

Judges was not placed in the post-office, but sent by a special messenger, and therefore if technical nicety is to be regarded, could not be a legal return.

That the returns, signed by ten, a majority of the Judges of Philadelphia county, was made out in due form—put in the nearest post-office, and received by the Secretary—but was kept back, suppressed, and not handed in to the members assembled for organization: That the Secretary is entrusted neither by the Constitution, law, nor usage, with any judicial or discretionary power over the returns any more than the postmaster or mail carrier through whose hands they pass:

That if the Secretary may decide which are proper Returns and which are not—sending in as a return a paper signed by one or six judges out of 17, and keeping back, under any pretence, at his pleasure, returns signed by a majority of Judges; and if those produced by him are to be taken as the sole and exclusive proof of who are entitled to their seats, all other testimony being excluded till the House is organized—then it follows that an executive officer may give to the party he favors, at all times the organization of the Assembly—the election of Speaker, Clerk, Doorkeeper, Sergeant-at-Arms, Printer of the Bills, Printer of the Journals, State Treasurer, U. S. Senator, &c.: That this is not the Constitution and Law of Pennsylvania we do most solemnly protest:

And therefore we declare our clear and strong conviction: That it was the duty of Mr. Burrows to hand over to the assembled members all the returns, or papers purporting to be returns of election, that they might judge. It is a pity he did not do so. There lies the fatal error. The members assembled, in our opinion, were entitled to have all the returns before them.

But again: The returns in the Secretary's office are not the only legal evidence of what the people have done—who is elected. For greater security—to prevent fraud or collusion, three modes of proving the fact of election are provided by Law. One, the returns made and deposited with the Secretary.—Another, that the members chosen shall be furnished with certificates thereof.—Another, that duplicate returns be deposited in the Prothonotary's office. For common convenience those in the Secretary's office are generally taken, but are entitled to more respect and credence than the certificate, or a certified copy from the Prothonotary. Now, in this case the democratic members appearing and claiming seats produced—first, certificates of election—secondly, certified copies from the Prothonotary's office showing their election—they alleged, and their allegation was entitled to respect—that others returns than those produced by the Secretary, were known to be in his office. As whigs, acting on whig principles, avowing justice for our motto, and the will of the majority for our guide—this appears to be very strong ground on their part.

And when put in competition with the single paper on the face of it no legal return—signed by only six out of seventeen judges, on which the whig members relied—it seems to us irresistible—a case to our understanding so clear, that we stand amazed to see our whig brethren below acting on a different view of the matter. Good cannot come of it. It will not "bear the test of scrutiny and time." It strikes at the root of all those principles which we have been taught to hold sacred in Whig policy. What should we have said, or rather, what should we not have said, had our opponents done so?

In conclusion: At the commencement of the session, every member was present, without the eight Philadelphia county members, parties stood 44 Whigs, 48 democrats—so that there was a majority of 4 in favor of admitting the democratic members from the county, and did admit them. Yet our 44 whigs, now 41—persist in acting with the Whig members from the County. Are majorities no longer to rule any where?

Therefore we do express our clear and decided opinion—that Messrs. Butler and Sturdevant, in leaving the six return judge party, and joining with the majority, constituting thereby (even without the Philadelphia county members) a clear majority, incontestably entitled to seats, and forming a quorum for the despatch of business, which cannot rightly be denied or justly disputed, have acted with honorable fidelity to justice—the principles of Republicanism, the cherished doctrines of the Whigs and the interests of the Commonwealth. That they are entitled to our highest praise and most earnest commendation. In our estimation, the performance of this painful duty on their part, in despite of angry denunciation, evinces the most laudable firmness and patriotism, and under the auspices of "virtue, liberty and independence," the sublime motto of the Pennsylvania Arms, we earnestly hope their example may be followed by the other members of the Whig party.

ASHER MINER,  
NATH'L RUTTER,  
LEWIS WORRAIL,  
JOSHUA PETTERBONE,  
CHARLES MINER,  
ELIAS HOYT,  
THOMAS PRINGLE,  
SHARP D. LEWIS.

