

THE COLUMBIA DEMOCRAT.

"I have sworn upon the Altar of God, eternal hostility to every form of Tyranny over the Mind of Man."—Thomas Jefferson.

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OFFICE OF THE DEMOCRAT,
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TERMS:

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POLITICAL.

TO THE FREEMEN OF THE COMMONWEALTH OF PENNSYLVANIA.

We, the democratic members of the Senate and House of Representatives of Pennsylvania, are reduced to the painful necessity of calling your attention to the deplorable condition to which the affairs of the Commonwealth are reduced, by the insane efforts of a few unprincipled men, striving to retain the power which a majority of the people have solemnly decided they must lay down.

In doing this we will be as brief as possible.

Knowing that neither argument nor exciting appeals are necessary to call you to the support of the Constitution—the laws and the legally constituted government of the State, we shall use none of these. A correct knowledge of the facts is all that is necessary to enable the most obtuse intellect to arrive at just conclusions, and we shall, therefore, confine ourselves to the simple recital of those facts. Before proceeding to do so, we claim your confidence in the truth of our narration, for we shall "nothing extenuate, nor aught set down in malice."

That you may the better comprehend the full extent to which the Constitution has been infacted, and the laws trampled upon, by individuals claiming to represent a majority of the people in the Executive & Legislative departments of the Gov't, it becomes necessary to bring to notice some events which occurred prior to the assembling of the Legislature. Those may be known to most of you, as for some time they have engaged the public mind with painful intensity; to others they may not be so familiar.

The county of Philadelphia is divided into seventeen election districts, and is entitled to elect 8 members to the House of Representatives and 2 members to the Senate, of this State. In pursuance of the directions of the laws relating to the subject, one return judge from each of these seventeen districts met on the 12th day of Oct. last, at Independence Hall in the State House in Philadelphia, for the purpose of casting up the votes given to each candidate, in the county, and to make out the proper return.

The Judges being thus assembled, in the discharge of a highly responsible and solemn duty, to be executed under the sanction of an oath or affirmation; proceeded to the exercise of their functions. A question having arisen as to the legality of the election held in the incorporated part of the Northern Liberties, being one of the seventeen districts, after examining witnesses and having the argument of counsel a majority of the return judges being ten of the seventeen, decided that the returns from the incorporated Northern Liberties could not be received. In point of law, this decision may have been erroneous, and may be so conceded it in no wise affects the undoubted and indisputable election of the Democratic candidates for seats in the Senate, and House of Representatives, as will hereafter be shown. After this decision the judges proceeded to ascertain the result of the election in the remaining districts, all of them participating in the necessary examination, or being present while it progressed. When the whole number of votes

polled in the sixteen districts were counted, it was ascertained, that for

SENATOR.

Demo.	Fed.	
C. Brown had	7880 Wm. Waggoner	6343
Stevenson	7870 J. Hanor	6330

AND FOR REPRESENTATIVE.

Demo.	Fed.	
Chas. Pray	7870 M. Day	6262
J. W. Ryan	7817 A. Woellepp	6354
M. N. Carpenter	7869 W. F. Hughes	6364
T. H. Brittain	7893 M. Loyd	6279
A. Helfenstein	7837 Wm. J. Crans	6376
J. W. Nesbit	7818 S. F. Reed	6373
T. J. Heston	7819 B. R. Mears	6277
B. Crispin	7922 J. F. Smith	6275

being an average majority for the democratic candidates of about 1500 votes, excluding the votes cast in the Northern Liberties.

In further prosecution of their duties, the Judges then proceeded to make out and certify the returns required by law, showing the above result, which were signed by ten of them being a majority, in the presence of the whole number. Having thus executed the trust confided to them, the meeting of the judges was adjourned; and the individual members left the room in which they had convened. The next day, a duplicate of the returns as deposited in the office of the Prothonotary of the City and County of Philadelphia, and another sent to the Secretary of the Commonwealth, who received it and deposited it in his office, as by law and his oath of office he was bound to do.

Shortly after the adjournment of the Judges, six of them, retired to another room in the state house, and there, in secret; in the dead hour of the night, fraudulently concocted another return, showing the result only in the 7 districts they had represented in the conference of the judges. These 7 districts being the most federal in the county showed the following result:

SENATE.

Federalists.	Democrats.	
Jas. Hanor	6288 Chas. Brown	4858
Wm. Waggoner	6308 S. Stevenson	4829

REPRESENTATIVES.

