

VOLUME 21.

SATURDAY MORNING, MAY 18, 1850.

Here Mr. T. was interrupted by Mr. Jones, who said I

fair. Ho asks me what legislation could be based on

statistics of discase, and he says my answer is ingenious

but unfair and deceptive. I have not appointed the gen-

tleman to decide for me, or to pass upon me. The an-

swer I gave was, that it might be of importance to collect

these statistics, in order that they might afford a ground

to our action in regard to regulating the price of the pub-

lic lands. Another thing that struck me as rendering

these inquiries of importance is this: The world is look-

ing upon our country as the home and the asylum of the

Mr. Chairman, I must turn my attention for a moment

o my gallant friend from Indiana; I know his modesty

NUMBER 1.

Crie Weekly Observer. Speech of Hon. Jas. Thompson. OF PENNSYLVANIA, In the House of Representatives, May 1, 1850. on the Census Bill.

on: and I hope she may ever remain so.

clare the statistics of the different States, and have the

what horror the chicken man, as the marshal was called,

vas regarded by the old wamen of that country. The

ionorable gentleman notifies us now, that he will be

aggression of the census taker, should be again make his

appearance. I trust that it will be a bloodless war, and

that nobody will be killed, although some may be killed.

although some may be frightened. The chickens are

What is the constitutional question, that we hear so

their attention upon this point for a moment. What is

direct taxes depend solely upon the will of Congress .-

the census, by the express terms of the Constitution .--

Indirect taxes depend upon the will of Congress. Now.

suppose Congress should see fit to impose indirect taxes?

How are they to do it without this, information! Why,

't'in the dark, than if we have light: that we shall do

better to remain in ignorance, than if we obtain infor-

gentlemen seem to think that we shall do better, if wa

not in this bill, however.

found side by side with those old ladies, in resisting the

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B. F. SLOAN, EDITOR.

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() Low—Office over J. H. William (1982) non-ef-to by the Thompson's office, in (other professional business afterable) is when a

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some gontlemen -an unwillingness to be questioned as when that act was passed; because on the same day I the law. In the act to amend the act for taking the third is to ago. I have learned a curiaus fact in regard to this find the name (Mr. Stephene) recorded. Well, the same consus, we find the second section of the act of 1st of thing of disclosing the age of individuals, in the English may be said of the gentleman from Ohio and the gentle- May, 1810, as follows: statistics. It there appears, notwithstanding the slander man from South Carolina. They were all here-it was of the men, (in taking their consus,) were as ten against Mr. Thompson, of Pennsylvania, said: It has not been my intention to detain this committee with any extended

one on the part of the females. romarks the speech which has just been made by the genlleman from Georgia, [Mr. Stephens, renders it necessary thatI should occupy their attention for a short time. But the bill, he encouner in that of the gentleman from Ohio.gentleman will pardon me when I say, that I cannot perceive any great force in the arguments which he advances; and I shall not, therefore, notice them to a very great extent. I do not understand them, sir. They cossess the morit of too much refinement, for a merely common-sense mind to comprehend them. So far as reproposing to send our marshals to ask a thousand imper gards the eulogy which has been pronounced by the gontiuent questions. A thousand, sir? The gentleman i lleman upon the State of Georgia, I congratulate him, as near the truth as one hundred and seventeen is to one and I congratulate the State upon her prosperous condi-

thousand? "The remark is correct in pecisely that ratio Why do we ask these questions with regard to age? Be-This census would be of little use, Mr. Chairman, if very gentleman on this floor had an opportunity to decountry. And every census that has been taken, from 1460 to thistime, has contained the same inquiry. The first collected and published, through the medium of speeches consus bill that was passed after the Constitution was ad- | man's own friends greatly enhanced its features against or otherwise, as the gentleman from Georgia has done. opted-and passed, too, by a Congress in which were I have no doubt the State of Georgia is all she has been such men as Madison, Sherman, Livingston, and Wash- something to do with a sub-treasury bill-a bill requirepresented to be. I am glad of her prosperity. But, ington himself at the head of the Government-contain. sir, we have a little speck of nullification, about the size ed a provision the ages of the peple of the country. of a man's finger, rising above the horizon again; and I Those between certain ages were slatisfied-as between have not forgotton the census panic of 1840, which confive and ten, ten and fifteen, and so upwards. rulsed the glorious State of Georgia, notwithstandjug all But there is one thing more which I must put gentleher property. A story-teller of that day tells us with

