Patriot Union.

VOL. 3. HARRISBURG, PA., FRIDAY, JANUARY 4, 1861. NO 106.

RATES OF ADVERTISING.

Four lines or less constitute half a square. Ten lines or more than four, constitute a square.

Half sq., one day	$0.25	One sq., one day	$0.50
" one week	1.00	" one week	1.25
" one month	2.00	" one month	3.00
" three months	3.00	" three months	5.00
" six months	4.00	" six months	8.00
" one year	5.00	" one year	10.00

☞ Business notices inserted in the LOCAL COLUMN, or before marriages and deaths, FIVE CENTS PER LINE for each insertion. To merchants and others advertising by the year liberal terms will be offered.

☞ The number of insertions must be designated on the advertisement.

☞ Marriages and Deaths will be inserted at the same rates as regular advertisements.

PUBLISHED EVERY MORNING, SUNDAYS EXCEPTED, BY O. BARRETT & CO.

THE DAILY PATRIOT AND UNION will be served to subscribers residing in the Borough for SIX CENTS PER WEEK payable to the Carrier. Mail subscribers, FOUR DOLLARS PER ANNUM.

THE WEEKLY will be published as heretofore, semi-weekly during the session of the Legislature, and once a week the remainder of the year, for *two dollars* in advance, or *three dollars* at the expiration of the year.

Connected with this establishment is an extensive JOB OFFICE, containing a variety of plain and fancy type, unequalled by any establishment in the interior of the State, for which the patronage of the public is solicited.

Books, Stationery, &c.

SCHOOL BOOKS.—School Directors, Teachers, Parents, Scholars, and others, in want of School Books, School Stationery, &c., will find a complete assortment at E. M. POLLOCK & SON'S BOOK STORE, Market Square, Harrisburg, comprising in part the following:—

READERS.—McGuffey's, Parker's, Cobb's, Angell's

SPELLING BOOKS.—McGuffey's, Cobb's, Webster's, Town's, Byerly's. Comby's.

ENGLISH GRAMMARS.—Bullion's, Smith's, Wood bridge's, Monteith's, Tuthill's, Hart's, Wells'.

HISTORIES.—Grimshaw's, Davenport's, Frost's, Wilson's, Willard's, Goodrich's, Pinnock's, Goldsmith's and Clark's.

ARITHMETIC'S.—Greenleaf's, Stoddard's, Emerson's, Pike's, Rose's, Colburn's, Smith and Duke's, Davie's.

ALGEBRAS.—Greenleaf's, Davie's, Day's, Ray's, Bridge's.

DICTIONARYS.—Walker's School, Cobb's, Walker, Worcester's Comprehensive, Worcester's Primary, Webster's Primary, Webster's High School, Webster's Quarto, Academic.

NATURAL PHILOSOPHIES.—Comstock's, Parker's, Swift's. The above with a great variety of others can at any time be found at my store. Also, a complete assortment of School Stationery, embracing in the whole a complete outfit for school purposes. Any book not in the store procured at one days notice.

☞ Country Merchants supplied at wholesale rates.

ALMANACS.—John Baer and Son's Almanac for sale at E. M. POLLOCK & SON'S BOOK STORE, Harrisburg.

☞ Wholesale and Retail. myl

JUST RECEIVED AT SCHEFFER'S BOOKSTORE,

ADAMANTINE SLATES

OF VARIOUS SIZES AND PRICES,

Which, for beauty and use, cannot be excelled.

REMEMBER THE PLACE,

SCHEFFER'S BOOKSTORE,

NO. 18 MARKET STREET. mar2

BOOK AUCTION.

BEN F. FRENCH

Will supply his old friends and customers with the following Books at Auction prices:

Pacific Railroad, 10 vols., complete, 4 illustrations $24.

Japan Expedition, 3 vols., complete, illustrated and illuminated, $12.

Emery's Expedition, 2 vols., complete, illustrated illuminated, $10.

Congressional Globe, $1.50 per volume.

Waverly Novels, complete, 12 vols., cloth, $10.

" " " 27 vols., half calf, $34; &c., &c., &c.

All of the above Books I will deliver in Harrisburg free of charge. BEN F. FRENCH,

278 Pennsylvania Avenue, Washington, D. C.

feb6-dtf

NEW BOOKS!

JUST RECEIVED

"SEAL AND SAY," by the author of "Wide, Wide World," "Dollars and Cents," &c.

"HISTORY OF METHODISM," by A. Stevens, LL.D.

For sale at SCHEFFERS' BOOKSTORE,

ap9 No. 18 Marke st.

JUST RECEIVED,

A LARGE AND SPLENDID ASSORTMENT OF *RICHLY GILT AND ORNAMENTAL*

WINDOW CURTAINS.

PAPER BLINDS,

Of various Designs and Colors, for 8 cents,

TISSUE PAPER AND CUT FLY PAPER,

At [my24] SCHEFFER'S BOOKSTORE.

