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## Governor's Message.

EXECUTIVE CHAMBER, HARRISBURG, January 4, 1860

To the Honorable the Senators and Members of the House of Representatives of the Commonwealth of Pennsylvania:

GENTLEMEN:—In complying with that provision of the Constitution of Pennsylvania, which makes it the duty of the Governor, from time to time, to give the General Assembly information of the state of the Commonwealth, I am most happy, on this occasion, again to congratulate the representatives of the people upon the highly favorable condition of the finances of the State.

The receipts at the State Treasury, from all sources, for the fiscal year ending on the 30th of November, 1859, were \$3,826,350 14, to which add balance in Treasury, December 1, 1858, \$892,027 76, and it will be seen that the whole sum available for the year, was \$4,718,377 90. The expenditures, for all purposes during the same period, were, \$3,879,054 81. Leaving an available balance in the Treasury, on the 1st day of December, 1859, of \$839,323 09. Included in the expenditures for the fiscal year, are the following sums, viz:

Loans Redeemed, \$840,302 30  
Relief notes cancelled, 4,137 00  
Interest certificates paid, 4,843 30

Making the public debt actually paid, during the year the sum of 849,282 60

The funded and unfunded debt of the Commonwealth, on the 1st day of December, 1859, was as follows:—

FUNDED DEBT.

3 per cent. loans	\$445,180 00
5 do	38,420,956 67
4 1/2 do	388,200 00
4 do	100,000 00
Total funded debt	39,354,286 67

UNFUNDED DEBT.

Relief notes outstanding	\$105,350 00
Interest certificates	23,357 12
do do unclaimed	4,448 38
Domestic creditors	802 50
Total unfunded debt	133,958 00

Making the entire debt of the Commonwealth, at the period named, \$39,488,243 67.

The funded and unfunded debt of the State, at the close of the last fiscal year, December 1, 1859, stood as follows:

6 per cent. loans	\$400,630 00
5 do	37,625,153 37
4 1/2 do	388,200 00
4 do	100,000 00
Total funded debt	39,513,983 37

UNFUNDED DEBT.

Relief notes in circulation	\$101,213 00
Interest certificates outstanding	18,513 82
do unclaimed	4,448 38
Domestic creditors	802 50
Total unfunded debt	124,977 70

Making the public debt on the first day of December last, \$39,638,961 07.

Since the close of the fiscal year the Commissioners of the Sinking Fund have redeemed, of the five per cent. loans, the sum of \$160,000, leaving the real debt of the Commonwealth at this time, funded and unfunded, \$38,478,961 04. If we deduct from this sum the amount of the bonds received by the State, from the sale of her public works, and now held by her, as follows:

Bonds of Penn's Railroad Co.	\$7,300,000 00
do Sunbury & Erie R. R. Co.	3,500,000 00
do Wyoming Canal Co.	281,000 00
Total	11,081,000 00

We have \$27,397,961 07, the remaining debt of the Commonwealth, the principal and interest to be provided for, from the ordinary sources of revenue.

It will be observed, that from the 1st day of December, 1858, to the 31st day of December 1859, a period of thirteen months, besides meeting all the ordinary demands upon the Treasury, there has been actually paid, on the principal of the public debt, \$1,009,282 60.

When it is remembered, that during this period, the law reducing the State tax upon real and personal estate from three to two and a half mills, has been in full force, and that nothing for the last year has been received from the Pennsylvania railroad company, on account of tax on tonnage, making the receipts from those two sources of revenue, less by four hundred thousand dollars, than they

were for the preceding year, it is a source of congratulation that, under such circumstances, a result so favorable has been produced by the ordinary operations of the Treasury.

