed to; when the committee rose and reported them to the House, and the same being again read at the Clerk's table, were severally concurred in by the House.

The House adjourned.

### Proceedings

### Of the Legislature of Pennsylvania.

IN SENATE.

MONDAY, DECEMBER 8.

Petitions, for a change of place of holding elections in Auburn township, Susquehanna county: of George Grant, to be indemnified by another location for sundry unsatisfied land warrants—were presented and referred.

Mr. Barnard reported the following arrangement of the Governor's Message:

1. That so much of the message as relates to the election laws, and to the subject of wagging on elections, be referred to a special committee—Groves, Herrington, Henderson, Mahon and Dewart appointed.

2. That so much of the Message as recommends a revision of the several

acts of assembly providing for the maintenance and support of the poor, be referred to a special committee—Brewster, Cadwallader, Orr, Robertson and Power appointed.

3. That so much of the Message as relates to Education, be referred to the committee appointed on that subject.

4. That so much of the Message as relates to bridges and artificial roads, in which the State holds stock, or is interested, be referred to the committee on roads bridges and inland navigation.

5. That so much of the Message as recommends an alteration in the act directing the manner, time, and places of electing Electors of President and Vice President, so as to change the place of meeting of the Electors, from the seat of government to some other place, be referred to a special committee—Burnside, D. Mann, Duncan, Harrison and Feger appointed.

6. That so much of the Message as recommends the repeal or modification of the act imposing a duty on retailers of foreign merchandize, be referred to a special committee.—Emlen, Conyngham, Dickerson, Rea and Winter appointed.

7. That so much of the Message as relates to the Militia, the state of the Arsenals and the Public arms, be referred to the committee on the Militia system.

8. That so much of the Message as suggests a further diminution of the fees and salaries of officers, & recommends a more early promulgation of the laws, be referred to the committee on the judiciary system.

9. That so much of the Message as recommends a more prompt and strict accountability of officers and agents entrusted with the receipt and expenditure of public money, and recommends an annual examination of the monied concerns of the treasury, be referred to a special committee.—Smith, Barnard, Fry, Allshouse and Coleman appointed.

[The foregoing resolutions were adopted, and the committees appointed the day subsequent to the above.]

Thursday, December 11.

The Speaker laid before senate, a letter from the Secretary of the commonwealth and surveyor general, as follows:

Harrisburg, December 9, 1823.

"The undersigned, in virtue of the authority vested in them, by an act of assembly, passed the 1st April last, entitled 'A supplement to an act directing the formation of a map of Pennsylvania,' and agreeably to the directions therein contained, took an early opportunity of applying to Thomas Hulme, the assignee of the late John Melish, for the plates, prints and other property of the commonwealth which they understood were in his possession. Mr. Hulme absolutely refused complying with the demand, until the government would pay, or assume the payment of a large account stated to be due to Mr Melish. With the knowledge the undersigned possessed, that Mr Melish had received all the money which by law he was entitled to receive until he would have delivered a hundred copies to the surveyor general, agreeably to the provisions of the act directing the formation of the map, they, of course, denied any possibility, on their part, of complying with the condition he proposed; but engaged that on his surrendering the plates and other property, and furnishing and delivering as many copies as in addition to those furnished by Mr Melish would complete the hundred which, by law, he was to deliver, he should be paid five hundred dollars, as directed by an act of assembly passed on the 2nd of April, 1822, entitled 'An act making appropriations for defraying certain expenses of government.' After much delay and considerable correspondence, personally and by letter, the plates were, at length, deposited in the bank of Pennsylvania, and the hundred copies of the map, which the publisher was to deliver, are now here, subject to the disposition of the legislature. The other property has, as yet, been retained by Mr Hulme, and its recovery by legal process, has been committed to an attorney.

Mr Benjamin Tanner, who engraved the plate, has been engaged to continue the publication of the map, agreeably to the provisions of the act directing its formation, having given security to make settlement and do all other matters and things agreeably to the provisions of the act. Recent advices from them furnish assurance that

by information which he is receiving, he will be able to introduce many improvements, as the publication progresses.

We have the honor to be very respectfully, your obedient servants,  
ANDREW GREGG, Sec'y.  
SAM'L COCHRAN, S. G.

Mr Smith offered the following resolution.

