

be divided pro rata among the domestic creditors having claims for work done prior to the 4th May, 1841, or for repairs &c. on finished lines of canal and rail-road, previous to the first day of April, 1842. In pursuance of the foregoing acts, claims amounting in the aggregate to \$1,191,710.23 were entered on the books of the Auditor General at the close of the financial year, of which sum \$597,461.78 was for work done prior, and \$594,248.45 for work done subsequent to the 4th of May, 1841. On the first day of August the Treasury would not admit of a dividend—therefore the first and only instalment, twenty per cent, was paid on the first of November, together with all interest then due, which amounted, dividend and interest to \$209,589.43.

Notwithstanding the very satisfactory results which have grown out of the broad and liberal construction given by the Auditor General, to the resolution of the 7th April, there yet remains a very deserving class of creditors, who have received none of its benefits, nor was it at all practicable to bring them within its provisions. The poor laborers scattered along the improvements, who with their own hands do the work necessary to keep them in navigable condition, should be the objects of the first care of the government. In this instance they were entirely overlooked, the appropriation for repairs being inadequate. From the character of their claims—their comparatively trifling amount, and their number, it was found inexpedient to enter them on the books of the Auditor General. If they had been entered, it would in many cases have cost the whole sum due to procure the dividend from the Treasury—and, indeed, it would be a mockery for the government, instead of payment, to offer poor laborers a pro rata dividend on a claim of a few dollars. It is ardently hoped that this worthy and in most cases suffering class of domestic creditors will receive the immediate attention of the legislature.

It has happened in relation to the banking system of this Commonwealth, as has on many occasions heretofore been the case with the institutions founded on unsound principles, that with all its power, and with all its hold on public confidence and support, it has fallen by the weight of its own imperfections. If any legislative action can restore public confidence in the banks, or render them of more service to the community, it will become your duty to furnish it. The mode and detail of the aid to be rendered, I leave in the hands of the representatives of the people. But the public certainly expect, that you will not adjourn until you have made ample provision for withdrawing from circulation the notes issued by the banks in pursuance of the act of 4th May, 1841; and it will afford me great pleasure to co-operate with you in any measure that may be deemed most advisable for the accomplishment of this object. At the same time, I will take occasion to suggest one source, from which the means may be readily obtained to extinguish a large portion of these issues. I refer to the sale of the Bank, Bridge and other stocks in which the State is interested. I think an amount might be realized, in this way, sufficient to answer the purpose; if provision be made by law that the proceeds of the sale be exclusively applied to the object.

The present condition of the Bank of Pennsylvania requires the most careful consideration of the legislature. The State has a deep interest in the proper management of that institution, and equally so in winding it up, if that be deemed a politic measure. Several acts were passed during the last session in relation to it; but owing to some defect they did not answer the purpose designed. Some remedy should be at once provided. One suggestion I will make on the subject, and that is, that in no contingency should the control of the bank be placed exclusively in the hands of the private stockholders. Let the State and the stockholders be put on the same footing—each having, respectively, the share of control equal to the amount of stock held. No just complaint can then be made, and the interests of all parties will be properly guarded. This much, at least, the public has a right to expect.

The passage of a law, providing for the election of members of Congress will be one of the subjects demanding your early attention. The apportionment of members of the two Houses of General Assembly is also a matter in which the people are deeply interested and which will, of course, claim your most careful consideration. The basis of an apportionment bill on this subject, should be equality, fairness, and justice

to all sections of the State. In no other manner can the various interests be faithfully represented. The fundamental principles of a republican government, and our own Constitution, guarantee these rights to every county in the State. The apportionment bill passed on the 16th June, 1836, will not, I conceive, be regarded as a precedent or an example, but as a beacon, to be shunned by every legislator who understands and is honestly desirous of carrying into execution the injunctions of the Constitution. No extraneous considerations can justify a departure from it, and on all occasions when a departure has been attempted, it has recoiled with ten fold force on the heads of those by whom it was made.

I have repeatedly called the attention of the legislature to the subject of selecting jurors in the several counties in the State. I cannot forbear to urge it again upon you, and to add, that there is one grievance very much complained of in those counties, where it exists, under the law,—that is, that where separate wheels are kept for the purpose of drawing jurors for different courts, there is much complaint as to the manner of selecting the names put into these different wheels. It has been suggested that if one wheel only was provided, out of which all the panels of jurors for all the courts were drawn, this objection would be in a great measure obviated. I will merely further remark, that the system of drawing jurors would be very greatly perfected, if the selection and drawing of the same were to be done by the commissioners and sheriff in open court, under the supervision of one or more of the judges. Recent experience calls aloud for the protection of the jury box from even the possibility of suspicion.

