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Pennsylvania Legislature.

SENATE. MONDAY, February 11, 1861.

The Senate met and was called to order at 8 o'clock P. M. The Journal of Friday was partly read, when, on motion of Mr. YARDLEY, the reading of so much of the Journal as related to the presentation of petitions was dispensed with.

Mr. BOUND asked leave of absence for the Senator from Lebanon, Mr. BOUCHER, for a day or so from to-day. Leave was granted.

REPORTS OF COMMITTEES. Mr. PENNEY, Judiciary, with amendments, "an Act relating to Sheriffs."

Mr. HALL, Corporations, as committed, House bill, No. 221, "a further supplement to an Act to incorporate the Clinton county Coal Company, approved April 15, 1858, and since changed to the name of the Egleton Coal Company."

Mr. PENNEY read in place, a supplement to an Act incorporating the Guardians of the Poor of the city of Pittsburgh.

Also, a supplement to the several Acts of Assembly relating to the Pennsylvania State Lunatic Hospital.

Referred to the Judiciary Committee. Mr. THOMPSON, an Act to incorporate the East Pennsylvania Agricultural and Mechanical Society.

Referred to the Committee on Corporations. Mr. KETCHAM, an Act to incorporate the Factoryville and Abington turnpike road company.

Referred to the Committee on Roads and Bridges. Mr. GREGG, a further supplement to an Act incorporating the Lock Haven Boom company.

Referred to the Committee on Canals and Inland Navigation. Mr. HESTAND, an Act to exempt the Conewago Island from taxation for road and school purposes.

Referred to the Finance Committee. Also, an Act to authorize the supervisors of Merle and Cosmoga townships, in Lancaster county, to pay out of the cost for the erection of a certain bridge.

Referred to the Committee on Roads and Bridges. Mr. WHARTON, an Act to provide means for the relief of the wants and sufferings of the people of Kansas.

Referred to the Finance Committee. Mr. YARDLEY, a further supplement to an Act to incorporate the Trenton City Bridge company.

Mr. HENSON, an Act relative to the Western Pennsylvania Coal company.

Referred to the Committee on Corporations. Also, an Act to provide for the collection of additional taxes in the township of Sweden, county of Potter.

Referred to the Judiciary Committee. SENATE FOR KANSAS. Mr. WHARTON moved that the Committee on Finance be discharged from the consideration of a bill that he had introduced, entitled "An Act to provide means for the relief of the wants and sufferings of the people of Kansas."

Mr. HALL. I think that the Senator should, at least, state what the bill is that he desires to have passed.

Mr. WHARTON. The statements set forth in the bill are well ascertained. It provides for giving to the people of Kansas, proposing to appropriate from the sum of thirty thousand dollars for that purpose. It is believed that we cannot, by private subscription, accumulate a sufficient amount of money to meet their wants, and this is proposed as the only way of attaining that object.

Mr. WHARTON. I am sorry that my friend from Blair objects to the proposition made by myself. The reference of bills to Committees is a mere technical matter, which has been sometimes insisted upon, in order to defeat legislation.

Mr. HALL. The chairman of that Committee is not here.

Mr. WHARTON. The subject can be dispensed with this afternoon. As to the giving of \$300,000 by the people of Pennsylvania for the object set forth in the bill, I have enough of confidence in this people to enable me to know that when numbers of their countrymen are in distress from want, they will give cheerfully for the support of such.

Mr. HALL. I believe that instead of thirty our people would be willing to give one hundred thousand dollars. This proposition is nothing but what every man can take to his heart. The idea of people in our own country starving and unable to procure food is awful to contemplate.

Mr. PENNEY. I prefer that all bills should take the ordinary course of legislation, especially one taking a large sum of money out of the Treasury. The other day we passed the bill relative to guaranteeing Federal bonds without a single objection having been made to the course adopted by the Senate in its passage.

Mr. GREGG. There is another rule governing this matter, which requires all bills appropriating money to originate in the House.

Mr. SMITH. The Senator now refers to revenue bills. That rule does not cover this bill.

Mr. WELSH. As a member of the Finance Committee I enter my protest against taking this bill up at this time. Some two or three days ago we discharged the Committee on Finance from the consideration of a bill which had it been proposed, examined, would never have passed this body.

Mr. HESTAND. What bill was that?

Mr. WELSH. I refer to the bill to pay the Clerk in the contested election case in Luzerne county. That bill ought never to have passed this Senate; but as it was, it was hurried through, I trust that these bills appropriating money will be I will make a remark. I shall consider this bill, not out of any feeling in the matter, but because I object to the raising of funds for such a purpose, because I have already contributed myself, to a certain amount, but because I believe that the people of Pennsylvania have not sent me here to vote money out of the Treasury in a manner unusual.

