

Daily Telegraph



Forever float that standard sheet! Where breathes the foe but falls before us...

OUR PLATFORM

THE UNION—THE CONSTITUTION—AND THE ENFORCEMENT OF THE LAW.

HARRISBURG, PA. Tuesday Afternoon, January 14, 1862.

POLITICAL UNION

We asserted a few days since, that, from the culmination of the rebellion at the south, the Republican organization had been unceasing in its efforts to conciliate the loyal men of the loyal states...

LEGISLATIVE SHARP PRACTICE

We have frequently referred to the fact, that as politicians the Democracy were the most uncertain allies and dangerous friends the Republican party could possibly cultivate...

UNANSWERABLE ARGUMENT

We print to-day the argument of the Hon. Ross Forward, before the committee in the contested election case of John Cessna against Geo. W. Householder.

ST. THOMAS, of the Brownsville Clipper

"No two names will occupy a brighter page in the history of this war for the restoration of the Union, than those of Simon Cameron and Andrew G. Curtin."

jeopard the present and the future peace of the Union. Maintain all in their strength and their purity, and, although we may be forced to struggle in deadly combat for a few years, the end will repay the sacrifice of life and treasure...

THE RESIGNATION OF GEN. CAMERON

The telegraph confirms a rumor which was prevalent in this city last evening, to the effect that Hon. Simon Cameron had resigned his position as Secretary of War.

Before that resignation was accepted, President Lincoln pressed on the acceptance of Secretary Cameron, the post of Minister to Russia, made vacant by the resignation of Cassius M. Clay.

The political and personal friends of General Cameron receive the news of his retirement from the Cabinet with regret only equalled by the high esteem and consideration in which he is held throughout his native state of Pennsylvania.

The appointment of the Hon. Edwin M. Stanton as the successor of Gen. Cameron in the War Department, must be very popular, notwithstanding Mr. Stanton is so little known to the mass of the people.

Contested Election Case

Synopsis of the Argument Delivered by the Hon. Ross Forward.

The seat of Geo. W. Householder, member elect from the district of Somerset and Bedford, is contested by John Cessna, Esq., of Bedford county.

He bases his claim to the seat, upon the unconstitutionality of the apportionment bill of 1857, connecting these counties in the same legislative district.

The 4th section of the first article of the Constitution, on which is his main reliance, reads as follows: "Within three years after the first meeting of the General Assembly, and within every subsequent term of seven years, an enumeration of the taxable inhabitants shall be made in such manner as directed by law."

Now, Mr. Cessna's claim to a seat for Bedford county cannot be sustained for two principal reasons:— 1st. Because the question of the constitutionality of the law has been decided by the only tribunal having any authority over the subject, and its decision, whether right or wrong, cannot be inquired into or reversed by the present Legislature, or any committee thereof.

In support of the first position we have only to examine the constitution, and observe to whom is entrusted the carrying out of its provisions, and on whom we are to depend for its preservation. The powers of the government are divided into legislative, executive and judicial. The members of the Legislature, sworn to support the constitution, there is confidence reposed in them that they will make no enactments contrary to its provisions.

Neither Bedford or Somerset had sufficient taxable, according to the ratio then established, to entitle them to a member. The ratio was 5976. Somerset had 5254 and Bedford 5197. And Mr. Cessna, in order to obviate the crushing force of this fact upon his claim, created from Bedford county, undertakes to constitute the latter clause of the 4th section as meaning "that when a new county has once obtained the number of taxable agreeable to the ratio then established, it is forever after entitled to a separate representation, no matter how far it may fall short of it at the times of subsequent enumerations and apportionments."

But even if Somerset should have had the requisite number it was a matter entirely at the discretion of the Legislature, depending upon their judgment of the necessity or convenience of so doing, in districting the State.

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take upon themselves the authority to alter the law so as to affect the membership of the present Legislature, and thereby take advantage of the people, giving them a representative they had no right of choosing.

But the law being merely directory, it is a matter of favor or convenience resting upon the judgment of the legislature. And surely in the matter of doubtful interpretation of the constitution, that one, which has been unquestioned and sanctioned for three-quarters of a century by the legislature and the people, is not now to be overturned, when there are but two years left within which the question can be mooted.

Mr. Cessna claims to have obtained the opinion of many eminent lawyers and judges, all of whom support the position taken by him. Granting that he has such opinions, upon what are they based—on the statement of the case as he puts it, not on the facts as they really are, and of which they may have known nothing. He has no opinion whatever that touches the points, made in this argument, based upon the law and the facts.

Now in 1790 and for some years afterwards, every foot of land now in Somerset county was within the bounds of the county of Bedford county. The people of that portion of Bedford county applied by petition to the Legislature in 1795 for a separate county organization, and they deemed it advisable to grant the privileges prayed for, on the 17th of April of that year created the new county of Somerset.