Federal Logic.—Separating the public taxes from bank frauds and bank speculation, is according to Federal logic, "uniting the purse and the sword."

BLOOMSBURG, PA.

SATURDAY, JANUARY 5.

### GOVERNOR'S MESSAGE.

The annual message of Governor Ritner was laid before both houses on Thursday, the 27th ult. Its extreme length will not allow us to publish it entire. We give below a synopsis of, and extracts from, its most interesting portions. By this course, our readers will not lose much, as it is in the main, a dry uninteresting document, so much so, that before it was read half thro' by the clerk of the house, a motion was made by a whig member to suspend the reading.

It commences by giving a statement of the transactions at Harrisburg since the meeting of the Legislature, condensed from the mistatements published in the government organs at that place. It denounces the democratic citizens who assembled at Harrisburg to witness the opening of the legislature, as a riotous mob, and throws the whole blame of the recent disreputable transactions at the capitol, upon our friends, notwithstanding the senate's condemnation of the course of the whigs. He then recommends a general revision of the election laws, and proposes the following amendments:

1st. The one year's residence in the state, required by the amended constitution, to be proven by the oath of the party offering to vote.

2d. The particular residence of ten days within the district where the vote shall be offered, to be proven by a competent witness.

3d. Persons claiming to vote upon tax assessed and paid within the current year, the assessor's corrected list to be the only evidence, a copy of which to be posted up at the house where the election is held, at least nine days previous to the time of holding the election.

4th. Persons claiming to vote on tax paid out of the district, to be required not only to produce a certificate of the payment of the tax, certified before a Justice of the Peace, but to give their names to the assessors at least nine days before the election, and a list to be put up in the same manner as of those paying within the district.—Thus virtually extending the odious registry law of Philadelphia city, throughout the state.

Upon the subject of betting on elections he makes the following just recommendation, which we hope to see adopted by our legislature, or something quite as severe:

And to secure, as much as possible, the purity of elections, I would strongly recommend the passage of a more effectual law against betting on elections, which practice forms the very worst and most pernicious species of gambling. Betting and gaming of other kinds only injure the parties themselves, but this inflicts a wound on the rights of all, and destroys that confidence which every citizen should feel in the decision of the ballot-box. I would therefore urge that whenever thereto required by any voter of the District, or whenever he shall think it necessary, the Inspector of each election shall cause any person offering to vote, to declare on oath or affirmation, whether he is or is not directly or indirectly interested, either as principal, partner or stakeholder in any bet, on the result of any election to be held on that day; and if he admit that he is, or if he decline to answer, then to refuse such person his vote, and to cause the clerks of the election to make a minute thereof on the list of voters.

After recommending the passage of such laws in relation to the appointment of such officers as are unprovided for in the amended constitution, and the election of Justices, &c. he makes the following remarks in relation to the progress of the school system.

The condition of the means proved by the State for General Education, is so flourishing that little is required to be done by the present Legislature. Within three years the permanent State appropriation to this object has been increased from seventy-five thousand dollars annually to four hundred thousand dollars, for the latter sum will be required next year to meet the increase of taxable citizens from three hundred and eight thousand nine hundred and nineteen to three hundred and fifty thousand which will probably be the number returned, (though probably not more than three hundred thousand dollars will be actually called for,) and to pay the annuities to Colleges, Academies and Female Seminaries, which will not be less than fifty thousand dollars. Nor will this large outlay have been without its fruits. Instead of seven hundred and sixty-three Common Schools in operation at the end of 1835, and about seventeen Academies, [the latter in a state of almost doubtful existence,] with no Female Seminaries fostered by the State, she now has five thousand Common Schools, thirty-eight Academies and seven Female Seminaries in active and permanent opera-

tion disseminating the principles of literature, science and virtue over the land. In addition to these there are many Schools, Academies and Female Seminaries of a private character, equally useful and deserving in their proper sphere.

