VOL. VIII.

COUDERSPORT POTTER COUNTY, PA., FEBRUARY 21, 1856

NO. 40

COUDERSPORT ACADEMY.

THE Trustees of this Institution take pleathe Trustees of the Rublic hat they have engaged the services of the Rev. J. HENDRICK, as Principal. This gentle-1. HENDRICK, as Principal. This gentleman comes to us well recommended as being able, talented, and experienced. He has been exagged in tenching a large share of the time for fifteen years; and from among the large number of his pupils, about 500 have gone out from under his instructions, as teachers in determine parts of the country. It will be his test to make our Academy one of the real object to make our Acidemy one of the most desirable schools in the country, for those who wish to qualify themselves for teaching or for other responsible stations in life, and also for abose who desire to prepare for college.

THE WINTER TERM

Will commerce on Monday. December 3d 1555. The Academic year will be divided in to Four Terms, of eleven weeks each term. The Spring Term will commence on Monda... February 25, 1856; the Summer Term will commence on Monday, May 26th, 1856; and the Fall Term on Monday, the 1st. day f September, 1856.

TERMS.

Tuition per term of cleven weeks as follows:
Primary studies—Reading, Spelling, Mental Arithmetic, &c., \$2.00
Common English branches—Geogra- phy, Orthography, Arithmetic, and
Grammar, \$3.00 Higher English Branches—Natural
Philosophy, Astronomy, Chemistry, and First Lessons in Algebra, \$4.00
Higher Mathematics-Algebra, Geometry, &c., - \$5.08
Latin, Greek, French, and German Languages, \$5.00
Drawing extra, \$2,50
Piano Music, do \$8.00
Use of Instrument, \$2.90
Payment strictly in advance.
All scholars who can write legibly, will be

required to present an original Composition ence in two weeks; and all male scholars to declaim once in two weeks.

Though the Terms of tuition are consider ably lower than they have been heretofore yet it is designed that the instruction shall be thorough in all the branches taught; and those who desire to learn and are willing elude will find it a very Profitable School

SOBIESKI ROSS, President. LEWIS MANN, Treasurer, G. B. OVERTON, Secretary, Trustees. H.J. OLMSTED, ELIREES,

Board can be obtained in private Families in the village, or rooms can be had in the Academy by applying to the Trustees. Condersport, Nov. 22nd, 1855.

General Antormation.

UNITED STATES GOVERNMENT President-Franklin Pierce Fice President-(de facto) Jesse D. Brigat Secretary of State—Win. L. Marcy. Secretary of Interior—Robert McClelland. Secretary of Treasury—James Guthrie.
Secretary of War—Jedlerson Davis.
Secretary of Nary—James C! Dobbin.
Post Master General—James Campbell. Attorney General-Caleb Cushing. Chief Justice of United States-R. B. Taney

STATE GOVERNMENT. Garetaur-James Polioci-Gorernor-James Polloci
Secretary of State-Andrew G. Curtin.
Deputy Secretary of State-J. M. Sullivan.
Surveyor General-J. Porter Brawley.
Auditor General-Ephraim Banks. Treasurer-Eli Slifer. Supreme Court Judges-Ellis Lewis, W. B

Lowrie, G. W. Woodward, J. C. Knex, J. S

Cenny Officers, with Post Office Address. President Julge, Ronner G. Wutte, Weissbore, Tiega Co Associate Judges, Orange A. Lewis, Ulysses Joseph Mann, Millport. District Attorney, FRANKLIN W. KNOX, Coudersport.

Sheriff.
Plener A. Stenbers, Coudersport. Prethonotary and Clerk of the Courts TROMAS B. TYLER, Condersnort. Register and Recorder, ARDREW JACKSON, Condersport.

County Commissioners,
Duick Whiterle, Ulysses Center.
Hannisos Rosa, Whiten Corners, HERRY NELSON, Wharton. County Auditors, William B. Graves, Clara HARRIS LYMAN, Roulette.

H. L. Sixons, Allegany. Commissioners Clerk. Samuel Havens, Coudersport

Tresaurer, Henry Ellis, Coudersport. County Surreyor, Z. F. Robinson, Harrison Valley. Superintendent of Common Schools

J. B. Pradt, Coudersport. THE Cythara, the Lute of Zion, and Beys and Girls Singing Book, at the JOURNAL BOOK STORE:

Machine Oil.

Mill Owners will always find supply Oil fig machinery at satisfactory prices, and in any quantity, at TYLER'S Drug Store.

D. LOLMSTED. Sendersport, Feb. 14th, 1856.

JOURNAL. THE

Terms—in Advance

One copy per annum, Village subscribers, TERMS OF ADVERTISING.

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column, one year.

nserted for \$5.00 per annum. All letters on business, to secure should be addressed (post paid) to the Publisher.