men in mind of while it is on my mind. That settling of accounts is always unpleasant, but it is somotimes quite necessary. Do you reccollect, sir, when the bill for think of this now. taking the consus in 1849 was passed? I have no doubt your hawk's eye was upon it, and that you heard the young at that time to make many speeches. But I recolspeeches that were mude upon that occasion. Now I lect one thing very well, and it is, that Mr. Van Buren claim the attention of the gentlemen from Georgia and was in favor of the sub-treasury and of specie payments. South Carolina, and the gentleman' from Ohio, while I

propound a question in regard to-Mr. Woodward. I have not the privilege of answer ing the gentleman

much said about? I beg the committee will give me the constitutional question that has been presented here? making the last speech, and that the gentleman from It is said that we have no power to take these statistics. South Carolina will not have the privilege of replying. My first answer to that is, that it might be considered an This is true; but I cannot pass over the point I intended incident to the taxing power. Gentleman have read to allude to before I was interrupted. I must be allowed to elaborate documents to show that direct taxes only depend refer to the act of the last session of Congress on this sub. to Congress. Under the bill of 1810, the Secretary of on the census. Agreed-nobody doubts that. But inject. It is important to see how we all stand in regard. State prepared the schedules. Under that of 1820, the to this bill. On the first of March, 1846, Mr. Palfrey That is the whole question. Direct taxes depend upon asked the unanimous consent of the House to introduce a bill; and that being denied, he moved a suspension of the rule, which being agreed to, he introduced a bill for the purpose of making arrangements for taking the sev outh census. Now, what are the provisions of that bill? | not contemplated that the work of the Census Board was I will read it, sir, and see if it does not provide for taking all the statistics included in these schedules:

"That the Secretary of State, the Secretary of the Hom action. I know it was once said by a poet Department, (if such office is by law created.) and the Postmaster General, shall constitute and be a board, to ""have i marabee is bliss, the fight to be wise " at you secured apply in matters of this be styled the Census Board; that it shall be the duty of kind the read on a comme, and so if we contact the said board to prepare and cause to be printed such impose of the tax of in 1813, we taxed furniture, we forms and schedules as in 19 be necessary for the full tryed cuts are fixed we level menture, we commeration of the inhabitants of the United States, and ther articles of also proper forms and schedules for collecting in statisti per on d property by set of Congress. Well, cannot cal tables, under proper heads, such information as to we do d szam? And with the gentleman from Geor- mines, agriculture, commerce, manufactures, education and other topics, as will exhibit a full view of the par gia prefer passing a law for that ournase, without knowsuits, industry, education, and resources of the country it being provided that the number of said inquiries, ex ing how much property of hav description the people of this Union are possessed of? Such is his argument .- clusive of the enumeration, shall not exceed one hundred Why should we confine a strict construction of the Conand that the expense incurred in preparing and printing stitution to direct taxation? The whole scope of taxation said forms and schedules shall not exceed ton thousand dollars." is before us, from which to derive this power. Is it neccessary for me to refer to the laws on our sidente book

Did that bill pass? Yes sir, it passed. Now let

lection of information a year ago. He had not awakened to or discovered the danger that might arise when the law of 1849 was passed. Is there not something more in it than meets the view? Does not the experience of the cause we went to know the physical condition of the past admonish him to be wary. I think it quite possible.

The census bill of 1840 was more minute, and vastly more objectionable than the present. But the gentle-Mr. Van Buren-about the time Mr. Van Buren had ing specie payments.

Mr. Stephens, of Georgia. I would require of the gontleman if he means to say I made such speeches in that ampaign?