For nearly two years past, the State has been entirely free from the ownership and management of canals and railroads, and the gratifying result, thus far, is, that her public debt is now less than it has been since the year 1842, and is decreasing at the rate of nearly one million of dollars per annum. It is now morally certain, that nothing but the grossest mismanagement of the financial interests of the State can prevent its sure and speedy extinguishment. Why should not Pennsylvania press onward until she is entirely free from debt? She is no longer engaged in the construction of great works of internal improvement, nor is she the proprietor of railroads and canals. Relieved of these, governmental action is greatly simplified, and is now happily limited to subjects of a purely governmental character. Having ceased to be interested in ordinary business pursuits, it is her plain duty to devote her best energies to relieving her people from the burden of an onerous debt. When this great result shall have been accomplished, the necessary expenditures of an economical administration of the government, can be readily met without the imposition of a State Tax on real and personal estate—the remaining sources of revenue being more than sufficient for all legitimate purposes. Until that end, so anxiously looked to, is secured, true wisdom, as well as sound policy, dictates, that our resources should be carefully husbanded—that none of our present sources of revenue should be cut off or diminished—that all departments of government should consult a proper economy—that all extravagant and unnecessary appropriations should be avoided—and that every new scheme for embarrassing the treasury should meet with marked condemnation.

Encouraging, as are the results of the past two years, it must not be forgotten that we have just commenced the payment of the principal of our debt; and that to prevent a misapplication of the public finances, and thereby insure a continuance of its reduction, from year to year is manifestly the first duty of those placed by the Constitution in charge of the public Treasury, and to whom belongs the exclusive right of raising, economizing and appropriating the public revenue. I earnestly commend this whole subject to the careful attention of the Legislature—entirely satisfied, that, as it is the most vital of all the interests committed to the charge of the General Assembly, it will receive that consideration which its importance so eminently demands.

In my last annual message, I communicated to the General Assembly all that up to that period, had been done under the act, entitled "An Act for the sale of the State canals," approved April 21, 1858. Since the adjournment of the last Legislature, satisfactory evidence having been given to me, of the compliance of the Sunbury and Erie railroad company, with the conditions mentioned in the third section of the act referred to, the State Treasurer, under my direction, has delivered to the company the canal bonds for two millions of dollars, deposited in the Treasury under the provisions of the said act.

The railroad company has also become entitled to, and has received, one million of dollars, of the mortgage bonds referred to in the sixth section of the same act; leaving mortgage bonds amounting to two and a half millions of dollars, still remaining in the Treasury of the Commonwealth, to be delivered to the company, "from time to time, *pari passu*, with the progress of the work, as ascertained by the returns and estimates of the chief engineer of the said company. When the bonds last mentioned, shall have been surrendered to the company, as directed by law, the State will still hold, as absolute owner, three and a half millions of dollars of the mortgage bonds of the company, payable in the year 1872, and in the six succeeding years, as mentioned in the act of Assembly, with interest, at the rate of five per centum, payable semi-annually, on the thirty-first days of January and July of each year. Interested, as the Commonwealth is, in the early completion of this important thoroughfare, it affords me great pleasure to be able to inform the General Assembly, that the progress of the work, for the past year, has been highly satisfactory.

The Eastern division of the road, extending from Sunbury, in the county of Northumberland, to Whetnam, in the county of Clinton, a distance of eighty-one miles, is finished; passenger and freight trains passing over it daily. The Western division, extending from the city of Erie, to the borough of Warren, in Warren county, a distance of sixty-six miles, is, also, completed, with regular passenger and freight trains now running over it daily. Making one hundred and forty-seven miles of railway, along the line of the route that have been already brought into practical operation—one hundred and seven miles of which, exclusive of sidings, were finished during the past year. On the intermediate portion of the line, between the borough of Warren and Whetnam station, a distance of one hundred and forty miles, ninety-five and a half miles, are graded, leaving but forty four and a half miles yet to be graded, to place the whole of the unfinished portion of the

road in a position to receive the superstructure. If no untoward event shall delay its vigorous prosecution, another year will not pass before the entire line of the road will be finished and in use; thus affording a direct and continuous communication, by railroad, from the city of Philadelphia to the harbor of Erie.