Mr. SMITH. This is not a question of accounts. It is an appeal made to the State Legislature asking for an appropriation of \$30,000. It is a plain, practical, home question; a question of regulating figures of accounts, and one appealing to our humanity and humanity—whether we will go through all the forms which appertain to bills of this description, or whether we shall take the shortest route to the relief of the suffering, which the necessities of the case demand.

Mr. WHARTON. I observe by the tenacity with which the Senator from Philadelphia (Mr. SMITH) holds to the motion which he seconded, that he intends to call the yeas and nays on the motion to discharge the Committee. As I do not wish to be placed in a false position on this question, I will make a remark. I shall consider this bill, not out of any feeling in the matter, but because I object to the raising of funds for such a purpose, because I have already contributed myself, to a certain amount, but because I believe that the people of Pennsylvania have not sent me here to vote money out of the Treasury in a manner unusual.

Mr. WELSH. I desire to ask the SPEAKER a question; whether it will not take a vote of two-thirds at this time to suspend the rule which requires every bill to be reported by a Committee before being acted upon by the Senate.

Mr. BOUND. I think this is a question deserving the attention of every Senator on this floor. I feel as deep an interest in the suffering, destitution and want prevailing in the State of Kansas as any member of the Senate; but I do not wish to know why the Senate is about to precipitate action on the bill, without considering a bill appropriating money, especially one calling for the appropriation of this amount, for any purpose whatever. I think that the constituents of every Senator on this floor have an interest in this question, an interest which requires at least calm, careful consideration upon their part, before they take money out of the pockets of the tax-payers of this Commonwealth for any such purpose.

Mr. HALL. I did not so understand it. I am very well aware, however, that the State Legislature of New York, voted one hundred thousand dollars as an appropriation for the relief of the suffering people of Kansas; but they did not vote that appropriation until after the subject had been investigated by a committee, and not before the committee to which the matter was referred had set forth their reasons, at length, in the New York papers. It was not all done in a day; it was a matter of thoughtful consideration for that State Legislature, and I object to the Committee being discharged from the consideration of this bill, or any action taken upon it without its merits and demerits being properly examined. A rule of the Senate requiring a bill of this kind should be reported to a committee before the Senate proceeded to its consideration.

Mr. WELSH. I refer the Senator to rule thirty-four of the rules of the Senate.

Mr. HALL then read the rules as follows: RULE XXXIV. That no bill originating in the Senate, or being introduced from the House of Representatives, shall be considered by the Senate until it has been reported by a committee, unless it shall have been previously referred to a standing or select committee.

This appears to be the rule in regard to all bills, and when we come to vote \$300,000 out of the Treasury, there is great reason for its being specially observed.

Mr. SMITH. I will correct the Senator. This bill has been referred to a Committee, and the question is now upon discharging the Committee from its consideration.

Mr. HALL. The common sense meaning of the rule which I have just read is, that a bill having been referred to a Committee, the unanimous consent must be obtained before the Committee can be discharged. What is the use of making any such reference unless the Committee takes some action on the bill. It is merely nominally referred in this case when the Committee is asked to be discharged, object to this proceeding. I ask that this bill be referred to the Committee and that they take it up, and examine it in all its parts and bearings, with reference to the necessities of the people in Kansas and the necessities of people here.

After we hear their report we can determine whether any such appropriation is called for, and if so, whether it should be voted. I am in favor of affording relief to the people of Kansas, but the only question for us to determine is whether we shall afford that relief by private subscription, or shall vote money out of the Treasury in order to relieve the wants of that people. I do not know that any measure of this character has ever before been adopted.

Mr. SMITH. Nothing of a similar kind, as far as the necessities of any of our people are concerned, has ever occurred before.

Mr. HALL. Well there has been a great deal of suffering from want nearer home than Kansas; at all events I object to the Committee being discharged.

Mr. WHARTON. I have full confidence in the Committee to which this subject is to be referred; and I therefore withdraw my motion.

ORIGINAL RESOLUTION. Mr. LAWRENCE offered the following resolution: "That the Clerk of the Senate be directed to procure for each Senator one copy of a pocket map of Pennsylvania, on which he shall put the name of the county, according to the result of the census, in figures, on the face of the county."

The resolution having been read, Mr. SMITH. I move that the subject be referred to the Committee on Finance. I think it an appropriate matter for such reference as it looks to the expenditure of money.

Mr. LAWRENCE. This is a very small matter, and I would like to take it regular course, though I have no objection to its being referred to the Finance Committee.

Mr. WHARTON. We have been voting out money since the opening of this session, without proper investigation into the propriety of such action. The Senate has just refused to take immediate action upon a bill looking to the expenditure of money, and as less cause exists for the immediate adoption of this resolution than for the passage of the bill upon which action has just been taken, I hope the Senate will now vote consistently with its previous action.

