REPORTER.

Wednesday, September 25, 1844.

DEMOCRATIC NOMINATIONS.

For President in 1844,
JAMES K. POLK,
OF TENNESSEE.

For Vice President,
GEORGE M. DALLAS,
OF PENNSYLVANIA.

Electors for President and Vice President.

WILSON M'CANDLESS, } Senatorial.
ASA DIMOCK,

1. George F. Lehman.	13. George Schnabel.
2. Christian Kneass.	14. Nath'l B.Eld red.
3. William H. Smith.	15. M. N. Irvine.
4. John Hill. (Phila.)	16. James Woodburn.
5. Samuel E. Leech.	17. HughMontgomery
6. Samuel Camp.	18. Isaac Ankney.
7. Jesse Sharpe.	19. John Matthews.
8. N. W. Sample.	20. William Patterson.
9. Wm. Heidenrich.	21. Andrew Burke.
10. Conrad Shimer.	22. John M'Gill.
11. Stephen Baldy.	23. Christian Meyers.
12. Jonah Brewster.	24. Robert Orr.

For Governor,
FRANCIS R. SHUNK,
OF ALLEGHANY.

For Canal Commissioner,
JOSHUA HARTSHORNE,
OF CHESTER.

FOR CONGRESS.
[For the unexpired term of A. H. Read, dec'd.]
GEO. FULLER, OF SUSQ'HANNA.

FOR CONGRESS,
DAVID WILMOT, OF BRADFORD

FOR REPRESENTATIVES,
IRAD WILSON, OF CANTON.
JOHN ELLIOTT, OF WYALUSING.

FOR COMMISSIONER,
L. PUTNAM, OF GRANVILLE.

FOR AUDITOR,
J. M. BISHOP, OF DURELL.

Judge Herrick's Manifesto.

A document, purporting to be an address, signed by Edward Herrick, L. S. Ellsworth and others, has been slily circulated in this county for some weeks past. By accident one has come to our hands. We say slily circulated, because we have the authority of a reputable whig that he saw one, more than four weeks since. We are not surprised at this clandestine movement, after perusing the document, but we confess our astonishment at the conduct of Judge Herrick, as it seems to be a bantling of his, and brought forth under his special supervision. Some weeks since a paper was circulating in this quarter to procure the signatures of about two hundred democrats, who it was confidently asserted by the federalists, had changed from us and gone over to them. We were then told by them that the list would be published in the Argus, since which, we have been looking for its publication, at length we have it, but from another quarter. The list contains thirty names instead of two hundred; to get these thirty the whole county has been scoured. This explains both the reason why the Argus has not published it, and the reason why this secret and stealthy course is adopted to circulate this document. The federalists had been making sweeping and unfounded operations about changes at home and abroad; many were persuaded to believe the story, and that a large share of the democracy of Bradford had really wheeled into the ranks of the federalists. For the purpose of astonishing the people every where, the paper for signature went the round, and after searching every township thirty names appear.

This was too glaring a refutation of their falsehoods about changes to be published in the Argus; thirty names would not atone for asserting there was two hundred. Hence a few federalists have been sneaking about the county clandestinely circulating this contemptible address. The trick does not stop here.— Although there are two who gave no authority for their names being put to the address, and repudiate the doctrine in it. We are informed by the neighbors of Thomas Lane of Athens, and G. W. Plumer, that when the address was shown them, (by a democrat, some weeks after it was published) they asserted it was the first time they had seen it, and their names appeared to it without authority; that their names were procured for some purpose, by Judge Herrick, but not for this purpose unless grossly deceived. Three others, viz: N. J. LeDoyt, E. C. Herrick, and J. C. Robinson have never voted for President. A. M. Coe and John Case of this borough may have voted the democratic ticket, but no one knows it, especially A. M. Coe, who has ever been a whig. Adonijah Moody says he never voted a whole ticket for the same party, but always split it. Wm. H. Overton did not vote for Martin Van Buren in 1840. L. S. Ellsworth supported Joseph Ritner, whether he voted for Van Buren in 1840 or not, we do not know. Such is the political complexion of some who are on this list and our friends can see from it, whether we have any great reason to be alarmed as to the result in Bradford County.