Mr. Thompson. I cannot answer as to that. Mr. Stephens. I can answer the gentleman that I made no such speeches, but thought of that measure just as I

Mr. Thompson. I suppose the gentleman was too Woll, sir, the whigs, in some sections of the country, circulated caricatures, having the delineation upon them of something in the shape of a chicken, with immense claws, uttering, "This is the specie claues." Now, the cule is a very unpleasant weapon, but is no test of the con-

stitutionality or unconstitutionality of a measure. Sir, in the bill of last session, the Board of Census was authorized to prepare these schedules, without reference Secretary of State in conjunction with the President, prepared them. In 1830, the Secretary of State prepared them, and in 1840, he also prepared them And they were never submitted to Congress, nor was it proposed that they should be. I remark this, to show that it was

to be submitted to Congress. The gentleman from Ohio, (Mr. Miller,)-and I am very sorry he is not here; he is a friend whom I esteem very highly, and it gives me pain to differ with him,-

tells us that the act of 1840 was the first act under which subsistics were taken, and although authorized by the act of 1820, the actwas so far repealed as to dispense with taking them. Never was there a greater mistake. Why, sir in 1810, statistics of agriculture, manufactures, and of mines, were taken and published, and the compendium is to be found in the State Department. In 1820 statistics of manufacturers were extensively taken and published. In 1830, an account was taken of all those who had not been naturalized, and I believe pensioners. Where is the warrant in the Constitution for this? And in 1840, statistica of agriculture, manufactures, and minerals, were taken

nd published to the largest extent. And now, sir, le

m not a lawyer, and I object to it. Mr. T. It is said, Mr. Chairman, that an exception "That it shall be the duty of the several marshals, secroves the rule: and without the least disrespect to the is all the other way, that refusals to declare on the part all constitutional then. What "chango has come o'er retaries, and their assistants aforesaid, at the time for tahonorable gentleman, [Mr. Jones,] I have considered the spirit of their dream?" What has made the gentle-the direction of the Secretary of the Trepsury, and acman from Georgia so vigilant now, when so silent before? [no urrection of the Secretary of the structions as he shall give, an account him generally an exception to all rules. [Laughter.]one on the part of the females. Well, the gentleman says he has read the bill, and he prefers the substitute offered by the gentleman from Ohio [Mr. Miller.] But the very thing he objects to in this in this might be supposed to have some influence on the gen-tempts mind it is only surmise. In 1840 the gentleman for the marshals or secretaries of their respective to the marshals or secretaries of their respective to prefers the substitute offered by the gentleman from Ohio [Mr. Miller.] But the very thing he objects to in this tempts mind is to prefer the substitute of the secretaries of their respective tempts mind is to prefer the substitute of the marshals or secretaries of the respective tempts mind is to prefer the substitute of the marshals or secretaries of the prefer the substitute of the marshals or secretaries of the marshals or secret am a lawyer myself, sir, but nevertheless the fact is so. that lawyers are non-producers. Sir. if the marshall were to go round and ask our ancient and venerable profession what they have produced, what they have brought tleman's mind-it is only surmise. In 1840, the gentle- districts or territories, and the said marshals or secretaforth and laid upon the shelf for uso and sustenance of The name, age, and sex are required by that bill, or man and his party made and havoe, through the medium ries shall transmit the said returns, and abstracts thereof, life, they would make a sad exhibit. It is instinctive amendment; and yet, this is what he objects to in this of the chickens of Mr. Van Buren's census law; and to the Secretary of the Treasury, at the same times at this number of the same impertment inquiries in the secretary of State. with them, therefore, not to like such inquiries. No one can ever speak truly of the tastes and feelings of others without occupying their positions. Hence, not that the gentleman would not answer! He says we are statistica? The gentleman was not so vigilant-so ap- For the performance of which additional services the being producers ourselves, we do not like the inquiry, prehensive of danger to this Government, from the col- shall respectively receive such compensation as shall and mistakingly suppose that our sentiments pervade the minds of others. This is wrong. Those who do produce,

Now I want to know if that is not the law, and if the desire the inquiry. All these pursuits are public, open, gentleman does not believe the statute books, I invite him and notorious. We do not propose to ask any questions to go with me to the State Department, and he will find in regard to the money, stocks, jewelry, and other items published and bound volumes of the compendium of staof wealth belonging to the people. The inquiry is only as to such things as are open, paipable, discernible by all. tistics of the census of 1810.