Of the one thousand and twenty-seven townships, wards and boroughs now in the State, each intended to form a Common School district, eight hundred and seventy-five have accepted the Common School System, and have it in operation, and seven hundred and eighty six have received their portions of the State appropriation for the present school year, commencing on the first Monday of June last. The number of accepting districts goes on steadily increasing, and the usefulness and economy of the system where fairly tested, are becoming every day more apparent.

All that now seems requisite to the complete success of the system is, that some immediate and efficient means be adopted for the preparation of Common School teachers. This subject was fully explained in the last annual Report of the Superintendent, and will be again embraced in a revised draft of the whole School Law which that officer will shortly lay before you.—Permit me to bespeak for it your favorable consideration, and to hope that this last want of the system may be supplied.

I would also recommend that the power of School Directors on the subject of taxation be curtailed. When they were by law authorized to assess a school tax, equal to three times the amount of State appropriation coming to the District for the year, the whole amount of appropriation was only half what it now is. Perhaps absolute power of taxation in Directors to that amount, was then necessary; but it is not at present. I would therefore recommend that Directors shall not, hereafter, in any case, impose more tax on their District than a sum equal to its portion of state appropriation, unless by consent of the people, in the same manner as additional school tax is authorized, viz: by vote of the majority of the citizens.

Of the canals and railroads he says: The Canals and Rail Roads in operation, yielded, under the most disadvantageous circumstances, an increased revenue during the fiscal year just closed. The amount of tolls was nine hundred and ninety-one thousand two hundred and fifty-two dollars and forty-two cents. This income is a most decisive proof that her claims of improvement are on the eve of amply remunerating the State for their vast cost. The amount of tolls for the year, would, under ordinary circumstances, beyond a doubt, have been a million and a half of dollars. This will be credited when it is borne in mind that fully one half of the regular trade of the main line was lost to the State during two-thirds of the navigable season; in consequence of the breach on the Juniata, that to obtain the balance, the Canal Commissioners found it necessary to take the tolls off ninety miles of the most profitable part of the remainder, viz: between Huntingdon and Duncans Island; to which, if the distance from Huntingdon to Hollidaysburg be added, the distance unavoidably rendered wholly unproductive, was one hundred and twenty-nine miles. Still the works yielded, and it is a triumphant proof of their value and productiveness, little short of a million of dollars within the fiscal year, may, in view of these facts, with perfect safety be estimated at one million six hundred thousand dollars, with a favorable season.

He then adverts to the fact, that the trial to use anthracite coal as a fuel to generate steam in the Locomotive Engines, had proved entirely satisfactory, and that by its use, a large amount will be saved to the State annually. Of the breach in the canal between Huntingdon and Hollidaysburg, he says that the repairs are nearly completed, and will cost \$380,000. The progress of the new works, during the year, have been steady and satisfactory. The additional distances authorized to be put under contract on the Erie extension, on the lines up on the North and West Branch of the Susquehanna, and the Gettysburg railroad have been let.

Of the situation of the finances of the State, he makes the following remarks, which show conclusively, that the statements which have been made by the democratic party, of their wretched condition, were but too true.

The whole amount of the receipts into the Treasury, during the year ending with the 31st of Oct'r last, including the balance from 1837, was four million nine hundred eighty nine thousand two hundred twenty-three dollars and three cents, and the whole amount of payments for all purposes, was four millions eight hundred eighty nine thousand eight hundred sixty-three dollars and seventy-three cents—showing a balance that day of ninety-nine thousand three hundred fifty-nine dollars and thirty cents.

Among the disbursements are included one hundred fifty-seven thousand six hundred twenty-two dollars and eighty-nine cents paid as expence, in part, of the Convention to propose amendments to the Constitution. During the preceding year seventy-one thousand seven hundred thirty-nine dollars and sixty-seven cents had been paid on the same account, and it is supposed that a balance of fifty thousand dollars is still or will become due, so that the whole expence of the Convention, and its inci-

dents, will be two hundred seventy-nine thousand three hundred sixty-two dollars and fifty-six cents.