A word in relation to Judge Herrick, the gentleman who wrote the address, and was instrumental in procuring the signatures. He has seen fit to play the demagogue in his old age, and forget the dignity of his former position, to practice political pranks upon the unsuspecting, and therefore cannot blame us if in handling him we take our gloves off.— The list of names to which we allude is headed by his and the others which follow, is said to be the result of the influence which his change has had on others; no doubt the Judge has vanity enough to think so, at the same time, we venture the opinion, that there is not one of the others on the list, who, if he resided in the county at the time and was a voter, but voted for a new constitution, for the sole purpose of putting an end to the tenure by which our President Judges held their office, not to say that their votes were cast with a reference to him in particular. So much for the Judges' influence.

We do not believe one third of the names to this address were procured for the purpose of endorsing the doctrine it contains. We shall be able to show that in several instances, a flagrant imposition has been practised, and we doubt not that the same exposure will be made by others; in which we are strengthened by the great caution which has been used to keep this document from the sight of many whose names are printed in it. The address is a reiteration of old and reputed falsehoods, and known to be such by the Judge; characterized throughout by that kind of humbuggery, which Judge Herrick ought to despise, and which he will repent of hereafter. This is the kind of warfare which perhaps he thinks will place him near the throne, should Clay be elected, and thereby present strong claims for some vacancy; but with the falling of this airy castle, his sense of propriety may return to him. The Judge talks about working shoulder to shoulder with the democrats of this county; was it in 1843, when he sought to defeat their whole ticket? perhaps he means boasting, such as he expected in 1838 when he sent Mr. Tyler to Harrisburg to plead with Joe Ritner in his behalf; certain it is, that no democrat's shoulder in this county ever helped him to shoulder the batch of federal measures contained in his address. That the reader may have an idea of the political ingenuity of this document, we will state the positions taken in it.

1. It advocates a HIGH PROTECTIVE TARIFF, such as was supported by John C. Calhoun, and opposed to the high tariff of 1828, supported by Martin Van Buren and Buchanan.

2. That one market for the farmer's produce is better than a dozen.

3. A protective tariff reduces the price of all articles we manufacture.

4. That the importer and not the consumer pays the tariff.

5. That the revenue from the public lands should be distributed among the states for the benefit of the tax payers according to their wealth, giving not a farthing to the poor man.

6. Annexation of Texas is repudiated. The Judge had not seen Clay's last letter when he wrote upon Texas.

7. Then follows that sheer fabrication about Col. Polk's voting against giving pensions.

If Judge Herrick is not heartily ashamed at this weak, contemptible and paltry system of electioneering, it will be, because like a certain other politician "he has thrown conscience to the devil."

Information.

We are informed that the Federal orators of our town say they are tired of riding about the country speechifying, that it's not only tiresome but expensive.

Pray don't go any more gentlemen, if you wish a *ride*, just wait till the second Tuesday in October, and we'll give you one, even to the shoal waters of Salt River, "without money and without price."

The Contest.

It is really amusing occasionally to observe the progress and variety of the calculations of the Coon party in relation to the popular vote of this State. There is indeed instruction too, even in the strange mixture of figures which are presented in their calculations.— There is proof plain, that the party is lost to every thing like honesty, as they utter falsehoods, and are despised at home, for the paltry purpose of *effect* abroad. That the vote of Pennsylvania will as surely be cast for James K. Polk and Geo. M. Dallas as the day of Elections comes, not not a man of them in his heart for a moment doubts, as the Keystone she will surely support the Democratic arch. All the wild and mad-cap calculations, and assertions of the coons can never strike terror or even doubt into the breasts of a people who know them to be desirrous.

The whole policy of the party consisted in 1840 in making a noise to blind the democracy. They huzza as loud now, but "the sober second thought" of the people is fast settling their rejoicing and putting a sudden end to their uproar and boisterous mirth. The thousand local feelings which then rushed in to swell the general tide, has long since subsided the calm sober, and manly determination of the people is fast exhibiting itself, and state after state, comes sweeping on to victory.

Democracy has never anything to fear from a struggle. It is when the people are completely, and thoroughly aroused to action, that the Democratic party is always triumphant. The buzzing of the coons, have gone over the land, but this time, it finds the beacon-fires of democracy bright and burning. On every bill-top, from every mountain side, from the broad prairie, the thickly studded forests, the west, and the commercial cities of the Sea-board, the alarm is sounded, and all are ready to meet the foe. In Pennsylvania is, a democratic majority of 20,000 will help to ring the death-knell of coonery, and the final overthrow of the humbug lying party.