Mr. Stephens. I am perfectly aware, as I suid when Can this be said to be inquisitorial? The people will not was up before, that a supplemental act was passed in 1810 which did provide for taking certain manufacturing statistics; but they are not embraced in the sched-

tics here are parts and parcels of the law.

1810, and schedules were prepared and sent out at the section. I have an array of precedents here that the gen-

The section was read by the Clerk, as follows:

ants, at the time of taking the said census, to take, un-der the direction of the Sacretary of State, according to such instructions as he shall give, and such form as he shall proscribe, 'an account of the several manufacturing establishments and their manufactures within their sev Mr. Thompson. I will say, so that it may apper in the gentleman from Georgia remembring the past, may be eral districts,' and make returns and abstracts to the Sec-report of my speech, that I have the privilege of afraid of some of these carricatures in the future. Ridi-retary of State, and 'they shall respectively receive as compensation therefor, 20 per cent. in addition to the sums allowed by this act."

will look to these statistics to see how and where life may be preserved. Sir, will the information not be of adwas up before. And the act of 1810 authorized the Sec vantage? In reference to the management of our pubretary of State to give directions to the different marshals lic lands, those that are in an unhealthy location, we to give an account of the various manufactuing estabmight give away. We gave to Louisiana an immense lishments. But what I stated in addition was, that no quantity of land, because it was marshy, and it has been such statistical schedule was made a part of the bill, o eclaimed by drainage, and may possibly be rendered adopted by Congress. Mr. Thompson. I know the gentleman from Georgia productive.

does not wish to be in error, but did not he just now assort that such statistics were not authorized by the acts of 1810 and 1820, nor by any act until 1840? These stawell, and I am sure if he had been aware that Madison. Van Buren, and Polk had been all against him on this tistics were authorized by law, and were taken, and if he question, he would have hesitated before he declared his will take time to step down to my committee room 1 will opposition on constitutional grounds. He will, perhaps, show him the schedules. Mr. Stephens. Were they adopted by Congress?-

admit that they are entitled to some respect. Mr. Gorman. Protectivo duties have been asked ut Were the schedules incorporated in the law? I have referred to those in the statute books? the expense of my agricultural constituents, Mr. Thompson. And if it had not been for the produ-.

Mr. Thompson. The statistical information was colcers of Pennsylvania, the gentleman and his constituents lected under the authority of Congress, and by law requiring it.

might have been subjected to a worse evil than a direct tax. . They would have hardly existed at all. Sir, is there Mr. Setphens. But the gentleman does not confine himself to the point. These schedules are not on the any reason why gentlemen should make war upon the statute books, and Congress is not responsible for them manufacturers of Pennsylvania, because their products Mr. Thompson. The gentleman is to some extent right were injured and depressed, and they made their wants known to Congress? They have asked nothing that was -- the form of schedules are not upon the statute books. But my friend from Georgia is high and dry ashore .-- improper in itself; it was their duty to ask and yours to refuse, if you chose—but is that a reason, a justification He is altogether aground. The controversy was whether such laws have been passed. I cited them as prece- for a continued disposition to war upon them? I can tell dents-he denied their existence. Who is right? But I the gentleman that among them are men of as much am told precedents are of no consequence. Sir, legisla- worth and genuine heart and intelligence as he is-of (Mr. Millson,) and say, that although 1 regard him as two procedents, 1 admit, are not binding, but should as much cultivation, as much deserving of respect, perhighly as any man in the world, yet I might be excused never be disregarded; when they are disregarded it sho'd haps, as he is. They have never asked for any thing that for following after the dim distant light of Mr. Madison's be with great caution. I do not mean to say that they was not in their belief calculated to sustain the glory of are absolutely binding, because the decisions of Congress their country, and its best interests. The manufactuare not infallible; but when legislative precedents have rers of Pennsylvania are not wanting in patriotism. Bit been scrutinized for years as coming fairly within consir, I must commend myself to patience-I always try to stitutional powers-when they have stood the test of half do so, when I hear gentlemen who know nothing of the a contury, and have received the sanction of such names subject, talk of the manufacturers' interest in Pennsylvaas those of Madison, Monroe, Jackson, Van Buren, Polk nin. They never asked for any thing unconstitutional. and President Taylor, as I have shown, it does appear to But, let me remind the gentleman that Indiana may have me they should be entitled to some regard. A man must some sins to answer for too. She has asked for the conhave a stout heart who will venture to say that he is right tinuation of the national road; she has asked for hunand they are all wrong. dreds of thousands of acres of public lands for the pur-

hereafter be provided by law. "Approved May 1, 1810."