By the twenty-second section of the act approved the 13th day of April, 1846, entitled "An Act to incorporate the Pennsylvania railroad company," it is provided, "that all tonnage, of whatsoever kind or description, except the ordinary baggage of passengers, loaded or received at Harrisburg, or Pittsburg, or at any intermediate point, and carried or conveyed on or over said railroad, more than twenty miles, between the 10th day of March and the 1st day of December, in each and every year, shall be subject to a toll or duty for the use of the Commonwealth, at the rate of five mills per mile, for each ton of two thousand pounds; and it shall be the duty of said company, between the 20th and 30th days of July, and between the 1st and 10th days of December, in each and every year, after thirty miles or more of said railroad shall have been completed, and in use, to cause to be made out, and filed with the Auditor General, a true and correct statement, exhibiting the amount of said tonnage, so loaded or received, and the distance so carried and conveyed, during the respective periods intervening between the said 10th day of March, and the 20th day of July, and between the said 20th day of July and the 1st day of December, in each and every year; which said statement shall be verified by the oath or affirmation of the receiving or forwarding agent or agents, or other proper officer or officers, of said company, having knowledge of the premises; and at the time of filing said statement, or on or before the said 30th day of July, and the 10th day of December, in each and every year, the said company shall pay to the State Treasurer, the amount of said toll or duty, so accruing for the use of the Commonwealth, during the respective intervening periods before mentioned." And, in a supplement to the act just referred to passed on the same day, it is further provided, "that in case the said company shall, at any time, fail to pay the toll or charge on tonnage, which may accrue, or become due to the Commonwealth, under the provisions of said act, the same shall be and remain a lien on the property of the said company, and shall have precedence over all other liens or incumbrances thereon until paid." By the act of the 27th of March, 1848, the tax on tonnage of five mills per ton, per mile, from the 10th of March to the 1st of December, was commuted to a tax of three mills per ton, per mile, during the whole year.—Subsequently, by the act of the 7th of May, 1855, lumber and coal were made exempt from the tonnage tax.

In pursuance of the provisions of the several acts referred to, the Pennsylvania railroad company has paid into the Treasury of the Commonwealth the following sums, viz:

For the fiscal year ending Nov.

30, 1851	\$7,521 93
Do do do do	16,690 49
Do do do do	65,228 59
Do do do do	112,880 60
Do do do do	129,230 56
Do do do do	226,018 51
Do do do do	179,933 75
Do do do do	222,363 02

Since July, 1858, the railroad company has refused to pay this tax, and consequently there is now due from said company, on that account, exclusive of interest, the sum of \$350,405 00.

On the 21st of February, 1859, an account was settled, by the Auditor General, against the company, for the tax on tonnage, from the 21st day of July to the 30th day of November, 1858, inclusive, amounting to the sum of \$87,375 22.—From this settlement, the company, on the 10th day of April, took an appeal to the court of common pleas of Dauphin county; and, in the specifications of objections which were filed, it was averred that the tax, was unconstitutional, and an opinion to that effect, signed by eminent counsel, was filed in the office of the Auditor General, at the time the appeal was entered. In August last, the cause was tried, and after a full investigation and argument, the constitutionality of the law imposing the tax was affirmed by the court, and a verdict and judgment rendered in favor of the Commonwealth, for the amount claimed, with interest. The case has since been removed, by a writ of error, to the Supreme Court of the State, and will, probably, be heard and determined, by that tribunal, in the course of the present winter.

On the 25th day of August last, another account was settled against the company, for the tax on tonnage, from the 30th day of November, 1858, to the 20th day of July, 1859, amounting to the sum of \$159,308 58, from which an appeal has also been taken by the railroad company, and which will probably be tried during the present month.