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Table with 3 columns: Counties, Members, Taxables. Lists counties like Lehigh & Carbon, Lycoming & Clinton, Cumberland & Perry, Franklin & Fulton, Armstrong & Westmoreland, Beaver & Lawrence, Mercer & Venango, Clarion & Forest, Crawford & Warren, Potter & Tioga.

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Militia System—Messrs. Shannon, Hopkins, (Washington,) Smith, (Philadelphia,) Scott, Wimley, Crane and Myers. Railroads—Messrs. Hopkins, (Washington,) Alexander, Sellers, Moore, Dougherty, Myers, Tate, Craig, Barron, M'Makin, Freeland, Donnelly (Philadelphia) and Grant.

City Passenger Railroads—Messrs. Willey, Happer, Divins, Graham, M'Coyle, Caldwell, Weidner, Ritter, Brown, (Mercer,) Thompson and Warner. Mines and Minerals—Messrs. Byon, Bolliu, Householder, Wakefield, M'Mackin, How, Wolf, Hoover, DeLoe, Josephs, Donnelly, (Philadelphia,) Klino and Weidner.

Printing—Messrs. Cowan, Neiman, Sellers, Tate and Henry. Public Buildings—Messrs. Duffield, Dougherty and Freeland. PENNSYLVANIANS IN COL. LAMON'S BRIGADE.

Mr. GROSS submitted the following: Whereas, Some six hundred men were illegally recruited in the county of Allegheny for the purpose of being attached to Col. Lamon's brigade in Virginia; and it having been ascertained that said men are in a destitute and suffering condition, the case of Weidner, Resolved, That the Governor of Pennsylvania be requested to furnish to this House, as soon as possible, all the facts connected with the case, and indicate at the same time in what manner relief can be afforded.

Mr. HOPKINS, (Washington,) offered a resolution that the committee on the Judiciary System be instructed to bring in a bill for the repeal of an act of the last session of the Legislature entitled "An Act for the repeal of the Tonnage Duties;" agreed to.

Mr. HOPKINS, (Philadelphia,) offered a resolution that this House will proceed on Wednesday next at 12 o'clock M., to the selection of a committee to investigate and try the contested election in the case of Richard Winder, now a sitting member of this Legislature.

YEAH—Messrs. Banks, Barron, Boileau, Brown, (Northumberland,) Caldwell, Cowan, Craig, DeLoe, Divins, Donley, (Greene,) Donnelly, (Philadelphia,) Duffield, Early, Gaskill, Graham, Greenbank, Gross, Hess, Hoffer, Hoover, Hopkins, (Philadelphia,) Hopkins, (Washington,) Kaine, Kinca, Labar, Lichtenwaller, M'Calloch, M'Mackin, M'Manus, Neiman, Pershing, Peters, Pottenger, Quigley, Rex, Rhoads, Ross, (Mifflin,) Rowland, Ryan, Scott, Shannon, Tate, Thompson, Tutton, Wakefield, Weidner, Wimley, Wolf, Worley and Zeigler—50.

NEW ADVERTISEMENTS. INTERESTING BARGAINS! A T "JONES' STORE" there are a few GOOD FURS, Few MANTLES and CLOAKS For LADIES' For LADIES' And some other Goods which will be sold low cost to close out.

OWNER WANTED.—A fine Newfoundland Dog followed a gentleman to town several days since. The owner of the animal can procure such information as will lead to his discovery by calling at this office. J14-24

LOST. ON Saturday evening last, between the Old School Presbyterian Church and Market Square, a small LAVA BRACKET. Any one returning the same to No. 9, Market Square, will be suitably rewarded. J13-24

A. HUMMEL, DEALER IN BOOTS AND SHOES; BUFFALO AND GUM OVER SHOES, TRUNKS AND GARBET BAGS. ATTENDS OLD STAND corner of the alley, next to the Court House, Market street, Harrisburg, Pa.

LIMITED PARTNERSHIP NOTICE. THE subscribers have this day formed a Limited Partnership under the act of Assembly in such case made and provided under the firm of Charles L. Bailey & Bro., the general nature of the business to be transacted is the manufacture of better plate and tank iron. The general partners therein are Charles L. Bailey and George Bailey, residing in the city of Harrisburg, Pa., and the special partner is Morris Patterson, residing in the city of Philadelphia. The amount of capital in actual cash payment, which the said Morris Patterson has contributed to the common stock is twelve thousand five hundred dollars. The said partnership is to commence January 1st, 1862, and is to terminate December 31st, 1866.

CROSS & BLANKWELL'S Celebrated PICKLES, SAUCES, PRESERVES, &c. A large supply of the above, embracing every variety, just received and for sale by WM. DOCK, Jr., & Co. J10