Sale of the Main Line.

The people are called upon to decide, through the ballot-box on the second Tuesday of October whether or not the main line of our public improvements shall be sold and pass into the hands of a company. We have endeavored to examine this subject in all its bearing, and are fully convinced that its sale and transfer into the hands of a company would be deleterious to the interests of the state. The main line is already profitable, and increasing in value yearly. If it continue to be managed for a few years more, with the care, prudence and skill that characterize the present board of Canal Commissioners, it will produce revenue enough, very nearly to pay the interest on its cost of construction. Besides this, we cannot look upon the creation of a company with a capital of $20,000,000 in any other light than that of danger to the interests and welfare of the commonwealth.— So far as we can judge from what we see and hear, we believe the *people* are opposed to the measure and will vote it down by a large majority.

Ho! FOR TEXAS.—*What has become* of all the Whig thunder *against* annexation! Not a word do we hear from them since Mr. Clay, their leader has come out in favor of it. Only a few weeks ago and they were as noisy as woodpeckers, they would snarl and almost bite if a word was said in their presence in favor of annexation. Then they were doing fealty to their leige lord; but he, more wary than his blind adherents soon found his position before the people, on that question, was any thing but such as he could wish, and as he had long been accustomed, on great national questions to "*Wire in and Wire out*" he has "wheeled about and turned and jumped jim crow" on the Texas question. His parasites, are, to be sure, somewhat surprised at his sudden transmogrification, and they are still gazing and gaping at Mr. Clay's letter, not quite ready to shout, as they all will in a few weeks, "Huzza for Annexation."

The Democrats in New Jersey are fighting the battle as if they were determined to conquer at the coming election. We like the spirit with which our friends are doing service there, and if they do not carry the state for Polk and Dallas, we shall be greatly deceived, that's all.

"The Puritan & the Blackleg."

To what strange uses do we come at last? Eleven years ago, Theodore Frelinghuysen and Henry Clay were both members of the United States Senate, and stood up as opponents in public debate, each sustaining characteristic positions. It was on a question of adjournment, Mr. Clay advocating the employment of the *Sabbath* in Congressional business, and Mr. Frelinghuysen opposing it. We quote from the N. Y. Evangelist of March 23d, 1833.

SUNDAY SESSION OF THE SENATE.— On Saturday evening, Mr. Poindexter moved that when the Senate adjourn, it adjourn to meet at ten o'clock to-morrow, (Sunday.) Mr. Frelinghuysen spoke with great earnestness against it, and represented it not only as a violation of the laws of God, but as an invasion of the rights of conscience, since he, and some others, would be prevented from attending, by their conscientious scruples. He was replied to by Mr. Clay, *who professed as great a regard for the Sabbath and the laws of God as any man;* but he regarded legislation in the same light as an eminent American professor did the science of mathematics, as quite sacred enough to be pursued on the Sabbath. The Senate, however, voted against the proposition by a majority of two-thirds.

THINGS TO BE REMEMBERED.—Democrats of Bradford, remember that there is a United States Senator to be elected next winter by the Legislatures of this State; Remember that the political complexion of the U. S. Senate *may* depend upon the choice from this state.

Remember that highly important measures will come before the next senate, hence it is all important that Pennsylvania should be truly and faithfully represented.

Remember that the whigs, antimasons and self-styled Native Americans, are combining all their efforts to defeat the democracy, and secure to the opposition a majority in our next legislature.

Remember that should they succeed, they might elect a Federal Senator and entail upon our commonwealth, "Curses not loud but deep" for six years to come.

Remember that you have the power in your hands to prevent it, by securing the election of the Democratic nominees for Representative.

Remember to be active and vigelant in encouraging your neighbors and fellow democrats to use all honorable exertion to secure the election of Messrs Elliott & Wilson.

Remember to allow no consideration to keep you from the polls on the day of El ction, and to see that every democratic vote is polled for the candidates of the Democratic party.

COON LOGIC.—The Argus says "*Maine* has gone *locofoco*, by a *reduced* majority."

In 1840, she elected a Federal Governor and the Harrison electoral ticket by 400 majority, this year she is democratic by 10.000.