As this question largely affects the revenues of the Commonwealth, and as the principle involved is one of the first importance, I have deemed it a duty to lay before the General Assembly, somewhat in detail, the history of this tax, and the present condition of the legal controversy growing out of its imposition and enforcement. It will be observed, that the power of the State to grant chartered rights and corporate privileges, to a railroad

company, upon the condition that it shall pay to the Commonwealth a portion of its earnings, in the shape of a fixed tax upon the freight carried over the road, is questioned by the company, and that, too, after the grant has taken effect, and while the corporation is in the full enjoyment of all the benefits conferred upon it by its charter. The question, it is true, is a legal one, and its decision, therefore, rests with the judicial department of the government; but, I have not the slightest doubt, that the decision, when had, will entirely vindicate the right of the government to impose the tax, and to compel corporations of its own creation to obey the law from which they derive their existence. When it is remembered, that the tax was originally imposed, in order to indemnify the State, to some extent, for losses which she was sure to sustain from a competition, which was inevitable, between the railroad authorized, and her main line of public works; and that this competition did, not only seriously affect the revenues of the Commonwealth, derived from her public improvements, but ultimately induced the sale of the main line to the railroad company itself, at a price many millions of dollars below what it would have produced, in the absence of such competition, it is certainly not to be presumed that the Commonwealth will willingly yield her demand for revenue from this source, until she is, at least, fully indemnified for the pecuniary injury sustained in the depreciation of her own property, by her liberality extended to the company which now denies her power to enforce a contract, voluntarily entered into, upon a consideration entirely adequate.

The annual report of the Superintendent of Common Schools, with the tables and documents accompanying it, will exhibit the condition of the vast engine of social improvement to which it relates.—The number of pupils, in all the public schools of the State, is 634,651—of schools, 11,485—and of teachers, 14,071. The schools have been in operation, on an average over the whole State, five months and nine days. The average salary of male teachers, is \$24 36, and of female teachers \$17 79, and the cost of instruction, per pupil, fifty-three cents per month. The average tax for tuition, &c., is about five and a half mills, and for building purposes, about three and one-sixth mills, on the dollar. Including the city of Philadelphia, the entire cost of tuition, &c., was \$2,047,661 92; the building expenses \$531,413 85; and the whole expense of the system, in the State, for the year, \$2,579,075 77.

Though the school year ending on the first Monday of June last, was one of unusual difficulty in money affairs, yet the system manifests an encouraging activity in all its departments, while the rate of taxation, both for tuition and buildings, would appear, from the official report, to have somewhat decreased. But, it is by a contrast of the present condition of the system, with that of 1851, when the agencies now operating so beneficially, were created, that results are most plainly seen. Within that period, the whole number of pupils has been increased nearly one-seventh—of teachers, one-thirteenth—and the salary of teachers, the best index of improvement, one-sixth for males, and one-fourth for females. These results, with the others which the official report will exhibit, unerringly point to the duty, as well as necessity, of the utmost care and attention, on the part of all public agents, to this primary social institution—primary in importance, no less than in the career of each citizen. To strengthen, to retain pure, and to properly direct, this fountain-head of social influence, is, it seems to me, the great duty of the law maker, in his highest and most responsible capacity, as the framer of the future of the State.

The attention of the General Assembly was called, somewhat at length, to the existing condition and further requirements of our school system, in the annual message of last year. It is not, therefore, necessary to repeat the suggestions and conclusions then presented. They are again, however, commended to your favorable consideration; the events and experience of the intervening period, having increased the conviction of their propriety. This is especially the case, in regard to the plan devised by the act of 20th of May, 1857, for the due training of teachers for common schools of the State. A full supply of competent teachers, is admitted by all, to be the great need of the system, and the first want to be provided for. Unerring indications, in every quarter, not only establish this fact, but point to the general adoption of the proposed means, at no distant day.—The efforts of the teachers, themselves, for professional improvement, encouraged and sustained by all who duly estimate the value and influence of the teacher's office, not only foretell this, but the strong public sentiment in favor of institutions for the purpose of this result, confirms the probability of this question. In every quarter, indications of this kind are perceived—more or less strong in proportion to the force of local circumstances. In the Second Normal district, composed of the counties of Lancaster, York and Lebanon, an institution, up to the full requirements of the law of 1857, has been established and officially recognized, and is now in successful operation, as a State Normal school. For its details the Legislature is respectfully referred to the

annual report of the Superintendent of Common Schools; but, I should do injustice to the intelligent enterprise which would, and the enlarged philanthropy which produced, this noble institution, as well as to my own feelings, were I to forbear congratulating you upon the result. It is the first fruit of a law which seems to be as much in accordance with the cautious, yet generous, character of our people, as it is admirably adapted to effect the great end in view.