WALL PAPER! WALL PAPER!!

Just received, our Spring Stock of WALL PAPER, BORDERS, FIRE SCREENS, &c., &c. It is the largest and best selected assortment in the city, ranging in price from six (6) cents up to one dollar and a quarter ($1.25.)

As we purchase very low for cash, we are prepared to sell at as low rates, if not lower, than can be had elsewhere. If purchasers will call and examine, we feel confident that we can please them in respect to price and quality. E. M POLLOCK & SON,

ap3 Below Jones' House, Market Square.

LETTER, CAP, NOTE PAPERS, Pens, Holders, Pencils, Envelopes, Sealing Wax, of the best quality, at low prices, direct from the manufactories, at

mar30 SCHEFFER'S CHEAP BOOKSTORE

LAW BOOKS! LAW BOOKS!!—A general assortment of LAW BOOKS, all the State Reports and Standard Elementary Works, with many of the old English Reports, *scarce and rare*, together with a large assortment of second-hand Law Books, at very low prices, *at the one price Bookstore of*

E. M. POLLOCK & SON,

my8 Market Square, Harrisburg.

Miscellaneous.

AN ARRIVAL OF

NEW GOODS

APPROPRIATE TO THE SEASON!

SILK FANS! LINEN FANS!! PAPER FANS!!!

ANOTHER AND SPLENDID LOT OF

SPLICED FISHING RODS!

Trout Flies, Gut and Hair Snoods, Grass Lines, Silk and Hair Plaited Lines, and a general assortment of

FISHING TACKLE!

A GREAT VARIETY OF

WALKING CANES!

Which we will sell as cheap as the cheapest!

Silver Head Canes! Loaded Canes! Sword Canes! Hickory Canes! Fancy Canes!

KELLER'S DRUG AND FANCY STORE,

NO. 91 MARKET STREET,

South side, one door east of Fourth street je9.

B. J. HARRIS,

WORKER IN TIN, SHEET IRON, AND METALLIC ROOFING,

Second Street, below Chestnut, HARRISBURG, PA.

is prepared to fill orders for any article in his branch of business; and if not on hand, he will make to order on short notice.

METALLIC ROOFING, of Tin or Galvanized Iron, constantly on hand.

Also, Tin and Sheet-Iron Ware, Spouting, &c.

He hopes, by strict attention to the wants of his customers, to merit and receive a generous share of public patronage.

☞ Every promise strictly fulfilled.

B. J. HARRIS,

jan7-dly] Second Street, below Chestnut.

FISH!! FISH!!!

MACKEREL, (Nos. 1, 2 and 3.) SALMON, (very superior.)

SHAD, (Mess and very fine.) HERRING, (extra large.)

COD FISH. SMOKED HERRING, (extra Digby.)

SCOTCH HERRING. SARDINES AND ANCHOVIES.

Of the above we have Mackerel in whole, half, quarter and eighth bbls. Herring in whole and half bbls.

The entire lot new—DIRECT FROM THE FISHERIES, and will sell them at the lowest market rates.

sep14 WM. DOCK, Jr., & CO.

FAMILY BIBLES, from 1$ to $10, strong and handsomely bound, printed on good paper, with elegant clear new type, sold at

mch31 SCHEFFER'S Cheap Bookstore.

CRANBERRIES!!!—A SPLENDID LOT just received by

oct10 WM. DOCK, Jr., & CO.

FOR a superior and cheap TABLE or SALAD OIL go to

KELLER'S DRUG STORE.

THE Fruit Growers' Handbook—by WARING—wholesale and retail at

mch31 SCHEFFER'S Bookstore.

SPERM CANDLES.—A large supply just received by

sep15 WM. DOCK, Jr., & CO.

KELLER'S DRUG STORE is the place to find the best assortment of Porte Monnaies.

Coal.

TO THE PUBLIC!

JOHN TILL'S

COAL YARD,

SOUTH SECOND STREET,

BELOW PRATT'S ROLLING MILL,

HARRISBURG, PA.,

Where he has constantly on hand

LYKENS VALLEY BROKEN, EGG, STOVE AND NUT COAL.

ALSO,

WILKESBARRE STEAMBOAT, BROKEN, STOVE AND NUT COAL,

ALL OF THE BEST QUALITY.

It will be delivered to consumers clean, and full weight warranted.

☞ CONSUMERS GIVE ME A CALL FOR YOUR WINTER SUPPLY.

☞ Orders left at my house, in Walnut street, near Fifth; or at Brubaker's, North street; J. L. Speel's, Market Square; Wm. Bostick's, corner of Second and South streets, and John Lingle's, Second and Mulberry streets, will receive prompt attention.

jy13-d6m JOHN TILL.

COAL! COAL!!

ONLY YARD IN TOWN THAT DELIVERS

COAL BY THE

PATENT WEIGH CARTS!