A few more such "reduced majorities" and the coons would be worse than skinned, there would not be a grease spot, of them left.

WHIG NOMINATION.—The whigs have nominated Horace Williston, Esq. as their candidate for Congress. Whether Mr. Williston will consent to stand his hand and meet another in glorius defeat remains to be seen. If it were possible for the whigs to beat us in this district, we would as soon see the honor fall on Mr. Williston as any old coon in these diggins, but he can't come it. We contend not against the man but against the princi ples of his party.

CONGRESS.—The Democratic Convention of Tioga County met on Tuesday, the 17, and unanimously confirmed the nomination of DAVID WILMOT, Esq. as a candidate for next Congress. Mr. Wilmot is now before the people as the *unanimous* choice of his party in the entire district—a thing almost unheard of in political history.

His majority over all competitors will prove that the confidence of his fellow democrats is not misplaced. He is every way worthy the entire vote of the party and we have no doubt it will be given him, and that his competitors will be distanced.

This year is unexampled for several important things; for the forwardness of spring, for the beauty of summer, for the tremendous freshets in some of the western states; but above all for the abandoned recklessness, fertile imaginations and unqualified FALSEHOODS of coon editors and coon orators.

Bradford County Court.

Saturday, Sept. 7th 1844.

The following opinion was given by the Court to-day, in reference to the taxation of the bill of costs, in the case of the Commonwealth vs. W. H. Overton. It will be recollected by our readers, that Mr. Overton was convicted at December sessions, 1843, of an assault and battery on Charles Jenkins, and sentenced at the Feb. sessions to pay a fine of twenty-five dollars to the Commonwealth, and the costs of prosecution. The fine and costs as taxed amounted to $366.88. It may be remarked, that an indictment was found against him at Sept. Term, and the witnesses were in attendance on the part of the Commonwealth; but the cause was continued on application of the defendant. At Dec. Term, the first bill was quashed, and a new one found, on which the trial took place. On the 15th of Feb. 1844, the defendant took a rule for retaxing the costs, and objected to all the costs, previous to quashing the indictment, and to all the witness fees and service of subpoenas, except those witnesses who were sworn on the trial &c.

The prosecutor alleged that the large number of witnesses was necessary, in consequence of the threat of Mr. Overton to impeach the Jenkins'

The clerk decided that the defendant ought not to be taxed with any costs made previous to quashing the indictment, except the costs before the Justice, and the costs of those witnesses examined before the Grand Jury in order to find a new bill. He likewise decided against allowing costs for any witnesses except those examined on the trial in Dec. The whole matter came before the Court on appeal from this decision of the clerk. The opinion of the court is in the following words:

"Since the Act of 23d Sept. 1791, a defendant in an indictment has not been regarded liable to pay the costs of prosecution, except in cases of conviction and of acquittal by the traverse jury, where, by subsequent acts, they have the power to charge him with such costs. In the present case, the defendant cannot be obliged to pay the costs upon the quashed bill, unless it be considered part of the same proceeding with the second bill, and therefore controlled by the verdict of the jury thereon.

This question seems to be ruled by the decision of the Supreme Court in *Commonwealth vs. Huntingdon county*, 3d *Rawle*, 488; where *two* bills, and in exactly similar circumstances, are held to be "*distinct prosecutions*," and the direction of the grand jury as to the costs upon the second bill, because they then are distinct prosecutions, were regarded as not applying to the costs on the former. The liability of the county in the one case, and the defendant in the present, are equally and only statutory, depending on the eventual finding of the power, having the control of the costs; and we cannot see how a different rule can be adopted in the one case, from the other.

It is our opinion, therefore, that the Commonwealth has no right to find fault with the taxation of the clerk, as to the costs accruing previous to quashing the first bill.

The evidence produced to prove the necessity of the large number of witnesses at Dec. sessions, 1843, is not satisfactory to the Court; we cannot countenance in any case, such an attempt as the present, and the same measure would have been meted out to the defendant, if it be the fact that he had subpœnaed so many witnesses as is alleged, and there had been a *reverse* decision of the cause. The court will in no case justify any party in the unnecessary reduplication of testimony as to any particular point, whether from the fancied benefit of one party outnumber ing the witnesses of the other, or for any other reason.