The probable amount of income from all sources during the present year, will be three million four hundred fifty-three thousand eight hundred thirty-eight dollars, viz:

Canal and Railroad tolls,	1,000,000
Bank of United States for Common Schools,	100,000
Land and Land office fees,	62,000
Auction duties and commissions,	20,000
Dividends on Bank stock,	160,000
Tax on Bank dividends,	115,000
Dividends on Turnpike, Bridges & Navigation stock,	45,000
Retailers licenses,	80,000
Tavern licenses,	50,000
Collateral Inheritance tax,	23,000
Tax on writs,	25,000
Tax on certain officers,	8,000
Tax on Loan Companies,	4,000
Hawkers and Toll and Clock Pedlars licenses,	6,000
Four Instalment Surplus Revenue,	955,838
Balance of Loan per 3d section act 14th April, 1838,	125,000
Miscellaneous,	5,000
	\$3,453,838

The probable demands on the Treasury, exclusive of appropriations to be made during the present session, and of loans which will be due during the year, will be three million three hundred twenty-three thousand nine hundred twenty-seven dollars and ninety-one cents, viz:

Balance of appropriations for Internal Improvement purposes, by act of 14th April, 1838,	532,037 01
Do. do. to Turnpike State roads and bridges,	95,670 90
For motive power,	240,000 00
Interest on State debt, salaries of Collectors; Lock keepers, &c.	1,180,000 00
Expenses of Government,	290,000 00
Balance of expence of Reform Convention,	50,000 00
Militia expences,	25,000 00
Pensions and Gratuities,	50,000 00
Education,	350,000 00
House of Refuge,	5,000 00
Penitentiaries,	21,200 00
Geological survey,	13,000 00
Interest on Treasury loans,	99,000 00
Cost of repairing Juniata Canal,	380,000 00
Interest of Temporary loans,	40,000 00
Miscellaneous,	50,000 00
	\$3,339,927 91

This will leave a balance at large during the year, of only one hundred and twenty nine thousand nine hundred dollars and nine cents; which would have been two million one hundred thousand dollars at least, if your predecessors had not been so liberal of the public funds, and if the yield of the public works had not been reduced by the breach on the Juniata. But it is too late to remedy past profusion or misfortune. The future is now to be provided for.

He recommends the following appropriations to continue the public improvements.

The Erie Extension will need five hundred thousand dollars; a similar sum will be required on the North Branch Canal; three hundred thousand dollars will be the least that will effectually commence laying the rails on the graded portion of the Gettysburg Rail Road and continue the grading of the remainder; two hundred thousand dollars will be necessary on the West Branch Canal; one hundred thousand dollars on the Wisconsin Canal and Allegheny feeder; each three hundred thousand dollars for ordinary repairs, and one hundred thousand dollars for damages. Locomotives &c. together with one million to pay temporary loans, making in the whole three million one hundred thousand dollars.

The only means left for obtaining this large sum, is that of borrowing; and the only source, without paying an unreasonable interest, is the Bank of the United States, which, under its charter, may be compelled to lend the money at four per cent.

After stating that a most healthy change had been accomplished in our currency, by the resumption of specie payments by the banks, and justifying their suspension in full, he refers to the late insurrection in Canada, and charges the masonic institutions in the States bordering on those provinces, with being the instigators and principal actors, and to prevent like acts in future, he reiterates his former recommendations for an act to prohibit such associations.

The following extract relating to successful experiments of smelting iron with bituminous and anthracite coal, and those relating to the coal and iron trade, will be read with interest in this section of the State.

The successful experiments that have been made at Karlsruhe and Farrantsville to smelt iron with Bituminous Coal and at Manayunk, Mauch Chunk and Easton with anthracite, add new interest to this subject. So perfectly satisfactory have they proved that large Furnaces in which Anthracite Coal alone is to be used as fuel are now in progress of construction at several points in the State. This successful union of stone coal and iron ore in the arts is an event of decidedly greater moment to the prosperity of our State, than any that has oc-

curred since the application of steam in aid of human labour.