think so .. I shall be obliged to curtail my remarks, on account of the shortness of the time allowed me. I have been someules of the census bill; whereas, the schedules of statiswhat in doubt, whether or not I should not be overwhelmed

with responsibility on account of this bill. Perhaps I may, but I have less fear of it than I felt some time ago. Mr. Thompson. The fact is not as the gentleman states The statistics are part and parcel of the census law of I will only say, however, in regard to the social statistics -this seems to be the point of attack, and is most strensame time as were those for the enumeration of the in- uously objected to-that I would like to know of the gonhabitants. Now let us look at the law of 1820, and I tleman from Goorgia, why we shall not readily obtain will send it to the Clerk, and ask him to read the tenth answers to these inquiries? The gentleman seems to think that my reply to his inquiry was neither sound nor

tleman deres not approach.

"That it shall be the duty of the several other assist-

Does not this authorize taking statistics!

oppressed; foreigners are flocking to our shores, and they Mr. Stephens. That is exactly what I stated when I

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to show that we may do that, why may we not derive the information neccessary to impose direct or indirect taxes should it ever become necessary to do so? But I take no advantage of a mere technicality.

What is the argument of gentleman on the other side?. The gentleman from Georgia says that you may exercise an incidental power, but you must do it only when you are just about to act upon the principal power. That is the argument of the gentleman and it is the argument of my highly respected friend from Texas, [Mr. Kaufman.] -Will those gentleman be so good as to inform me, by what right we authorize the naking of harbor improvements? In what part of the Constitution is this right to be found? It is, Lapprohend, an incident to the power to regulate commerce.-And when you make it in anticipation of commerce.-You made it before any commerce can begin to enter such harbor. Commerce may, or may not, be directed to that harbor thereafter. Here, then, you legislate upon the incidental power, and commerce follows, or not, as circumstances may direct. Now, how do I apply this? I do it in this way: You are entitled to collect this infor mation as an incident to the power to levy internal taxes. upon the internal products of the country. And if the

when it will be necessary to fovy a tax of this kind, you gard to the productive interests of the country. And you will thus, too, be prepared to exercise your constitutional right in arranging the tax as it may best sust the interest of the country. Thus it will be seen that it may become the basis of legislation at some period.

The honorable gentleman from Georgia says, that taxes should be direct, in all cases. I am not in favor of dirrect taxes. But I shall not shelter myself behind even that technicality. I make no argument upon it. Sir. we possess the power to procure this information upon another ground. What is it? It is the right to culighten the legislative mind. We have powers that we can exeente-constitutional dowers that we are required to execute, and which concern the whole country, and conse quently affect the interests of all; and the intelligent exe cution of which powers pertains to every member of this legislative body: and these lights should be provided for in every manner practicable, not inconsistent with the Constitution itself. But I shall not dwell upon this part of the subject, because I have a few remarks to make in reply to gentlemen who have participated in this discussion.

In the first place, I must be permitted to say, that 1 have never in my life heard so much argument, so earnnestly urged, upon such stender grounds. There is scenrcely a gentleman who has argued upon the principles involved in this bill, who seems to have read the bill .--Why, sir, the gentleman from South Carolina [Mr. Woodward] the other day described, in the most deprecating and exciting terms, the horrors of administering an oath of au old lady, and requiring her to give answers to interrogatories. Sir, that was but one of rich pictures of his own fancy.

Mr. Woodward. Was it not in the Senate bill? Mr. Thompson. I was under the impression that the gentleman was talking upon the bill now before the House Mr. Woodward. I would lik to know which of the bills likely to pass.