From the Eve. Post. NATHANIEL P. BANKS.

The gent'eman who, after an unex ampled contest of nine weeks' duration, was elevated on Saturday last to the office of greatest political influence under our government, next to the Presidency, is one of the most favorable specimens with which our national history abounds of what are denominated " self-made men."

In the twelfth year of his age Mr Banks graduated from the only school cotton factory in his native village of house carpenter, and then learned the trade of a machinist' which he prosein Boston. His employment did not prevent his finding time to cultivate his understanding, while gratifying a constitutional taste for intellectual pleasures; and in 1845 he entered the office of the late Robert Rantoul, then U. S. District Attorney in Boston Massachusetts in 1848.

Mr. Banks had always been a firm and consistent supporter of the democratic party and its policy, and the year that he was admitted to the bar he was chosea a member of the state legislature by the democracy of his native town. He was one of about twenty democrats in the House, amongwhom the present Attorney-General of the United States figured quite prominently.

In 1851 Mr. Banks was again elected both to the Senate and the House He chose-to accent a set in the latter, and was chosen Speaker of that body by a coalition of the freesoilers of both the old political parties. As a presiding officer he bore the distinction of heing a better Speaker than Robert Winthrop, who preceed him, and who was universally esteemed as the best Speaker they had ever till

In 1852 he was re-elected Speaker of the House; in 1853 he was a memher and president of the convention which was elected to revise the constitution of the state, and was at the same time member elect of the Thirtythird Congress. In the latter body he made himself the object of assaults from the administration party and its agents by his opposition to the Nebraska-Kansas Bill, and every effort was made to prevent his re-election but without success. He was re-nominited by the regular democratic convention of his district, and elected to the present Congress, of which he has just been chosen Speaker, by about 7,000 majority; the largest majority, we believe, ever cast for any candidate n his district.

Mr. Banks was born in 1816; he is now therefore just forty years of age. His mother is a descendant of the Prentiss family, of New Hamshire, from whom he derives his middle name. He has a wife and two children. He is a man of dignified presence and department, deliberate, but precise and fluent in his speech, and remarkable for perfect confuess and self-control, as was abundantly proven during the long contest from which he has come out with a reward far more flattering than mere success, the univeranl conviction of all parties that he was worthy of the dignity and equal to the duties of the exalted position to which he has been raised.

حصيف السنديد يتالد وووه الرا

MORMON GROVE

Friday, Jan. 11, 1856. The road which leads from Fort Leavenworth to Fort Laramie, runs through the prairies to the back of Atchison and Doniphan, at a distance of some six or eight miles. Along this road the attention of the traveler is This result is arrived at by counting held at such place within the limits, often arrested by the graves on the the votes from all the election districts or in the neighborhood of the same, or wayside. The frequent occurrence of these is sad evidence of many a painful story, long deferred perhaps, hat sure and sorrowful, conveyed to the relatives of those who thus sleep beneath the prairie sod. The rumbling in his petition that the vote in Sharon of the emigrant wagons or the Government train makes their resting-place a busy thoroughfare. A few of these graves have a fence around them, but most of them are marked only by the moundand broken sod. Some of them had been torn up and the prairie wolf had made a banquet on the poor relics of mortality.

There is a road leading from Atchison into this military road. This is now the route for the Mormon emigration on its way to Salt Lake; and here, at the distance of some six or seven miles from Atchison, they have that he ever attended, and entered a a starting station. I was on my way from Doniphan to Ocena, when I came Waltham, Massachusetts. He subse- in sight of Mormon Grove. It stands quently assisted his father, who was a on high ground in the prairie, and is of young hickory trees, which can be cuted for some time in Waltham and outlines giving the scene a picturesque large farm, some 160 acres, neatly to admire it, as the hogs and cattle alis only two-and a-half feet high. The earth from the trench is thrown beually. When well built, this will, I tnink be very durable. The hogs and cattle are prevented from knocking it down by the trench, and cannot jump the trench for the wall. I was told that a man could put up from three to

four rods of this fence per day. ! There are one or two Mormons living at the Grove and its vicinity, but as I have stated, this is merely an outfitting station for the Salt Lake trains. Whether the polygamy feature of domestic bliss flourishes here, is a problem which my observation had not enabled me to solve. The people appear to be very quiet, and seem to possess some little intelligence. One elderly lady had quite a matronly and dignified appearance, and one girl was rather pretty-in fact, decidedly goodsemi-religious conversation of my host I almost forgot the few peculiarities that startled we at Mormon Grove.

POTTER COUNTY DISFRANCHISED.