M. Day	6346 Chas. Pray	4912
A. Woellepp	6426 J. W. Ryan	4757
W. F. Hughes	6426 M. N. Carpenter	4814
Wm. Loyd	6354 T. H. Brittain	4849
W. J. Crans	6422 A. Helfenstein	4771
S. F. Reed	8448 J. W. Nesbit	4770
B. R. Mears	6346 T. J. Heston	4779
J. F. Smith	6372 B. Crispin	4819

For the purpose of defrauding the democratic members of the Senate and House, of the seats to which they are entitled, by the suffrages of the people of their county, these false, partial and garbled returns, were on the same night, sent by an express to Harrisburg, as the true return of the state of the poll in the county of Philadelphia, in respect to Senators and Representatives, and deposited in the office of the Secretary of the Commonwealth.

The rejection of the Northern Liberties return is given as an apology for this gross and monstrous violation, not only of their duty but of their oaths. Miserable as it is, and impotent, in the slightest degree, to extenuate conduct such as we have detailed, this pretended excuse, at once, met and put to shame, by the fact that the rejection or addition of the Northern Liberties vote can in no wise affect the right of the Democratic members to seats. Let us prove it.

The vote in the Sixteen districts we have shown to be:

For the Democratic candidates an average of more than 7800.

For the Federal candidates an average of 6300 leaving an average democratic majority of about 1500.

In the Northern Liberties the vote stood, For the Democratic candidates an average of 2140.

For the Federal candidates an average of 3140.

Leaving an average Federal majority in the Northern Liberties of 1000.

Democratic average majority in Sixteen districts.

Federal average majority in Northern Liberties.

Democratic average in the whole county—

We assert unhesitatingly and unequivocally, that the Secretary of the Commonwealth was, before the meeting of the Legislature, *Cognizant of all these facts*.

This gross wrong on the rights of suffrage, the most sacred and invaluable known to freemen living under a Representative form of government—thus commenced in Philadelphia has been carried out and consummated at Harrisburg, by an usurpation of power on the part of the Secretary of the Commonwealth, (the appointee and dependant of the Governor) unparalleled in the history of this or any other State forming the confederacy, and by the boldness and reckless daring of an individual holding a seat in the House of Representatives, whose fame as an unprincipled tactician is but too notorious for the credit of the State he has adopted for his residence.

How this consummation was effected we proceed to show.

A day or two previous to the meeting of the Legislature, a rumor was current in this town, that the Secretary—a mere *depository* of the election returns—would constitute himself the arbiter to judge of the validity of the several returns, and refusing to obey the law which directs him to deliver all the returns addressed to the two Houses, would assume the responsibility of withholding from the Senate and House of Representatives, the undenied and undeniable return, legally made by a majority of the return judges of the county of Philadelphia:—

That, upon this action, the federal members of the House would refuse to submit themselves to the decision of the majority of the members acknowledged on all sides to be elected, and whose elections have not, up to this moment, been disputed, and rejecting all other evidence, except the return of the minority judges sent in by the Secretary, receive the individuals shown to have been beaten by at least five hundred votes, and proceed to a separate organization of the House by the election of a Speaker of their exclusive choice.

This scheme was of a character so startling, and so utterly at variance with all constitutional and legal propriety, that credence was denied the report. It was not until men were astounded by the intelligence that it had actually been carried into effect, that the public belief here gave it slow admission; and we passed from astonishment at the stupendous corruption which could conceive such a project, to sadness in the contemplation of fifty two American citizens—some of them selected by their fellows for the exercise of the highest legislative functions—lending themselves to carry forward its perpetration.

Before we proceed to detail how the secession by the minority was effected and a pretended House of Representatives formed; it is proper to say it would never have been attempted, but for the accidental circumstances that the party, to which the disorganizers profess to belong, enjoy a majority in the Senate, and having possession, for yet a little while, of the Executive chair expected to be recognized by the Senate and Governor, as the legitimate House of Representatives of this Commonwealth. Thus far the fear—not of an "armed mob"—but the fear of the popular indignation, based upon popular intelligence, has prevented the exhibition of this last scene of a drama, to which folly has lent the characteristics of farce, but which a criminal disregard of truth, justice and propriety obstinately persisted in, threatened, at one instant of time to convert into fearful tragedy.

In contemplating the circumstances which preceded and accompanied the secession of the minority from the House of Representatives and the subsequent proceedings in the Senate, the first startling fact which attracts the attention of the investigator is the heretofore, unheard of assumption of power by the Secretary of the Commonwealth over the returns filed in his office. In assuming as it will be seen he did, to give preference to one return before another, he usurped an authority conferred by the constitution on each house, alone to judge of the "qualifi-

cations" of its members by refusing to furnish the house legal evidence of those qualifications. If this be submitted to hereafter the Secretary; a creature of the Governor, and not the members elect, is to decide who are and who are not members of the Legislature of Pennsylvania; thus consolidating at least for a limited period of time, distinct branches of the government, which the framents of our constitution anxiously endeavored to keep separate.

It is unnecessary to follow out all the consequences which might, nay must flow from this illegal appropriation of power: It is enough for a free people, governed by settled laws, to know that one of their agents has endeavored to appropriate a power not belonging to him, and the possession of which, by him, is utterly incompatible with the independence of the legislative body.