NOW IS THE TIME

For every family to get in their supply of Coal for the winter—weighed at their door by the *Patent Weigh Carts. The accuracy of these Carts no one disputes*, and they never get out of order, as is frequently the case of the Platform Scales; besides, the consumer has the satisfaction of proving the weight of his Coal at his own house.

I have a large supply of Coal on hand, consisting of

S. M. CO.'S LYKENS VALLEY COAL	all sizes,	
LYKENS VALLEY	do	" "
WILKESBARRE	do.	" "
BITUMINOUS BROAD TOP	do.	

All Coal of the best quality mined, and delivered free from all impurities, at the lowest rates, by the boat or car load, single, half or third of tons, and by the bushel.

JAMES M. WHEELER.

Harrisburg, September 24, 1860.—sep25

UP TOWN!

PATENT WEIGH CARTS.

For the convenience of my numerous up town customers, I have established, in connection with my old yard, a Branch Coal Yard opposite North street, in a line with the Pennsylvania canal, having the office formerly occupied by Mr. R. Harris, where consumers of Coal in that vicinity and Verbeketown can receive their Coal by the

PATENT WEIGH CARTS,

WITHOUT EXTRA CHARGE FOR HAULING,

And in any quantity they may desire, as low as can be purchased *anywhere*.

FIVE THOUSAND TONS COAL ON HAND,

Of LYKENS VALLEY and WILKESBARRE, all sizes.

☞ *Willing to maintain fair prices, but unwilling to be undersold by any parties.*

☞ All Coal forked up and delivered clean and free from all impurities at either yard will be promptly filled, and all Coal delivered by the *Patent Weigh Carts.*

Coal sold by Boat, Car load, single, half or third of tons, and by the bushel.

JAMES M. WHEELER.

Harrisburg, October 13, 1860.—oct15

LYKENS VALLEY NUT COAL—

For Sale AT TWO DOLLARS PER TON.

☞ *All Coal delivered by PATENT WEIGH CARTS*

JAMES M. WHEELER

☞ Coal delivered from both yards. no17

Medical.

HELMBOLD'S HELMBOLD'S
HELMBOLD'S HELMBOLD'S
HELMBOLD'S HELMBOLD'S
HELMBOLD'S HELMBOLD'S
HELMBOLD'S HELMBOLD'S
HELMBOLD'S HELMBOLD'S
HELMBOLD'S HELMBOLD'S

Extract Buchu, Extract Buchu,
Extract Buchu, Extract Buchu,
Extract Buchu, Extract Buchu,
Extract Buchu, Extract Buchu,
Extract Buchu, Extract Buchu,
Extract Buchu, Extract Buchu,
Extract Buchu, Extract Buchu,

FOR SECRET AND DELICATE DISORDERS.
FOR SECRET AND DELICATE DISORDERS.
FOR SECRET AND DELICATE DISORDERS.
FOR SECRET AND DELICATE DISORDERS.
FOR SECRET AND DELICATE DISORDERS.
FOR SECRET AND DELICATE DISORDERS.
FOR SECRET AND DELICATE DISORDERS.

A Positive and Specific Remedy.
A Positive and Specific Remedy.
A Positive and Specific Remedy.
A Positive and Specific Remedy.
A Positive and Specific Remedy.
A Positive and Specific Remedy.
A Positive and Specific Remedy.

FOR DISEASES OF THE

BLADDER, GRAVEL, KIDNEYS, DROPSY,
BLADDER, GRAVEL, KIDNEYS, DROPSY,
BLADDER, GRAVEL, KIDNEYS, DROPSY,
BLADDER, GRAVEL, KIDNEYS, DROPSY,
BLADDER, GRAVEL, KIDNEYS, DROPSY,
BLADDER, GRAVEL, KIDNEYS, DROPSY,
BLADDER, GRAVEL, KIDNEYS, DROPSY,

ORGANIC WEAKNESS,
ORGANIC WEAKNESS,
ORGANIC WEAKNESS,
ORGANIC WEAKNESS,
ORGANIC WEAKNESS,
ORGANIC WEAKNESS,

And all Diseases of Sexual Organs,
And all Diseases of Sexual Organs,
And all Diseases of Sexual Organs,
And all Diseases of Sexual Organs,
And all Diseases of Sexual Organs,
And all Diseases of Sexual Organs,

ARISING FROM

Excesses, Exposures, and Imprudencies in Life.
Excesses, Exposures, and Imprudencies in Life.
Excesses, Exposures, and Imprudencies in Life.
Excesses, Exposures, and Imprudencies in Life.
Excesses, Exposures, and Imprudencies in Life.
Excesses, Exposures, and Imprudencies in Life.

From whatever cause originating, and whether existing in MALE OR FEMALE.

Females, take no more Pills! They are of no avail for Complaints incident to the sex. Use

EXTRACT BUCHU.