In the matter of the contested election of Jol n C. M'Ghee, the following proceedings were had in the Legislature of this State, on the 7th inst.:

Mr. Foster, (select,) from the committee to try the contested election case of John C. M'Ghee, made the following written report in favor of the right of John B. Beck to his seat

as a member of this House: John C. M'Ghee, the sitting member, received, in the county of Lycoming, two thousand and thirty one votes; in the county of Clinton one thousand and twenty-eight votes; in the County of Potter six hundred and fifty-three votes; making his entire vote in the district, three thousand seven hundred and twelve votes, John B. Best received, in the county

of Lycoming, two thousand three hun- district, the lives of the electors may dred and eight votes; in the county of he in danger by attending at the places Clinton nine hundred and forty-eight votes; in the County of Potter four hundred and forty votes; making his entire vote in the district three thousand six hundred and ninety-six votes. in the three counties, as returned by as he, the Governor, may judge the the officers of the election, and shows most safe and convenient; and it shall a majority for John C. M'Ghee, the be the duty of such sheriff to give sitting member, of sixteen votes .-John B. Beck, the contestant, alleges township, in Potter county was illegal and ought not to be counted for either party. In this township John C. M'Ghee received sixty-one votes, and John B. Beck received twelve votes. which, if a together excluded, would leave a majority in the District for John B. Beck, of thirty-three votes. By the act of assembly passed the 5th of April, 1849, the general elections were to be held in Sharon township, in Potter county, at a school house situate between the houses of Jonas Wood and Simon Drake, at the school house known as the Leroy school house. The general elections were held for that township from the passage of that act, except that held on the 9th of October last, 1855, which was held at a new school house situaseen at a great distance, their feathery | ted one half mile east of the old school house, and not between the points in- the facility afforded them since the effect. I had no intention of stopping cluded in the act of assembly of the but something in the appearance of 5th of April, 1849. The school house the place arrested me. There was a referred to in the act, was sold in 18-52. by the school directors, to Mr. fenced with sod. I had often seen sod Burdick, who moved it a few rods fence before, but never had occasion from its former location. The general elections were held in it, however. as a student of law. He was admitted ways seemed to honor it " more in the in 1853 and 1854. On the morning of and commenced practice at the bar of breach than in the observation;" but the general election in 1855. Mr. Burthis appeared to be constructed on a dick informed one of the officers of more scientific plan, and is, I think, the election that he would not permit worthy of imitation in a prairie coun- the election to be held there, owing try. On the outside there is a ditch to sickness in his family. The evisome three feet deep by four feet wide, dence clearly established that the last sloping to a point at the bottom; from general election was not held at the this the materials of the dyke have place required by the act of assembly, been taken. The sods from the sur- that a new school house half a mile face form the face of the wall, which distant, by some known as the Leroy school house, and by others as the Sharon Center school. The act of the 5th of April, 1849, fixed the place of holding the election, which was imperative on the officers. The 22nd section of the general election laws provides that the inspectors and jugdes shall meet at the respective places appointed for holding the election in the district to which they respectively belong, at nine o'clock on the morning of the second Tuesday of October in each year. This act the officers of the election had no right to disregard. If they could change it to a place one half mile from that appointed by law. they would have the same right to change it five miles, or to any other point within the district. The legislature certainly never intended to vest in the officers of the election the power to change the place of holding the election fixed by law, at their discrelooking. For the first time in some tion, or for causes which they might weeks I have heard a "blessing" ask- deem sufficient, although it is not preed at table, and in the quaint and tended in this case that the change was made from any improper motives on the part of the officers of the election, or that the election was improperly conducted at the place where it was held. Yet the great evils that might result from the exercise of such power by the officers of elections, would be sufficient to bring its exercise under the condemnation of the law, and prevent the legislature from establishing such a precedent. To show that the exercise of such a power by election officers, was never con-

templated by the legislature, it will

only be necessary to refer to the 108th

section of the general election law,

which provides as follows: "It shall

be lawful for the Governor of this

Commonwealth, on the representation

of the board of health, or of the muni-

cipal authority of any city, borough,

town, or incorporated district in this

Commonwealth, that from the preva-

lence of any malignant or contageous:

disease in such city, borungh, town, er

fixed by law for holding elections within the same, to direct the sheriff of the proper county to give notice that the election for such city, borough, town, or incorporated district, will be public notice of such place, in the manner hereinhefore required, seven

days before the election," &c. It is not important now to consider whether this section applies to all election districts in the Commonwealth or not, as it is only referred to for the purpose of showing that the legislature never intended that the right to change the places of holding elections should rest in the discretion of election officers, even in cases of the most pressing necessity. The act of assembly of the 20th April, 1854, provides an easy and convenient mode in which changes may be made in the places of holding elections in any district in the Commonwealth, by application to the courts in the manner prescribed in the act. If there ever could have been an argument in favor of such changes. from the existence of circumstances which might seem to make them necessary, they are greatly weakened by passage of the act last referred to.