Mr. Thompson. I have only to say, that the Senate bill contains no such proposition. There was a section of the bill which declared, that the marshal when he called upon a family, to ascertain the number of the members of such fumily should ascertain the ages and sexes of them

vhere was the argus-eye of the ge Georgia, when the Constitution was thus about to be violated by the passage of that bill? Whore was that zealous supporter of the Constitution—the gentleman from Madison. And I might turn to my friend from Virginia, South Carolina, at that timo? Where, too, was the gen-

tleman from Ohio? Wore they not in Congress? Mr. Woodward. 1 was at home, sir. M. Thompson. The gentleman says he was at home.

He is certainly always at home in this House. This brighter light on a similar subject. It is possible I might House was his home on that occasion. Here we have the yeas and mays taken on that same day on another sub- Madison did not think it unconstitutional. We are creaject, and I find-though I shall not take up time by reading them through-I find among the

YEAS-Messrs, St John, Schenck, Shepperd, Sher-Till, Truman Smith, Stephens, Andrew Stowart, Strohm Tallmage, Taylor, Richard W. Thompson, Toombs, Tuck, Vinton, Warren, White and Wilson. NAYS-Messrs. Thomas, James Thompson, Jacob

Thompson, William Thompson, Thuston, Venable, Wentworth. Wick, Wiley, Williams, Wilmot and Woodward. I believe this is the gentleman from South Carolina.

Mr. Woodward. I thought the gentleman referred to the bill for taking the last census.

Mr. Thompson. No sir, the bill that was passed March last, for making arrangements for the taking of time should arrive-though I trust it may never come- the seventh consus, together with all those statistics. The bill passed without objection, for aught that appears unanwill be prepared with the requisite information with re- imously; and we have the gentleman from Georgia, (Mr. Stephens,) and the gentleman from Ohio, (Mr. Miller,) and the gentleman from South Carolina, (Mr. Woodward.) here in this Hall as is evidenced by the yeas and nays on the next bill on the same day. Not a word about

unconstitutionality then. Whence this new light upon the subject. Upon the final passage of the bill, the vote was taken without a division, authorizing statistics to be procured in regard to agriculture, manufactures, comnerce, education, and all the other "topics," and to which the gentlemen now so strenously object. Mr. Stephens, of Georgia. The bill to which the gen man alludes and for which I did not vote, only authorized

the Census Board to prepare tables, to be submitted to Congress for adoption or rejection.

Mr. Thompson. That will not do. Sir, the bill I havo just referred to makes it the duty of said board to "Prepare and cause to be printed such forms and schedorms and schedules for collecting in statistical tables, nder proper heads, such informat under proper heads, such information as to mines, agri-culture, manufactures, education aud other topics, as will xhibit a full view of the pursuits, industry, education, and resources of the country."

Now, sir, where is the reference to Congress to be made of these schedules? The geutleman knows that the Consus Board were authorized to prepare the necessary schedules, and to print them-print them all. Nor a word about referring them to Congress. The gentleman's explanation will not do. Sir, gentlemen are in such a diemma, in one particular, somewhat like a struggling animal in a bog, the more it flounders the deeper it sinks. Mr. Stephens, of Georgia. The gentleman from Pennsylvania cannot suppose that the law which was passed

last year for making arrangements for taking the consus. directed that all the information which might be called for by the forms to be prepared by the Census Board, was to be collected without the previous action of Congress with regard to it. The bill directed them to prepare tables; but those tables were not to be acted on unless sanc-

tioned by Congress. Mr. Thompson. The tables to be prepared were to be

printed, and used in taking the consus. I must say to any-of these statistics. Not a word of it. Some one taken up by gentlemen asserting that such things could

me ask, who were the Presidents who sanctioned those bills and made those laws? The bill of 1810, which authorized the taking of such statistics, was signed by Mr. view on a constitutional question in preference to his

arrive at as safe conclusion under such guidance. Mr. tures of impulse, and it depends somewhat on our own constitutions what our views of constitutional questions may be. We ought therefore to pay some deference, in view of our fluctuating notions in regard to constitutional puestions, to the long-settled and well-established princies that have been laid down by the wisest men of this country. I have no doubt that if my friend from Virgin-

ia had been aware that Mr. Madison had given his sancion to the constitutionality of these juquiries, he would never have raised an objection upon constitutional grounds Yet Mr. Madison, in 1810, signed the bill for taking the census with statistics. Well, how was it in 1820? Mr.