Helmbold's Extract Buchu is a Medicine which is perfectly pleasant in its

TASTE AND ODOR,

But immediate in its action, giving Health and Vigor to the Frame, Bloom to the Pallid Cheek, and restoring the patient to a perfect state of

HEALTH AND PURITY.

Helmbold's Extract Buchu is prepared according to Pharmacy and Chemistry, and is prescribed and used by *THE MOST EMINENT PHYSICIANS.*

Delay no longer. Procure the remedy at once.

Price $1 per bottle, or six for $5.

Depot 104 South Tenth street, Philadelphia.

BEWARE OF UNPRINCIPLED DEALERS

Trying to palm off their own or other articles of BUCHU on the reputation attained by

HELMBOLD'S EXTRACT BUCHU,

The Original and only Genuine.

We desire to run on the

MERIT OF OUR ARTICLE!

Their's is worthless—is sold at much less rates and commissions, consequently paying a much better profit.

WE DEFY COMPETITION!

Ask for

HELMBOLD'S EXTRACT BUCHU.

Take no other.

Sold by JOHN WYETH, Druggist, corner of Market and Second streets, Harrisburg,

AND ALL DRUGGISTS EVERYWHERE.

no14 d&w3m.

EXTRACTS! EXTRACTS!!

WOODSWORTH & BUNNEL'S

SUPERIOR FLAVORING EXTRACTS

OF

BITTER ALMOND,
NECTARINE,
PINE APPLE,
STRAWBERRY,
ROSE,
LEMON AND VANILLA,

Just received and for sale by

je29 WM. DOCK, Jr., & CO.

The Patriot & Union.

FRIDAY MORNING, JAN. 4, 1861.

PENN'A LEGISLATURE.

SENATE.

THURSDAY, Jan. 3, 1861.

The Senate met at the usual hour, and was called to order by the SPEAKER.

The Journal of yesterday was read and approved.

Mr. PENNEY offered a resolution that Tuesday and Friday be set apart for the presentation of petitions, which was agreed to.

The SPEAKER laid before the Senate the report of the commissioners appointed to examine the claim of J. J. Dull; which report allows him a balance of $2,522.38.

Reports on several other claims were submitted, the reading of which was dispensed with.

BILLS IN PLACE.

Mr. PENNEY, A supplement to an act in relation to bridges over the Monongahela and Allegheny rivers, opposite Pittsburg.

Mr. CLYMER, An Act to authorize the court of common pleas of Berks county to appoint auditors to re-audit the account of George Feather, late treasurer of said county.

Mr. SMITH, An Act to incorporate the American engravers' company.

Mr. IRISH, A supplement to the act incorporating the borough of Birmingham.

Mr. YARDLEY, A supplement to the act incorporating the Doylestown and Dunborough turnpike company.

Mr. LAWRENCE, An Act, entitled "Joint resolution authorizing the State Treasurer to pay the expenses of the late electoral college."

Also, a joint resolution relative to the purchase of Purdon's Digest.

Mr. GREGG, An Act, entitled "An Act to enable citzens to hold titles heretofore held unlawfully by aliens.

REPORTS OF COMMITTEES.

Mr. HIESTAND, from the joint committee to whom was referred the resolution of printing a *Daily Record*, reported a contract made with George Bergner, at $7.00 per page.

Mr. WELSH moved that the Senate adjourn at 12 o'clock, m., to meet at 3 o'clock, on Monday. Agreed to.

On motion of Mr. SMITH, the Senate proceeded to make nominations for United States Senator.

Mr. SMITH nominated Morton M'Michael.
Mr. PENNEY, Thomas Williams.
Mr. WELSH, Henry D. Foster.
Mr. FINNEY, J. H. Walker.
Mr. HIESTAND, Thaddeus Stevens.
Mr. IRISH, J. P. Penney.
Mr. MEREDITH, Edgar Cowan.
Mr. FULLER, James Veech.
Mr. BOUND, James Pollock.
Mr. IMBRIE, Daniel Agnew.
Mr. LANDON, David Wilmot.
Mr. SCHINDEL, Richard Brodhead.
Mr. NICHOLS, Charles Gilpin.
Mr. SERRIL, John Hickman.
Mr. BENSON, C. B. Curtis.
Mr. MOTT, William Bigler.
Mr. YARDLEY, Caleb McGrath.
Mr. CONNELL, J. K. Moorehead.
Mr. SMITH, A. H. Reeder.

On motion, the nominations were closed.

The SPEAKER appointed Mr. KETCHAM as Teller, on the part of the Senate.

Mr. SMITH'S resolutions, relative to the maintenance of the Union, were taken up in committee of the whole, and passed first reading.

Mr. SCHINDEL offered a resolution inviting the clergymen of Harrisburg to open the daily sessions of the Senate with prayer. Agreed to.

A number of Veto Messages from the Governor were read by the Clerk, as follows:

EXECUTIVE CHAMBER, HARRISBURG, January 3, 1861.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania.