We proceed to submit a plain statement of the facts which accompanied the organization of the House as they occurred. From it, it will be perceived that the minority, unconscious of its weakness, had recourse to petty trick, in order to carry out a scheme, concocted before they came into the Hall of the House.

On Tuesday, the 4th inst., the day appointed by the Constitution, for the meeting of the General Assembly, the members elected to the House of Representatives met at 11 o'clock, A. M. It is believed they were all present. Upon motion, it was unanimously ordered that the clerk of the House at the last session, Francis R. Shunk, Esq. read the returns of the late election for Representatives. The Secretary of the Commonwealth having been introduced, laid upon the Speaker's table, as he stated, the official return.

After the Clerk had read the return from the City of Philadelphia, which was the first return read, Mr. Pray of the county of Philadelphia, required of him to state by how many judges the paper received from the Secretary of the Commonwealth, purporting to be a return of the election of members in the county of Philadelphia was signed, and how many election of members in the county of Philadelphia was signed, and how many election districts were included in it. The Clerk made the statement required, from which it appeared that the pretended return comprised but seven districts of the seventeen and was signed by six judges.

Mr. Pray, then presented a copy, certified by the Prothonotary of the county of Philadelphia, of the return of the election of representatives in the said county, signed by a majority of the return judges which was read, after which the paper received from the Secretary of the Commonwealth, supporting to be a return, signed by six of the seventeen return judges, and containing the votes for Representatives in seven of the seventeen election districts in the said county was also read.

Upon the presentation of the certified copy, a short debate occurred in which Mr. T. S. Smith, of Philadelphia, gave the first intimation of an intended secession of the minority, by stating that he hoped those who thought with him would not vote upon any question which might arise.

The Clerk having proceeded and read the returns from all the other counties, then called the names of the members returned as representatives. The members who afterwards seceded, declined to answer.—Fifty-six answered, which fact being announced, on motion, they proceeded to the choice of a Speaker, and William Hopkins was duly elected having received fifty-five votes.

In the course of these proceedings, marked by a strict observance of the law and the Constitution, and the practice under them, Thaddeus Stevens, a member returned from Adams county, made a motion in direct hostility with the uniform practice, and without regard to the order of proceeding, that tellers be appointed for the purpose of electing a Speaker. On this motion, he said he hoped only himself and those who thought with him would vote;

and that those who differed from him and his friends would be allowed to vote for their Speaker, and that he hoped there would be room enough on the platform for two speakers. He then put the question hastily and informally, and pronounced that it had carried, though undoubtedly voted down by a majority of the members present. After which the tellers by him named proceeded and held an irregular and informal election disturbing in some degree, the orderly proceedings of the members who were engaged in the regular discharge of their duties.

They continued this farce by pronouncing a Speaker to be elected, who according to this novel plan did not receive more than some twenty or thirty votes some of the seceders answering yes—some here—some answering Thomas S. Cunningham, and then administered oaths and affirmations to the seceders. Soon after the election of Mr. Hopkins, Speaker, the seceding members withdrew, having taken no part in the regular organization of the House.

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During the whole of these proceedings there was in the gallery and upon part of the floor of the House a very large assembly of citizens, who, when Mr. Cunningham has conducted to the chair, exhibited some symptoms of disapprobation, which was, however instantly hushed at the request of Mr. Hill of Westmoreland, a democratic member. In all other respects, they conducted themselves throughout with the utmost propriety.

It is well known that a larger collection of people than is usual upon such occasions assembled, because it was openly and publicly asserted that the secretary of the Commonwealth would withhold from the representatives of the people the regular return of the election of representatives in the county of Philadelphia, and present an illegal and void paper purporting to be a return, by which the representatives of the people legally elected would be deprived of their seats. That this threatened infraction of popular sovereignty should produce extraordinary vigilance in a people jealous of their rights, is as natural as it is honorable.

That regular returns of representatives were made by a majority of the return judges of Philadelphia county, was as well known in that district, and by all who examined the facts, as that there was an election held on the second Tuesday in October. That one of these returns was filed in the Prothonotary's office of the county, was equally well known, and was further attested by the certified copy, read at the organization of the House.

The whole of these proceedings were witnessed, as has been already observed, by a very large concourse of citizens drawn together by the reports of the intended suppression of the returns. Much indignation, at the unprecedented & unjustifiable course of the minority was doubtless felt. None was manifested until the afternoon, when the Senate, in which the federalists have the majority, meet to organize.

The members of the Senate assembled in the Senate chamber at 3 o'clock P. M. The dense crowd which had filled the galleries, and passages of the lower House in the morning, now occupied the narrower accommodations of the Senate chamber. Here crowded together, in the most uncomfortable position, they remained for from two to three hours, listening with breathless interest to the discussion which