All that seems requisite to give full effect and general success to the plan, is, at this juncture, to guard it from mutilation or radical change. If the intelligent and liberal minds that are now weighing the project, and contemplating its extension to other parts of the State, be assured that this is the settled policy, their efforts will be concentrated, their activity increased, and final success be hastened.—Whereas, radical or important changes will destroy this growing confidence, crush the hopeful efforts now being made, and postpone for years, if not totally destroy, all hope of success in this essential department of public instruction: The true course will be to cherish the law, and bring it into general operation, by holding out the certainty of State aid to each institution established under it, as soon as a certain number, to be fixed by law, shall have been legally recognized, and are in full operation. The money of the State, appropriated in this manner, will effect more benefit, in proportion to the outlay, than in any other of the operations of the system. The instruction of the child, is a duty; but the instruction of the teacher, is economy as well as duty. It will probably be advisable to make such appropriations, payable only when the schools are legally recognized and in full operation. This course will have the double effect of guarding against loss by the State, and of stimulating, into early existence, a sufficient number of institutions to supply the existing want in every quarter of the State.

The period for the third election of County Superintendents is rapidly approaching, and the public mind will naturally be turned to the results of the office. My own observation, as well as information from various and reliable sources, leads to the opinion, that this office, when filled by the proper person, and its duties discharged in full compliance with the design and spirit of the law creating it, has been of great advantage to the schools. Indeed, no candid person can deny the fact, apparent to even slight observation, that more improvement has been effected in the workings and results of the system, since the creation of the office of County Superintendent, than in any previous period of even double duration. It is true, that when exercised by incompetent officers, or crippled by insufficient compensation, little, if any, advantage has accrued. But this is no argument against the office itself; and it is to be hoped that the directors of counties thus heretofore deprived of the benefits of this agency, will, at the next election, acting under the teachings of experience at home, and the light of success from other parts, correct this evil and realize the full benefits of this provision of the law.

The increasing ease and soundness of our financial condition, will, at no remote period, justify an addition to the common school appropriation. The general policy of the State has been that each district shall raise within itself the main support of its own schools; but, an annual donation, distributable amongst them all, in proportion to population, has also been a part of that policy. The object of this State grant seems to be two-fold: First—It is a means of securing regularity in the proceedings and reports of the several districts, so that the Department of Common Schools shall have the requisite information for the due discharge of its functions: And second—it lightens, in some degree, the burden of local taxation, to the relief of the poorer and more sparsely peopled districts. An increase of the annual appropriation would enhance both these objects, and, whenever the finances of the government will justify it, commends itself to the favorable consideration of the Legislature.

The aid which the Legislature has hitherto extended to the establishment of the Farmers' High School of Pennsylvania, strongly evinces their high appreciation of the advantages which it is anticipated will grow out of that institution.—While it must be admitted that knowledge is as essential to the art of farming, as it is to all the other employments of life, we cannot but feel deeply interested, that a community so peculiarly agricultural as we are, should have all the advantages of an education which combines in itself, as well the knowledge of the practical art of agriculture, as scientific requirements in all those branches of learning which are especially applicable to its profitable pursuit. A school where agriculture is practically taught, is a new field to which our attention has been called; and one which, because of its great importance, well deserves our attention. It embraces the principles, that while youth are taught habits of industry, they are impressed with the proud consideration, that the labor of their own hands contributes to their acquisition of knowledge.—And thus, too, education is brought within the reach of many a bright genius, who would otherwise struggle and languish for the want of the means of acquiring it.