GENTLEMEN:—On the day preceding the final adjournment of the last General Assembly, a bill was presented for my approval, entitled "An Act relating to the districts of the Supreme Court, and regulating the issuing of process therein."

The first and second sections of the bill provide for the abolition of the Northern District of the Supreme Court, at Sunbury, and for transferring the counties now embraced in that district to the Middle District, at Harrisburg. To this proposition I do not object. The third section, however, after changing the time for holding the term of the Supreme Court for the Western District from the third Monday of October to the first Monday of September, provides "that hereafter it shall not be lawful for said court, or any of the Judges thereof, to issue any writ or process of any kind commanding or requiring any person or party to appear before the said court, or any Judge thereof, at any place not within the district of said court, wherein such person may reside, or such party may be located."

After a careful consideration of the question involved in this latter proposition, I am clearly of opinion that the Legislature cannot lawfully limit the general process of the Supreme Court to particular and specified districts, within the Commonwealth. The fourth section of the fifth article of the Constitution of Pennsylvania provides that "the jurisdiction of the Supreme Court shall extend over the State;" and under this provision it has been repeatedly decided by the Supreme Court that it had jurisdiction to hear arguments, pronounce judgments and decrees, and to issue orders and other process in one district on causes originating in another. It has also been held by the same court, that as the extent of the jurisdiction was fixed by the Constitution it could not be limited by an act of Assembly. It is true that by the Constitution the court has but a limited chancery jurisdiction, which may be extended from time to time by legislative enactment; and it has been held that the exercise of this special jurisdiction might be limited to particular counties by the act conferring the jurisdiction. The decisions in the latter case, however, do not affect the question now under consideration, for the bill does not give to the court a new jurisdiction, to be exercised in a particular manner, but proposes to limit and restrain the general power of the court to issue writs and process of every description to the particular districts wherein the defendants or respondents may reside at the time the writ or process may be issued.

It is not to be doubted that the Legislature may divide the State into districts, and require sessions of the Supreme Court to be held in each, for the purpose of hearing arguments and deciding cases; but it by no means follows that the general jurisdiction throughout the State, given by the Constitution, may be limited and restrained so that it cannot at all times be so used as to meet the exigencies of any given case.

Whether the Supreme Court has power and jurisdiction to issue process at all times throughout the entire State, and whether this power can in any degree be impaired by the Legislature, are judicial questions; and as the decisions of that court upon these questions are absolutely conclusive in the cases in which they arise, it is vain for any other department of the government to deny their binding force, or to attempt to establish a rule differing from that settled by the court itself. That this bill, should it receive the Executive sanction, would be declared unconstitutional by the Supreme Court, and its provisions utterly disregarded, is perfectly manifest from the decisions heretofore made; and consequently the only possible result of its approval would be the indication on the part of the law-making power that the highest judicial tribunal of the State could not safely be trusted with the performance of its own legitimate duties in its own way, and thus perhaps indirectly invite disobedience, on the part of the citizen, to the process of the court. As I do not distrust either the wisdom or the disposition of the court rightly to exercise its allotted jurisdiction, and believing that any impression that may have been made on the public mind averse to tendering prompt and cheerful obedience to the decisions of our courts of justice should be at once and forever removed, as utterly subversive of all order and good government, I cannot willingly aid in producing results which, although not so intended, are in my opinion pregnant with mischief.

But if there were no constitutional objections to the bill under consideration, I could not give it my approval; for, in my judgment, it would be equally unwise and inexpedient to prohibit the Supreme Court, or any one of its Judges, from issuing writs or other process commanding the appearance of parties or persons at a place out of the particular district where such persons or parties may reside. Can any good reason be possibly assigned why the Supreme Court of the State should have less power in issuing writs than our inferior judicial tribunals?—Every court of common pleas, as well as every district court in the State, may send its writ of subpœna and its writ of attachment to any county within the State, to notify and compel the attendance of witnesses in any case pending in such court; and yet this bill proposes to withhold this power from the Supreme Court or either of its Judges. How would this work practically? The Judges of the Supreme Court are *ex officio* justices of the oyer and terminer and general jail delivery in all the counties of the State. Suppose one or more of them to be holding a court of oyer and terminer, for the trial of capital cases, in the city of Philadelphia. Under the provisions of this bill witnesses could not be subpœnaed, nor attachments issued to compel their attendance, from the counties of Berks or Lancaster, for neither of those counties belongs to the Philadelphia district. The court of *Nisi Prius*, which holds its sessions for several months in each year, for the trial of issues of fact, in the city of Philadelphia, would possess no power to summon witnesses from any county not included in the Eastern District of the Supreme Court. And in other cases, as well as in the instances referred to, this prohibition would seriously interfere with the due administration of justice. The Supreme Court holds its terms but once a year in each district of the State, and in some of them the session is for but a few weeks. It not unfrequently happens that a proceeding commenced in the court in one district, where the personal attendance of the party is required, cannot be terminated before the session ends. The case must therefore either be postponed for an entire year, or the attendance of the party required in another district. Surely the power to hear and terminate in one district business which may have been commenced in another, leaving to the sound discretion of the court the propriety of the exercise of such power, in view of all the circumstances of the case, is not only highly necessary, but is eminently proper, and should not, in my opinion, be molested by the Legislature.