Mr. LAWRENCE. I offered the resolution directing the Clerk of this body, in whom we have a confidence, to purchase a pocket map of the State for this reason; which will soon be called upon to district this State. We want to know the population of each county in the Commonwealth, and need to have this map before us, with the necessary figures distinctly marked upon the face of each county so that we can get intelligently. I know that this was the manner in which the work was done in 1850. I presume that the maps will not cost much, probably, more than fifty dollars, which will be a fund. It is not usual to refer such matters to the Finance Committee. It is not exactly a case similar to one asking for the appropriation of thirty thousand dollars! There is no rule requiring the reference of this subject to a Committee.

Mr. SMITH. This is so small a matter that each Senator would be willing to pay fifty cents out of his own pocket.

Mr. LAWRENCE. The Senator from Philadelphia may do so if he wishes. I did not offer the resolution because I supposed that any Senator did not want to pay what might be required of him, but because Senators could not ascertain the population of each county and transact their business. I know that such at least is the case with me. I have no doubt that the Clerk will do this business for us with pleasure.

On the question, Will the Senate agree to refer the subject to the Finance Committee? The yeas and nays were required by Mr. WHARTON and Mr. LAWRENCE, and were as follows, viz: Yeas—Messrs. Benson, Crawford, Hamilton, Hestand, Ketcham, Landon, Nichols, Serrill, Smith, Wharton, and Yardley—11.

NAYS—Messrs. Bond, Clymer, Connell, Gregg, Hall, Irish, Lawrence, Meredith, Penz, Schindler, Thompson, Welsh and Palmer, Speaker—14.

So the question was determined in the negative. The question recurring, Will the Senate agree to the resolution? It was adopted.

HOUSE OF REPRESENTATIVES. MONDAY, February 11, 1861. The House was called to order at 3 o'clock P. M. The Clerk read the Journal of last Friday.

LETTERS, &c., PRESENTED. Mr. BARNESLEY, three from citizens of Bucks and Montgomery counties, remonstrating against the passage of a law granting privilege to any company to lay a railroad in Seventh and Ninth streets, Philadelphia.

Referred to the Committee on City Passenger Railroads. Mr. BRESLER, two from citizens of Clinton county, for a law altering the boundary line of Cameron county.

Referred to the Committee on New Counties and County Seats. Also, one from citizens of Grove township, of like import. Referred to the same Committee. Mr. FUGHE, one from citizens of Luzerne county, in favor of a new county to be called Lackawanna.

Referred to the Committee on New Counties and County Seats. Mr. ABERTON, two remonstrances from citizens of Lycoming county, against the annexation of any part of Brady township to Union county.

Laid on the table. Also, two remonstrances from citizens of Clinton county, against the repeal of the tonnage tax.

Referred to the Committee on Ways and Means. Mr. THOMAS, the Annual Statement of the University of Pennsylvania.

Laid on the table. Mr. SIEHMAN, one from citizens of Lancaster county, to prevent the further spread of Canada thistles.

Referred to the Committee on Agriculture, &c. Mr. HILLMAN, one from citizens of Luzerne county, for a law to authorize the publication of a certain paper, in the two papers having the largest circulation in said county.

Referred to the Committee on the Judiciary, (local). Mr. GONIGAL, eight from citizens of Westmoreland county, in favor of the repeal of the three mill tonnage tax.

Referred to the Committee on Ways and Means. Mr. KLINE, one from citizens of Columbia county, praying that the Act taxing dogs in West Chester, Chester county, may be extended to Columbia county.

Referred to the Committee on Agriculture, &c. Mr. BUTLER, (Crawford), one from citizens of Warren and Venango counties, relative to titles of islands in the navigable rivers in this Commonwealth.

Referred to the Committee on the Judiciary, (general). Mr. DURFIELD, one from citizens of Philadelphia, asking for a change in the manner of appointing appraisers under the \$300 law.

Referred to the Committee on the Judiciary, (general). Mr. ABBOTT, a remonstrance from owners of property on Broad street, against the use of steam on the North Philadelphia Passenger Railroad.

Referred to the Committee on City Passenger Railroads. Mr. KLINE, a petition from Geo. Aiken, late Treasurer of Sullivan county, praying for an Act authorizing the Auditor-General to audit his accounts.

Referred to the Committee on the Judiciary, (local). Mr. WILLIAMS, one from citizens of Clinton county, remonstrating against the repeal of the tonnage tax.

Referred to the Committee on Ways and Means. Also, one from citizens of Pittsburgh, for the enactment of a law to prevent members of Council holding the office of Director of the Poor.