Resolved, By the senate and house of representatives of the commonwealth of Pennsylvania, in general assembly met:

That the Secretary of the commonwealth be authorised and directed to dispose of the state maps, as follows: to the commissioners of the several counties in the commonwealth, each one map for the use of the respective offices. To the secretary of the commonwealth and surveyor general, each one map. To the President of the United States two maps, one for the use of his office, and one for the use of the library of congress. To the secretary of war, the secretary of the navy, the secretary of the treasury and the postmaster-general each one map, for the use of their respective offices. To the secretary of the senate of the United States one map. To the clerk of the house of representatives of the United States, for the use of the said house, one map. To the executive of each state in the Union for the use of their respective legislatures one map. Adjourned.

Saturday, December 13.

Mr. Burnside, from the committee to whom was referred that item of the governor's message relative to the place of meeting of electors of President and Vice President of the United States, made report:

The importance of the subject, and the high authority from which the recommendation of changing the place of meeting the electors of President and Vice President has emanated, induced your committee to give it their serious and deliberate consideration.

The constitution of the United States declares that "each state shall appoint, in such manner as the legislature thereof shall direct, a number of electors equal to the whole number of senators and representatives to which the state may be entitled." This supreme head has left it to the respective states to direct who shall choose electors, and where they shall meet, to perform their functions. Congress has declared the day on which those duties are to be performed. There is no uniformity in the manner of choosing electors: each state pursued that mode which was believed by themselves, to be the most suitable and best adapted to secure the permanency and happiness of the Union. So important a subject as the election of a President and Vice President was not to be expected to have passed over, without producing some excitement. It frequently has engaged the attention of our distinguished statesmen; and the want of a uniform rule, as to the mode and manner of choosing electors, has been considered by many, as a most serious and alarming defect in the constitution of the United States.

It is believed, by your committee, that at this time, the states of New-Hampshire, Rhode-Island, Connecticut, New-Jersey, Pennsylvania, Virginia, North Carolina, Ohio and Mississippi, choose their electors by general ticket. That Massachusetts, Maryland, Kentucky, Illinois, Maine, and Missouri, choose by districts; and that in the states of Vermont, New-York, Delaware, South Carolina, Georgia, Louisiana, Indiana, and Alabama, they are chosen by the Legislatures. In our own state, the electors have always been chosen by the people, with the exception of the very memorable election of 1800.

After the excitement produced by that election had subsided, when no election was approaching that could produce a contest, when all was tranquil and harmonious the legislature of Pennsylvania passed a general law, providing for the future, and regulating the manner, times and places of holding the election, for electors, and directed, that the electors so chosen, should meet at the seat of government of this state, on the day appointed by congress. When vacancies should happen, by the absence of any elector, the same law provided, that the legislature should, by joint vote, supply the vacancy. Against this system, your committee have never, before, heard a murmur or complaint.

The day fixed by congress, the first

Wednesday in December—the time fixed by the constitution, for the meeting of the general assembly, the first Tuesday in that month—it will generally happen, that the legislature are then in session, and that they have commenced their labors, the day preceding the meeting of the electors. Should it ever happen, that the month of December commences on Wednesday, the legislature will not be in session until the Tuesday following, and a special provision will be necessary to supply vacancies.

If it were so, that there was something impure and imperfect in a communication with the legislature and executive of this state, there is no time for even the appearance of the exercise of "extrinsic influence" for either branch of the government. Generally a majority of the popular branch of the legislature are new members; many of both branches unknown to each other; strangers to the executive—all the members of the house of representatives, and at least one-fourth of the senators, emanating immediately from the people.—Where a vacancy has happened in the electoral college, the practice has been, of choosing the elector from among the gentlemen attending at the seat of government, from the vacant district.

Your committee are not able to discover either impurity or imperfection in this system; nor can they discover either the want of vigilance or caution, nor can they suppose that there is a greater imperfection in the legislature supplying a vacancy in the electoral college, than there would be in another body of men of the same number. In addition to this, it is a duty prescribed by law, and performed under the solemnity of their oaths.

Your committee, with all due respect to the opinion expressed in the message, "that no objection to the proposed alteration can arise, it is presumed from a contingent necessity of filling up vacancies, should any occur, as the electors present will be fully competent to the task of performing that duty, humbly conceive, that it is the subject to strong objections. Because the electoral college are not so numerous as both branches of the legislature, nor are they so immediately responsible to the people: because it is impossible to foretel how many will be present—whether a majority of the electors or a less number: and because the electors present may be strangers; nor can citizens be presumed to be there present from distant parts of the state, where absence is most likely to happen.