Being, therefore, clearly of opinion that the proposed legislation is alike unconstitutional and inexpedient, I am constrained to withhold the Executive approval from the bill under consideration, and to return it herewith to the Senate, in which it originated, for re-consideration, in accordance with the provisions of the Constitution. WM. F. PACKER.

EXECUTIVE CHAMBER, HARRISBURG, January 3, 1861.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania.

GENTLEMEN:—Within ten days of the adjournment of the last General Assembly, a bill was presented for my approval, entitled "A supplement to an act relating to the collection of State and county taxes in the county of Bucks."

The second section of the act provides "that the fees to be received by the constables and collectors of taxes, in said county, shall be ten per cent. on the amount of all county tax, and five per cent. upon all State tax collected by them prior to the first day of December in each year, and ten per cent. on all State tax collected after said date."

By an act approved the 29th day of March, 1859, the county of Bucks has a system for the collection of State and county taxes differing from the general law of the State. Under that act it is made the duty of the county treasurer to attend in each township and borough for the purpose of receiving taxes, and, after the 28th day of September in each year, to issue his warrant to the several constables of the respective townships, for the collection of the unpaid taxes, who are allowed four months to collect the balances outstanding.

The proposition in the bill before me is to give to the constables and collectors five per cent. for all State taxes collected by them before the first of December, and ten per cent. for all collected after that date. It will be remembered that the time allowed constables and collectors to settle their warrants and duplicates is until the 28th of January of the succeeding year, and, as they are not bound to make collections before the first day of December, it is evident that this bill would give them a premium for negligence, by doubling their commissions if they do not make their collections until after that date. In my opinion, the rule should be reversed. True policy would dictate a premium for promptness rather than for delay.

The bill is also subject to the objection that, under its provisions, the per centage allowed for collecting the State taxes, in Bucks county, would be considerably greater than that authorized in other counties of the State, for similar services, under the general law. The compensation allowed to collectors for collecting State taxes is five per cent., and to county treasurers one per cent.—thus making the cost of collecting the State tax, on real and personal estate, six per cent. In the county of Bucks, by the provisions of the special law before referred to, the county treasurer receives six per cent. commissions (four per cent. of which goes to the county) on all the State tax accounted for by him, and for that portion which may be collected by the constables five per cent. additional is charged. It is now proposed to add five per cent. more on all sums that may be collected after the first day of December in each year. Should the bill under consideration become a law, the expense to the Commonwealth for collecting her tax on real and personal estate, in the county of Bucks, would be six per cent., besides the abatement for all taxes collected before the first of December, and sixteen per cent. for all collected after the first day of December; while, in nearly every other county of the Commonwealth, the entire cost of collecting the same tax is but six per cent. I am not able to perceive why the rule should not be uniform, and the same commissions allowed in all the counties of the State.

With these, my objections, thus briefly stated, the bill is herewith returned without my approval, to the Senate, where it originated, for re-consideration.

WM. F. PACKER.

EXECUTIVE CHAMBER, HARRISBURG, January 3, 1861.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania.

GENTLEMEN:—On the 30th of March last, a bill was presented for my approval, entitled "An act for the relief of John Mong, of Somerset county."

This bill directs the State Treasurer to refund to John Mong the sum of eighty-four dollars and fifty cents, paid by him to the Treasury on a warrant for three hundred acres of land, which it is alleged, in the preamble to the bill, had been previously appropriated.

The amount of money which this bill directs to be refunded is so small, that, of itself, it would scarcely justify Executive interference; but the precedent it would establish would, beyond all doubt, prove most injurious to the interests of the Commonwealth. Other parties similarly situated would be equally entitled to relief, and would not be slow in pressing their demands upon the Legislature. The result would be, if they were successful—and there are thousands of similar claims as meritorious as the one under consideration—that the Treasury would be drained to the extent of hundreds of thousands of dollars.