Referred to the Committee on the Judiciary, (local). Mr. WILSON, a memorial from citizens of Beaver county, stating the amount of damage done by the cars on the Cleveland and Pittsburgh Railroad.

Referred to the Committee on Railroads. Mr. BRESLER, one from citizens of Clinton county, against the repeal of the three mill tonnage tax, and against granting any relief to railroads.

Referred to the Committee on Arms and Means. Mr. CRAIG, one from citizens of Armstrong county, praying for a law prohibiting hawkers and peddlers in said county.

Referred to the Committee on the Judiciary, (local). Mr. BYRNE, twenty-seven remonstrances, signed by 323 citizens of Luzerne county, against the repeal of the penal code, for as the same is the Sheriff's sales and other legal proceedings in one German paper in a county where there is no published, at least so far as concerns Luzerne county, law.

Referred to the Committee on the Judiciary, (general). Mr. TAYLOR, one from citizens of Bradford county, for the repeal of the Act, and 90th section of the penal code, for as the same is the Sheriff's sales and other legal proceedings in one German paper in a county where there is no published, at least so far as concerns Luzerne county, law.

Mr. PENNEY called up House bill No. 100, an Act to authorize the erection of a lock-up in the borough of Temperanceville, Allegheny county. The Senate went into Committee of the Whole, Mr. BOUND in the Chair, on said bill, and after some time it was reported back as committed, and passed finally.

Mr. SCHINDLER called up Senate bill No. 128, an Act relative to the Catawqua and Fogelville Railroad company.

After dispensing with going into Committee of the Whole, it was passed finally. Mr. CONNELL called up Senate bill No. 188, entitled a further supplement to an Act to incorporate the city of Philadelphia.

In Committee of the Whole, Mr. WHARTON in the Chair, the bill was agreed to, and so reported to the Senate, and was passed finally.

Mr. THOMPSON called up an Act to authorize the executor of the will of Jacob M. Root to sell certain real estate.

In Committee of the Whole, Mr. CLYMER in the Chair, the bill was agreed to, and so reported to the Senate, when it passed finally.

Mr. CONNELL called up House bill No. 122, entitled "An Act to authorize the erection of a new election division in the twenty-third ward of the city of Philadelphia."

In Committee of the Whole, Mr. SERRILL in the Chair, the bill was agreed to, and so reported to the Senate.

The bill was then read a second time, when Mr. CONNELL moved that the further consideration of the bill be postponed indefinitely.

Mr. WELSH. I desire to know the object of the motion just made.

Mr. CONNELL. I will state its object for the information of the Senator from York. This bill has passed the House of Representatives in opposition, as I take it, to the will of the people who reside in the district in which the proposed change is to be made. I have received a large number of protests against the passage of this bill, but I find that it has slipped through the House, and have now called it up in order that I may kill it as dead as Titus Cates. I was afraid that in my absence it might at some time pass the Senate. I would add further, that the city councils of Philadelphia have full power to regulate all of our election districts.

On the question, Will the Senate agree to the motion to postpone indefinitely? The yeas and nays were required by Mr. CONNELL and Mr. NICHOLS, and were as follows, viz: Yeas—Messrs. Benson, Bond, Connell, Crawford, Gregg, Hall, Hamilton, Hestand, Irish, Ketcham, Landon, Lawrence, Meredith, Nichols, Parker, Penz, Schindler, Serrill, Smith, Thompson, Wharton, Yardley, Palmer, Speaker—24.

NAYS—None. So the question was determined in the affirmative. Mr. KETCHAM called up Senate bill No. 58, entitled "An Act declaring Bear Creek in Luzerne county, a public highway."

Passed finally. Mr. WHARTON called up "an Act for the relief of John Mong, of Somerset county."

In Committee of the Whole, Mr. HESTAND in the Chair, the bill was agreed to, and so reported to the Senate.

Mr. WELSH moved to amend by striking out the word "reimburse," and inserting "being the amount of," which was agreed to.

The Chairman then reported the bill back as amended, and being before the Senate on second reading.

Mr. PENNEY. I suppose that this is one of a certain class of bills which occasionally come before the Senate, and is really nothing more than a premium to men who go about the country searching for vacant land, annoying their neighbors, and after they have found these vacant lands they trouble the Legislature with their claims.

Mr. GREGG said that on application at the Land Department he discovered that about a half a million of dollars would be taken out of the Treasury by means of bills of this description.

Mr. WHARTON. I do not know what is the business of Mr. Mong, but one thing is certain, that he has paid this amount of money into the State Treasury. If the Senate wishes to do equal justice between the State and the individuals thereof it will pass this bill.

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Special notices inserted in the Local column, or below Marriages and Deaths, FIVE CENTS PER LINE for each insertion. Marriages and Deaths to be charged as regular advertisements.

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