Our school, within its limited means, has been in successful operation during the past year; having under its charge one hundred boys, who, while they are carefully instructed in all those branches of science which pertain to a high order of education, are daily engaged in all the practical operations of the farm—fitting them to return to rural life, and to infuse throughout the State an amount and kind of knowledge which must ultimately produce a most beneficial influence upon this most cherished branch of industry. The practical workings of the school, for the past year, have impressed the trustees, who have it in charge, with the highest hopes of its complete success. The great interest which is everywhere felt throughout the Commonwealth, in the further extension and progress of the institution, commends it to our care and protection.

The State Librarian will report to you the completion of the descriptive and classified catalogue of the books in the State Library, authorized by the act of the 16th of April, 1858,—a work, from the details it embraces, of much labor, but which will greatly facilitate the use of the Library. It will be seen, from his report, that the origin of the Library dates far back in the history of the Provincial government, and that it received the fostering care of the Commonwealth during the period of the Revolution. It is gratifying, that, notwithstanding the waste to which it has been subject in past years, owing to the want of proper attention,—under the careful supervision of the present Librarian, it has, since he has had the charge of it, nearly doubled its number of volumes, and now contains in all 22,000 volumes—the largest State Library in the Union, with the single exception of that of the State of New York.—The collection of law books, and especially law reports, is considered by those competent to judge, among the best in the country. The Library, from its intrinsic value and importance, and its historic relations, deserves, and I trust it will receive, the continued liberality of the Legislature.

In my inaugural address, as well as in my last annual message, I expressed the opinion that our present banking system was extremely defective, and that, unless it were radically changed, I should consider it an imperative duty to withhold the Executive approval from all bills creating new banks. Without again giving in detail the reasons which influenced my action on this question, or repeating the suggestions and recommendations heretofore made to the Legislature, it is proper to remark, at this time, that my convictions have been confirmed, by time and reflection,—that my opinions remain unchanged, and that I cannot approve of any increase of banking corporations under existing laws. If corporate privileges, for banking purposes, are needed, to accommodate the business wants of any portion of the State, justice requires, that such institution should be compelled to protect the community receiving its circulation, by requiring that ample security shall be given for the prompt redemption of its notes, the sufficiency of which no act of the corporation could impair. All experience in this State, and elsewhere, has demonstrated, that the present system affords little or no protection to noteholders, beyond the personal integrity of the officers controlling the management of the several banks. For a full exposition of my views on this question, I respectfully call the attention of the General Assembly to my last annual message.

The reports of the Auditor General, the State Treasurer, the Surveyor General, the Adjutant General, and the Attorney General, will be laid before you, and will show in detail, the operations of their respective departments for the past year.

Deeply impressed with the belief that the present mode of receiving, keeping and disbursing the public revenue, is entirely unsafe, and inadequate to the complete protection of the interests of the Commonwealth involved, I again respectfully, though earnestly, invoke legislative action on this highly important subject. The receipts and disbursements of the Treasury are each, annually from three to four millions of dollars. At times there is on hand a balance exceeding one million of dollars. The State Treasurer gives security to the Commonwealth in the sum of only eighty thousand dollars.—He deposits the money of the State when and where he pleases, and it is paid out upon his own check exclusively. His accounts are settled by the Auditor General, once a month, and this is, apparently, the only safeguard provided by law to prevent the illegal use of the public funds while under the control of the State Treasurer. That the Treasury of the Commonwealth has hitherto escaped from disastrous defalcation, is owing to the integrity of the officer, and not the efficiency of the laws; and while our main reliance, in the future, must be on the honesty of the officers to whom the department is entrusted, it is, nevertheless, the plain duty of the government, by proper legislative enactments, to prevent, as far as possible, the illegal, improper or fraudulent use of the funds of the State by a faithless or dishonest public agent. I respectfully recommend that provision be made by law that no money shall be deposited in any bank, or elsewhere, by the State Treasurer, without first requiring security to be given to the Commonwealth for the prompt repayment of the sums deposited;—that

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