Where the Commonwealth grants to an applicant a descriptive warrant, and, before the survey is actually made and returned, the holder ascertains that the land described has already been surveyed upon a prior warrant, he may shift his location and appropriate any other vacant land within the district of the deputy surveyer to whom the warrant may be directed. But whether the warrant be descriptive or otherwise, there is neither an express nor an implied guaranty of title to the land surveyed under the warrant. The warrant is issued at the land office at the instance of the applicant, and the location is made at his risk. If he causes it to be made upon land already appropriated, it is his own fault and he must bear the loss. He has no claim, either legal or equitable, upon the Commonwealth for remuneration. This rule has been invariably followed in the disposition of our public lands, and its tendency has been, in some degree, to restrain speculative purchases, and to prevent disputes arising upon conflicting surveys. I am entirely satisfied that any innovation upon this long established practice of the government would be fraught with mischief, and that, consequently, the legislation proposed is unwise and inexpedient. For the reasons thus briefly stated, I have withheld my approval from this bill, and herewith return it to the Senate, where it originated, for re-consideration. WM. F. PACKER.

EXECUTIVE CHAMBER, HARRISBURG, January 3, 1861.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania.

GENTLEMEN:—On the day before the adjournment of the last General Assembly, a bill was presented for my approval entitled "An Act to incorporate the Society Buildings company."

This bill proposes to incorporate a company with a capital not exceeding two hundred thousand dollars, with power to purchase, hold and sell real estate, and to erect buildings thereon for lodging and other purposes, in the city of Philadelphia, and to rent the same from time to time as may be thought advisable.

My objections to the bill are:

First—That it is wholly unnecessary to incorporate companies to erect and sell or lease buildings; as that object can be better accomplished by individuals or co-partnerships.

Second—That the creation of irresponsible corporations for such purposes is not only unnecessary, but is calculated seriously to interfere with the legitimate business of private individuals.

Third—That lodging or tenement houses, erected and controlled by such corporations, without the guaranty of the individual reputation of the builder and owner, would, in all probability, be so constructed and managed as to endanger the health if not the lives of their occupants.

For these reasons, as well as for the additional one that corporate powers ought never to be granted to individuals, except in cases of plain public necessity, which necessity most manifestly does not exist in this case, I am constrained to withhold my approval from the bill under consideration, and to return it to the Senate, where it originated WM. F. PACKER.

EXECUTIVE CHAMBER, HARRISBURG, January 3, 1861.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania.

GENTLEMEN:—I herewith return to the Senate, where they originated, without the Executive approval, bills numbered and entitled as follows, viz:

No. 660. An Act to incorporate the Duncan's Island iron company.

No. 859. An Act to incorporate the Allegheny oil company.

These bills were presented to me, for approval, immediately preceding the final adjournment of the last General Assembly, and my reason briefly stated for declining to approve them is, that both companies may be chartered under the general manufacturing law of the 7th of April, 1849, and its various supplements. During my entire Executive term I have invariably refused to approve bills incorporating manufacturing, mining and other companies of a kindred character, which were amply provided for by the general law. For my views on this subject in detail, I respectfully refer the attention of the General Assembly to a communication addressed to the last Legislature, in returning with my objections the bill, entitled "An Act to incorporate the Packer iron company," to be found on the Journal of the Senate, page 30.

WM. F. PACKER.

Adjourned.

HOUSE OF REPRESENTATIVES.

THURSDAY, Jan. 3, 1861.

The House met at 11 o'clock, and was called to order by the SPEAKER. After prayer, a communication was received from the superintendent of the State Lunatic Asylum, inviting the members to visit the institution; also, several communications from the Auditor General in reference to the claims of Israel Grafius, of Huntingdon county, Jas. J. Dull, Bergans & Grim, and Shem Thomas. They were all laid on the table.

Mr. SHEPPARD presented a petition from the First representative district of Philadelphia contesting the seat of Jos. Coldwell, and offered a resolution appointing Wednesday next for the selection of a committee to try the case. This was agreed to, and that day was fixed.

A message from the Governor was received, informing the House that he had signed certain acts of the Legislature of 1860, among them an act incorporating the Dime Saving Institution of the city of Harrisburg; also, an act vacating a certain alley in the same city.

A number of veto messages were received from the Governor, as follows:

EXECUTIVE CHAMBER, HARRISBURG, January 3, 1861.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania.

GENTLEMEN:—On the 31st day of March last, a bill was presented for my approval, entitled "An Act to extend the charter of the Columbia Bank."

The bill provides "that the corporate duration of the Columbia Bank be, and the same is hereby, extended and continued for and during the period of fifteen years, from and after the time limited for the expiration of the present charter of the Bank."