The Trade in Coal and Iron will undoubtedly form the main business of the vast, but yet only half accomplished system of works in which the State is embarked, and the chief hope of paying off the debt of their cost. The transporting of produce from the interior and merchandize from the seaboard will, no doubt, be great, and Pennsylvania will always possess her due portion of it. But it is not necessary for her to desire its monopoly. Her people as citizens of the nation, are satisfied to see sister States embark in the noble rivalry, and while they are convinced of the many advantages of their own routes; can rejoice to know that there is room for the full success of all. But when her coal and iron descend from her Mountain regions into New York, and the vast Lake country, from the North Branch Canal—are discharged at Erie and Cleveland, as well as Pittsburgh and Beaver from the same canal boat, which loads at the mine or iron work are poured through the widened locks of the Union Canal, and the completed Tidewater canal as well as the Delaware and Schuylkill canals, upon the wharves of her own commercial metropolis—the carrying of produce merchandize will then only be fully appreciated. If to the channels of wealth be added continuous rail roads of from the Eastern and Western Emporiums travelled by at least one thousand busy passengers daily, and an uninterrupted water communication between the Delaware and Lake Erie for the heavy trade, the cause which enables Pennsylvania to look with our fear or jealousy on the works of other states, is apparent.

In such view of the subject, the necessity for opening, widening and deepening every channel, and the policy of retaining the great leading avenues and outlets in the immediate ownership and control of the Commonwealth, become evident. Hence the early enlargement of the Union Canal to the size and capacity of those of the State, is a project of much interest to the public. Hence also the ultimate possession of the canal from Columbia to the Maryland line should never be lost sight of, as a measure indispensable to the perfection of the grand system. The state now possess the right to acquire this work at a time and price fixed in the law authorizing its construction, and the Legislature should be cautious not to grant any privileges that may postpone the one or add to the amount of the other.

Of the manufacture of silk he says:—

The encouragement given by the Legislature of last session to the growth of the mulberry tree and the production of silk, has thus far proved efficient, and promises to include the silk business among our chief sources of industry and sources of wealth. Many hundred thousands of mulberry plants have been set out, and a large quantity of cocoons produced. The reeling of silk has been regularly practiced at many places, and silk looms established at Philadelphia, and Economy, in Beaver county. This business seems to have gained such a footing among us as to promise permanence and profit. It seems to be a branch of industry admirably adapted to the habits and strength of the inmates of our county poor houses. It is worthy of inquiry, whether a slight encouragement, say a small donation annually to the steward of each institution who shall produce a given number of pounds of cocoons, might not have the effect of substituting a light and pleasant employment for the more laborious occupations in which the paupers are now engaged, and accelerate the permanent establishment of the business in the State.

He then, after making some remarks in relation to a new map of the State—the law relative to weights and measures, and recommending a law authorizing the clerk of the Legislature, to give certified copies of papers in its possession, under seal, to be used in courts, and for other purposes, closes his message with the following eulogy of his administration.

Having thus presented the various objects of present interest that occur to me; it will not be out of place briefly to recapitulate the changes produced during the official term now drawing to a close.

Three years ago their were 32 544 children in the common schools of the state. There are now about 230,000. The schools were then kept open not quite three and a half months. They are now open about seven months in the year. The whole amount of state appropriation was then \$75,000 annually it is now equal to one dollar for each taxable, which will amount to \$350,000 for the next school year.

In 1834 the public works yielded \$684,357 77, after a most favorable season. During the season just closed, they produced \$991,252 42, under the disadvantageous circumstances; and, with good management, and no usual accident, will the present year pay \$1,600,000.

Since 1835 \$2,500,000 have been expended in completing works then said to be finished, renewing defective parts, and keeping the whole in repair; and one hundred and ninety-eight miles of canal, and twenty-nine miles of railway have been commenced and carried to a considerable state of forwardness, on which \$2,100,000 have been expended.

The completed rail roads have been made to answer the end of their construction; and