Beleiving the election held in Sharon township illegal, the committee has adopted the following resolution Resolved, That John B. Beck has received the highest number of legal votes, and is entitled to his seat as one of the members of this House from the district composed of the counties of Lycoming, Clinton, and Potter, which is respectfully submitted.

S A BACRUS H D FOSTER JESSE PEARSON JOHN THOMPSON JAMES B ORR. SAMUEL HILL G H Brush JOHN FAUSOLD Mr. Beck then appeared, was sworn,

and took his seat. Mr. PURCELL, from the same committee, presented to the chair the

following minority report: The constitution of this State makes each House the judge of the qualifications of its own members. It further provides that contested elections shall be determined by a committee, "to be selected, formed, and regulated in such manner as shall be directed by

The act of the General Assembly nassed July 2nd, A. D. 1839, provides the manner of selecting, forming, and regulating the committee as contem plated in the constitution.

The 142nd section of said act, provides that said committee "shall decide not only on the validity of such election, but also which of the candidates

had the greatest number of votes." It is also provided in the same act, that each member of the committee shall take the following oath, to wit: To try the matter of the petition, and to give a true judgment thereon according to the evidence unless the committee shall be dissolved.

The powers of this committee are only learned from the above referen-

The first duty devolving upon the committee, as indicated by the 142nd section of the act of 1839, is to decide upon the validity of the election in Potter county.

To constitute an invalid election, it must be shown that fraud has been practiced, or that illegitimate means have been used in securing a popular decision at the ballot-box.

In this case it is not claimed that the election was or should be declared invalid. It is not intimated that there: was fraud connected with the election in Sharon township, or that illegitimate means were in any way made to affect the wishes of the people. Therefore the question of validity is at once dismissed.

The next duty devolving upon the candidates had the greatest number of of the act of 1839; and certainly the ent sol incomplety of the new side

legal votes.

The legal qualifications of a voter re defined in the first section of the third article of the constitution of this State, which reads as follows:

"In elections by the citizens every white freeman of the age of twentyme years, having resided in this State one year, and in the election district where he offers to vote, ten days immediately preceding such election, and within two years paid a State or county. tax which shall have been assessed at east ten days before the election, shall njoy the rights of an elector."

The last clause here quoted is imperative. Citizens being legally qualfied, as in this section required, posless rights that cannot be taken away or even impaired by legislative enactment. Nor can any irregularity in the manner of holding an election, or of election officers, be used as a pretext to deprive the citizen of his sacred rights at the ballot-box. In this case it is alleged that the election was held at a place not designated by law.

Until the passage of the act of the 20th of April, 1845, there was no general law providing for fixed places of holding elections.

By the act of the second of July. 1839, section 13th, the sheriff of every county is required to give notice of the general elections by advertisment, &., and in that advertisment he is required to "designate the place at which the election is to be held."

By the 35th section of an act regnlating election districts, passed the 5th day of April, 1849, it is provided, that hereafter the qualified voters of Sharon township, in the county of Potter, shall? hold their general elections at the School House situated between the houses of Jonas Wood and Simon Drake.

This act fixes no place for holding the township election in said township.

The school house referred to abova was school house No. 3, in Leroy subdistrict, Sharon township, and usually called Leroy school house. In 1853 the school directors for Sharon towaship, contracted for the building of a new school house in Leroy sub-district, and at the same time sold the old one. The new school house was built on ground owned by Lewis Wood, and a short distance east of Wood's house. The old school house stood on ground west of Wood's, and a little more than 140 rods from the new location. The new school house was designated by the directors the same as the old one. school house No. 3, in Leroy subdistrict," and was for all public pu.poses the same school house.

Immediately after the general election in 1854, the old house was removed by the msn who owned it from the property on which it stood to othe property, and a private family moved: into it. and the same of

The simple question is now submitted, were the 73 votes of Sharouownship legal or illegal. The elecion was held in the new school house. It was the only election held in thur. township on that day, and there was so no objection on the part of any citizens, to the holding of the election, at that, place.

The Sheriff's proclamation clearly: and plainly designated the place at: which the election should be held. It. required the citizens to meet at the Leroy School House."

There was but one Leroy sub-district n Sharon township, and there was but me school house in Leroy sub-district Hence, no man could have been mistaken in the place designated by the Sheriff, and there was no evidence whatever before the committee that a single citizen in the township was mistaken or misled by it; more than this there was no evidence before the committee that any citizen of the township. wanted the election held at any other place.

Then, by what rule are we to decide these votes illegal ! Not by his rule gathered from the constitution ?! committee, is to decide which of the State; not by any of the provision? 是是一次第一次是