The existing Charter of the Columbia Bank will not expire until the first Wednesday of May, 1864—there can, therefore, be no necessity for legislative action on the subject at this time. But my principal objection to this bill is, that it does not conform to the general law of the State on the subject of banking. On the 31st day of March last, and act was passed by the General Assembly establishing a general system of banking, changing very materially, and, in my opinion, greatly improving the system which has hitherto obtained in this Commonwealth. By that act ample provision is made, not only for the establishment of new banks, but for the continuance of those now in existence, having special charters. Any banking institution, by a vote of its stockholders, and by complying with the provisions of the act, may continue the business of banking, under the general law, for a period of twenty years. The renewal of the charter of this or any other bank is therefore wholly unnecessary and improper, unless this Legislature shall determine to abandon the system so wisely inaugurated by its immediate predecessor. Indeed, if new charters are to be granted by special enactments, or if those now existing are to be renewed from to time, and the attention of the Legislature is to continue to be engrossed with the passage of bank charters, conferring special privileges upon the favored few who may obtain them, one of the great objects aimed at by the framers and friends of the general law will have utterly failed. Pennsylvania, by the importunities and controlling influence of interested parties, was the last among her neighboring States in establishing a general system of free banking. Having advanced a step in the right direction, giving to every man the privilege of banking if he has the means, and effectually closing the door against all others, it would, in my opinion, be a public calamity if she were, under any pretext whatever, by a retrograde movement, to lose the advantage of the position she has gained. If, on the contrary, all attempts to obtain new acts of incorporation, or to renew old charters, are sternly resisted by the Legislature, it will be but a brief period until all our banking institutions will be organized under the general free banking law—the law itself will be improved and perfected, if it be defective—our paper currency will be secure beyond a peradventure, and the interests of the public, in their relation to the banks, abundantly protected.

Experience has satisfactorily demonstrated that the laws under which the existing Banks of this Commonwealth were chartered furnish little or no protection to the community when protection is most required. It is perfect, or that it may not be amended, it is unquestionably a vast improvement on the old system, and should not, in my judgment, be abandoned by the Legislature before it has gone into full operation. Free banking is working well in other States; why should it not succeed in Pennsylvania? So far as the present Executive is concerned, he feels himself in the discharge of a high public duty, in determining that it shall have a fair trial.

The bill under consideration is therefore herewith returned, without my approval, to the House of Representatives, where it originated.

WILLIAM F. PACKER.

EXECUTIVE CHAMBER, HARRISBURG, JANUARY 3, 1861.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania

GENTLEMEN:—Within ten days of the final adjournment of the last General Assembly, a bill was presented for my approval, entitled "An Act relating to the sheriff of Lancaster county."

The bill provides "that hereafter the term of office of the sheriff of Lancaster county shall commence on the third Monday of November next succeeding his election," and repeals all laws inconsistent therewith. Upon a careful consideration of the bill, I am of opinion that it is in conflict with the first section of the sixth article of the Constitution of Pennsylvania, which declares that "sheriffs and coroners shall at the times and places of election of representatives be chosen by the citizens of each county. One person shall be chosen for each office, who shall be commissioned by the Governor.—They shall hold their offices for three years, if they shall so long behave themselves well, and until a successor be duly qualified."

A person legally chosen and commissioned as sheriff has a constitutional right to his office for three years, and until his successor is duly qualified, if he shall so long behave himself well. His term of office, except when appointed to fill a vacancy, cannot be for a less period than three years; but it may be increased in duration if his successor shall not, at the proper time, be duly qualified. To constitute due qualification there must be—*first*, an election by the people or an appointment by the Governor; *second*, bonds and recognizances must be given and duly approved; *and third*, a commission must be issued by the Governor, and duly recorded by the recorder of the proper county. Until these requirements are all complied with, the incoming officer is not duly qualified, and consequently the sheriff in commission is, by the Constitution, entitled to the office.

The bill under consideration proposes that the one term shall expire, and the other commence, on a day certain, whether the newly elected officer be duly qualified or otherwise. This clearly cannot be done. Until a successor be duly qualified, it is not in the power of the Legislature, by any enactment, to limit the term of office of the sheriff in commission. The statute now in force throughout the Commonwealth meets the case, not by fixing a particular day for the commencement of the term of office of a sheriff, but by providing that no one elected or appointed to the office of sheriff shall enter upon the duties of his office until after his commission shall have been duly granted and left with the recorder of the county for recording. This is, in my opinion, a wise and proper provision, and ought not to be marred by special enactments for particular counties, even if such enactments were free from constitutional objections.

The sheriffs of the several counties are commissioned for the term of three years, from the second Tuesday of October, the day on which they are elected. If the objections to this bill already urged were not to my mind conclusive, it might not be amiss to enquire into the constitutional power of the Legislature to prevent, even for a limited period, a person chosen by the people, in accordance with the Constitution and laws, and duly qualified, from entering upon the discharge of the duties of his office, and thus extend the term of his predecessor. If the time at which the incoming sheriff shall enter upon his official duties can be postponed by an act of Assembly for six weeks after he is duly qualified, what is to prevent its postponement for a much longer period? And then what is to prevent the repeal of such a statute?—thus rendering the term of the sheriff's office the subject of a Legislative scramble. This surely was not contemplated by the framers of the Constitution.

With these, my objections, to the passage of this bill, it is hereby returned, without my approval, to the House of Representatives, where it originated, for re-consideration. WM. F. PACKER.

EXECUTIVE CHAMBER, HARRISBURG, January 3, 1861.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania.

GENTLEMEN:—Immediately pre