We cannot, however say, that under the threat of the defendant, carried to the ears of the prosecutor, whether true or false, to impeach the Jenkins', he would not be justified in bringing some witnesses to sustain their character; as some of that family were examined as witnesses, even though John and Ray, the principal objects of the intended attack, were not improved. We allow the Comth', therefore, in addition to the witnesses *examined on* the trial, the costs of subpœnaing and attendance of eight witnesses to be selected as the Commonwealth may choose from the charged in the bill; beyond that, the amount of the bill filed, is deemed oppressive, and rejected consequently by the Court; and so far only is the appeal of the Commonwealth from the taxation of the clerk sustained."

Wednesday, Sept. 11th, 1844.

MARTIN ELSBREE to the use of MAD[illegible] SON ELSBREE vs. LEVIRA and E. R. MYER, administrators of Wm. Myer deceased. This was an action of assumpsit, brought to recover on a promise made by Wm. Myer in the spring of 1842, to Martin Elsbree, that if Elsbree, who owned a judgment against Pomeroy Gorsline, would stay proceedings against Gorsline until he (Myer.) could have time to sell his lumber, that then Myer would pay that debt. To prove this promise, Martin Elsbree was called, and the defendant's counsel excepted, on the ground of the incompetency of the witness to prove these facts. The objection was sustained by the Court, and the evidence was rejected. The plaintiff became non suit, and at the same time a rule was granted to show cause why it shall not be taken off.

JOHN NAGLEE & SON vs. WM. L. POST. This was a feigned issue directed by the Court to try the right of the parties to $904 66, in the hands of the Sheriff. The question to be decided was, whether this money should be applied on a judgment in favor of John Naglee and Son vs, Henry M. Naglee, or on a judgment in favor of Wm. L. Post vs. Henry M. Naglee. The principal facts of the case are as follows:

A fieri facias was issued in favor of John Naglee & Son vs. Henry M. Naglee, Nov. 5th 1842, which was returned unexecuted by order of the plaintiff's attorney; and on the 6th Dec. 1842, an alias fi. fa. was issued on which a part of the personal property levied upon as the property of H. M. Naglee, was sold March 18th, 1843. A fi. fa. in the case of Wm. L. Post vs. H. M. Naglee was also issued Dec. 6th 1842; on the 10th day of Feb., 1843, ordered to be returned without further proceedings by the plaintiff's Attorney in pursuance of directions received from Isaac Kellum, who professed to act as agent for Post. In this same case a venditioni exponas issued Feb. 27th 1843, on which the property was sold for $904 66.

The defendant claimed that he was entitled to the money, on the ground that in the case of John Naglee & Son vs, H. M. Naglee, the execution was issued without any intention of collecting said judgment by a sale of the property, but for the purpose of covering and protecting it from other creditors, and that the plaintiffs gave such instructions to delay proceeding, as would in law, postpone the lien of their writ, and entitle Post to the money in dispute.

It was contended on the part of the plaintiffs, that the facts did not show any any such instructions, &c.

The Court charged the Jury that they must find for the plaintiffs; which was accordingly done.

Thursday, Sept. 12th, 1844.

George Sanderson, assignee of Amelia E. Dupont vs. Robert Depew in Hiram Camp—*Scire facias* on a mortgage.

Hiram Camp pleaded that he was a tenant under the mortgage. Judgment of non suit by consent as to Camp and judgment against Depew, the Prothonotary to ascertain the amount.

Thursday Sept. 12th, '44.

Hamilton Morrow vs. Albert Camp, this was an action of trespass brought to recover damages from defendant for seizing and selling a yoke of oxen belonging to the plaintiff. It turned out the consent of the plaintiff. The defence set up was, that at the time of the alleged trespass was committed, Camp was a collector of School taxes, regularly appointed by the directors of Herrick. But this property was levied upon by camp in pursuance of his warrant, and sold to Robert Depew in payment of Morrow's taxes.

Friday, Sept. 13th, '44.

In the case of Morrow vs Camp the Jury rendered a verdict in favor of the defendant.

Charles Gridley vs Asahel S[illegible] John V. Daniels, and John F. L[illegible] Debt on promissory note. The Jury found for the plaintiff $524.82.

The Court to-day sentenced [illegible] Galaspie, convicted of assault and