Monroe, another light from Virginia, which has illuminated this country-another unquestionable authority upon constitutional law-signed the bill for taking manufacturing statistics. The bill of 1830, which contained the statistics of unnaturalized foreigners, was signed by that good and great man, General Jackson. And in 1840, a similar bill was signey by Mr. Van Buren; and the bill of last year by James K. Polk. Ave. sir. and the respectable old hero of Buena Vista has given his sanction to that act. The gentleman from Georgia ought to be aware that he is likely to come into collision with "Old Zack." And when the genteman comes in contact with such men as Madison, Monroe, and Jackson, I feel that I have a right to assume that the weight of authority is rather

against him. Now let us see what President Taylor says in regard to this subject:

"By the act of the 3d March 1849, a Board was con stituted to make arrangements for the seventh consus, composed of the Secretary of State, the Attorney General, and the Postmastor General; and it was made the duty of this board 'to propare and cause to be printed, such forms and schedules as might be necessary for the ules as may be necessary for the full enumeration of full enumeration of the inhabitants of the United States; the inhabitants of the United States, and also prepare and also proper forms and schedules for collecting, in statistical tables, under proper heads, such information statistical tables, under proper neads, such information as to mines, agriculture, manufactures, education, and other topics, as would exhibit a full view of the pursuits, industry, education and resources of the country.' The duties enjoined upon the Census Board thus established

Now, a remark or two on another point, and it is a point that has been declaimed upon, and reasoned upon, a good having been performed, it now rests with Congress t deal. It has been said that this bill is inquisitorial. Inenact a law for carrying into effect the provision of the quisitorial! Sir, these questions in regard to agricultur-Constitution, which requires an actual enumeration of the people of the United States within the ensuing year." al pursuits are denounced as inquisitorial. Never was a term more misapplied. Is it inquisitorial to inquire of

And here is another thing-----Mr. Stephens. I understand the gentleman to say, that under the act of 1790, 1800, 1810, and 1820, agricultural statistics were collected.

Mr. Thompson. I did not say the act of 1790 and or of what number his flourishing and increasing flocks

Mr. Stephens. I have traced the different consus acts from the commencement of the Government down to it be inquisitorial to inquire of the manufacturer how the present period, and I have the tables here that were much he has added to the great stock of national wealth? contained in each bill. The tables in the act of 1790 and No, sir; they will be pleased and happy to answer. I ties, and have and receive all the emolumonts now per-1800 authorized simply an enumeration of the lababit- know they will in the North, and so, I believe, will they ants; that of 1810 the same; that of 1820 nothing more be in the South. I defend the latter against the imputa-

[A laugh.]

A laugh. J This serves to show the ruling passion of a strict con-

structionist "strong in death." I love old Virginia for

many things, but I am not obliged to be governed by Vir-

the farmer what has been the produce of his well cultiva-

ted farm, upon which his labor has been bestowed? what

ginia or Georgia opinions in everything.

and that of 1830 simply an enumeration of inhabitants, tion that they would not be willing to answer. Sir, there It was not until 1840 that that course was departed from, is something calculated to clevate the mind in contem-It is true that in 1820 there was authority given to the plating the additions industry makes to the material that and Erie Railroad, which will stop only at the most uncollectors of the consus to take certain statistics, to be feeds and sustains a country. The producers will be the gentloman that it scours to me extraordiuary that he appended to, but they were not incorporated in the con- gratified that you ask them for it; and its only effect will past four in the morning, to arrive at New York in the af-Nubody was to be swown to give true replies in regard to should have sat still and allow the time of Congress to be as table itself. [Here Mr. Stephens read the Tables.] be to increase the desire to advance their production .-Mr. Thompson. As I said some time ago, the gentle- But who is it that objects to these inquiries? Not the us, this route will command a large portion of the pleusmember of the family is to be called, and he gives the be done, as taking the statistics of agricultune, education man is only likely to be more deeply entangled the more farmer or manufacturer. No, sir, it is not; it is the lawanswers for all. The gentleman tolls us that he dislikes and all other topics referred to in that law, while he be- he struggles. Not only were statistics collected in 1810 yer. The gentleman from Georgia and the gentleman business travel to New York. The public may look for this bill, because it proposes inqury as to the ages of indi- lieved it to be unconstitutional to do so, without once and 1820, but the aggregate of those statistics are to be from South Carolina, are lawyers, sir; and others ob- lively competition between the two great rival routes to viduals. There seems a sort of old madishness about raising his voice against it. The gentleman was here found in books in the State Department. Let us look at jecting are lawyers.