The law of 1802 appears to your committee to combine the very best and most approved mode of choosing electors—first, by the people, the source of all power, in this commonwealth, and the sovereign authority; and secondly, filling of vacancies by their immediate representatives, the mode adopted by many enlightened republican states of this great and happy confederacy. Believing, then, that the existing system is neither impure or less perfect than could be expected from human institution, they submit to the senate the following resolution:

Resolved that the committee be discharged from the further consideration of this item in the governor's message.

On motion of Messrs Burnside and Dewart, the resolution was read a second time and adopted.

### House of Representatives.

SATURDAY, DECEMBER 6.

The speaker presented a letter from the secretary of the land office, with documents, and one from the surveyor general.

Mr. Brown presented a petition from inhabitants of Allegheny; praying for the repeal of the law providing for the better education of the poor in Pittsburg, and for the passage of a general law on the subject.

Mr. Cummings presented the petition of Stewart H. Whitehill, praying for a loan of two thousand dollars to aid a manufacturing establishment.

Mr. Dale presented a petition from inhabitants in Union county, relative to a turnpike road—referred to Dale, Snyder, M'Bride.

Mr. Streator presented a petition from Stephen Wilson, of Bradford county, praying compensation for a tract of land, confirmed to Connecticut claimants. Referred to Streator,

Hays, Mitchell. Mr. Sill, from inhabitants of Erie county, for aid to re-build the public buildings destroyed by fire, and to supply records which were consumed, referred to Sill, Stinson, Ogle.

Mr. Clark offered the following resolution:

"Whereas it is of the highest importance to the Commonwealth of Pennsylvania at large, and to her metropolis in particular, that the waters of the west and those falling into the Atlantic ocean, should be united by a canal and lock navigation, through the interior of the state so as to secure the trade of the counties bordering the Ohio and Mississippi rivers, to the city of Philadelphia; and facilitate the transportation of the produce of western Pennsylvania, to a market on the seaboard; and also to connect the ties of mutual interest the different sections of this great and growing commonwealth.

And, whereas, a line of communication through the centre of the state, appears to be practicable, by the Union Canal, as now laid down, between the rivers Schuylkill and Susquehanna, and by the Juniata, Conemaugh, and Allegheny rivers, to the city of Pittsburgh, Therefore

Resolved, That a committee be appointed to inquire into the expediency of appointing commissioners and investing them with authority to examine and report to the next legislature, whether a canal and lock navigation can be extended at a reasonable expense, from Middletown, on the Susquehanna river, to the city of Pittsburg, by the rivers Juniata, Conemaugh and Allegheny."

Mr. Knight moved to refer an item of unfinished business, on the subject of the Potomac and Ohio canal, to a committee. Committee, Knight, Stinson, Markle, Sill, S. Lawrence, Cummings, Cochran.

Mr. Gardner moved to refer an item of unfinished business, relative to election of inspectors in York borough. Referred to members from York county. And on further motion an item of unfinished business, relative to a complaint against Mills Hays, a justice of the peace, was referred to F. Smith, Shearer, Forry, Hummel, Hays.

Mr. Holgate moved to refer an item of unfinished business, relative to a new county, out of part of Philadelphia, &c. Referred to Holgate, Stinson, Wise.

Mr. Audenried moved for reference of an item of unfinished business relative to an academy in Orwigsburg—referred to Audenried, Huggins, Forry.

Mr. Lehman moved to refer an item of unfinished business, relative to the appointment of a board of commissioners, for the purpose of promoting internal improvement.—referred to Lehman, E. Lewis, Reynolds, Hummel, Diven, M'Clay, Ogle, Clark, Everhart.

On motion of Mr. Norbury, a joint committee, consisting of Norbury, Shippen and Hutter, were appointed, to join a similar committee from Senate, to open the returns of election for governor.

The following bills were reported. An act for the relief of C. Treziulancy of Centre county.

An act to authorise the executor of Elizabeth King dec'd, to sell a certain house and lot.

### ATTEMPT TO MURDER.

On Tuesday evening last a most violent attack was made upon a young man, who is clerk in the store of James Noble, at Hop Bottom. The circumstances as told to us, are these:

The young man on returning from Harford, whither he had been sent to receive a sum of money, was fired at by a villain who made his appearance by the way side. The fire was from a pistol; the ball struck the clothes of the young man, and penetrated as far as the vest pocket, where it lodged—its progress being arrested by a large knife which was luckily there. The discharge of the pistol frightened the horse, and the young man was instantly dismounted, when the desperado fell upon him with a knife and attempted to stab him; but did not succeed in giving a serious wound. It is highly probable that the villain was mistaken in the person, and that he did not discover his mistake till he came in close engagement, when he desisted from further violence and made off in great haste.