Now, I ask you, sir, and the committee, if, under the bose of constructing railroads. What Indiana has askact of 1790 and the act of 1800, there was not just as paled. Congress may refuse. Pennsylvania has asked for pable violations of the constitution committed, if there be nothing she might not ask, or which would be improper any, as there can possibly be under the provisions of this in Congress to grant.

bill? If this violates the constitution, then did the laws Mr. Bouclin. The expense of the national road through to which I have just referred. Those acts required the Pennsylvania is greater than that through Indiana. ages and sexes of individuals to be given, and both re-Mr. Thompson. I have said nothing in regard to that. quired an enumeration of the deaf and dumb. Where is only say that the manufacturers have asked for noththe constitutional provision for this, any more than for ing that they did not conscientiously believe they were statistics? But 1 am tired of this constitutional controentitled to receive. This application of Indiana versy. Scruples in certain quarters have no end, and to was pressed most earnestly at the last session, and if we illustrate to what extent constitutional scruples may lead, come to settle accounts, as to the aid which had been re-If cannot refrain from relating a story which I heard the ceived from this government, I think it will not be diffiother day concerning a Virginia gentleman; and Virgicult to show where that aid has been the most freely benians, you know, are never wrong though sometimes stowed. Talk of buying Pennsylvania with specific dupeculiar. This gentleman became very sick, and it was ties! 'Sir, I think I might be allowed to say, that if you' feared that he could not recover. An intimate friend should bait your hook well with land, you might find it called upon him to know if he had anything to commuquite as easy to catch Hoosiers. [A laugh.] nicate-any last request to make before his departure to My friend behind me (Mr. Millson) asks for an answer

another world. "Yes," said the sick man, "there is one o a question he propounds, but I fear my time will not thing 1 desire-1 do not wish to be buried at the public permit me to reply to him. But I must make a simple reexpense, I wish my friends to provide for my burial."nark in reply to the gentleman. The only fault he sceme "Why," said his friend, "what objection have you to to find with the bill, is confined to the two last schedules being buried at the public expense-that honor has been in relation to church statistics. If he does not like that, conferred upon many, why not upon you?" "Because," let him move to strike them out. For my own part I replied the other, "I have reflected upon the subject, and cons der it important that we should collect information have come to the conclusion that it is unconstitutional." in relation to the education and morals of the country

generally. But my friend does not stop there. He gives us a little commentary on the literary skill with which the bill has been drawn up. I am not auswerable for anything but the amendments. It is enough for me to say, that the gentleman's criticism does not add one iota to the strength of his argument in regard to the constitutional question. I have no doubt had the genloman drawn the bill it would havebeen faultless.

County Surveyor.

The following section is contained in the law recontly nacted, providing for the election of Auditor and Surveyor General. The new office, in this county at least, will he has realized from his beautiful and luxuriant fields? | be one of no great profit.

SECT. 5.-The qualified voters of each county of this consist? or how much, in the aggregate, ho has added to Communwealth shall, on the second Tuesday of October the means of supporting and perpetuating life? Or will it be inquisitorial to inquire of the manufacturer how to act as county surveyor for the proper county, for the term of three years, who shall do and perform all the dutaining to respective deputies of the Surveyor General.

> A Fast Train on the N. Y. and Erie Railroad We learn from the Buffalo Courier that on Monday, the 13th., an express train will be put upon the N. Y. fortant points on the road, and leaving Geneva at half ternoon. In the warm weather which will soon be upon ure travel, and, if ran as proposed, a still larger share of the metropolis.