My views have been so fully expressed in former messages, in favor of the support of a liberal and enlightened system of education by common schools, that I need scarcely repeat them. I will content myself by reiterating, that a sound education, based upon proper moral and religious training, is the best legacy a parent can bequeath to his child, and the best provision a patriot can make to secure the permanence and purity of our republican institutions. I refer you to the very full and elaborate report of the Superintendent, for the condition and details of our common schools and academies, female seminaries and colleges.

The report of the Adjutant General will be submitted to you. I should be exceedingly happy to unite with you, in any measure that would render the present militia system more efficient, and less burthensome to the community. Perhaps the encouragement of volunteers would be the best means that could be adopted for the advancement of these ends. Pennsylvania has just reason to be proud of her volunteers in number, discipline and martial spirit, they can vie with those of any other State in the Union. Should any emergency ever arise to require, she could, on the shortest notice, muster upwards of thirty-five thousand of these intrepid defenders of her soil.

The complexity and and obscurity of many of the material provisions of the act entitled "An act to abolish imprisonment for debt, and to punish fraudulent debtors," have rendered its operation almost nugatory. It seems to have produced little benefit, to the debtor, and much inconvenience to the creditor. Its provisions certainly require a thorough revision, and if any law of the kind be deemed necessary, it should be one, very different in many of its leading features from the present. The penal sections, contained in the same bill, however well designed, were drawn with so little precision as to have led to the most intolerable abuses.

Frequent complaints have been made in Philadelphia on the subject of the power of Aldermen and Justices of the peace in criminal cases. Some mode should be provided for defining and regulating their jurisdiction, on this important subject, so as to guard against extortion and oppression on the one hand, and laxity and impunity to crime on the other.

The tendency of public opinion, for a number of years past, has gradually been to weaken and relax the execution of the criminal laws. This morbid feeling has even reached jurors, and other functionaries engaged in the administration of criminal justice, so that it is not an unusual spectacle to see courts and juries convict and sentence on the clearest testimony on one day, and recommend his pardon the next. This appeals, thus sustained, address themselves with great force to the magistrate entrusted with the power of pardoning offenders, and it is not to be disguised, that unless some

check be put upon it, it will in the end, lead to the great injustice and abuse. These remarks are made, not so much with a view to invite immediate legislation on the subject, as to influence and temper the action of the legislature on subjects connected with the criminal jurisprudence of the State.

It has been stated that certain loan companies, insurance companies, and other similar corporations which have sprung into existence within the last ten years, effected their organization, and obtained their charters, without conforming strictly to the requisitions of the law, or after having obtained their charters, perpetrated acts, whereby they would be forfeited; and have, through sundry devices, procured the passage of laws, designed, without having the object expressed, to screen them from the penalty which they had incurred, and to sanctify the illegality and corruption in which they originated. Such legislation as this is doubtless at war with the public interest and public safety, and I respectfully recommend to the legislature, to enquire into the subject, and if any such laws have been smuggled through, in which the real object was not manifested, to repeal the same at once, and to leave these corporations in precisely the same situation, in which there own acts placed them, at the time they were perpetrated.

Additional chancery powers have been vested in the courts of this Commonwealth, without suitable provisions having been made for the execution of these powers. The benefits to be derived from this modification of our jurisprudence will in a great measure be lost, unless these defects are supplied. Among other provisions authority should be given for the appointment of masters in chancery, and auditors, and their functions defined.

The legislature having omitted to appoint an agent to receive from the general government the dividend of this State from the proceeds of the proceeds of the sales of the public lands, I appointed Job Mann, Esq., State Treasurer, by virtue of the authority given me by an act of Congress, who has received it, amounting to \$60,613.27.

The explorations connected with the Geological survey having been brought to a successful termination, it is necessary that measures be now adopted by the legislature for embodying and publishing the results without delay. As the state has expended a considerable sum in this examination of her mineral resources, as it is known that the final report and maps of the state Geologist will contain much valuable information of a nature to invite and direct the investments of capital necessary for the development of our unsurpassed mineral wealth; and as the expenses of arranging and publishing the details procured, will bear but a small proportion to that already incurred in collecting them, considerations of sound economy and the public good require, that the proper steps be taken for affording our citizens the benefits of this survey as soon as practicable. By applying the balance of the appropriations for the incidental expenses of the survey, the Geologist has been enabled to make considerable progress towards completing the maps and drawings, and various other portions of the work; but much delay has arisen from the legislature having omitted at its last session, to make provision for the furnishing and engraving of the maps, and for the printing of the final report, in conformity to the suggestions in the last annual report of the Geologist, to which you are respectfully referred.

Oppressed, as the state is, by pecuniary embarrassments, at the present time, it behoves us to retrench all expenditures of the public money, and to guard the interest of our constituents with the same fidelity and care that we would exert in guarding our own. Among other important expenditures, those incident to the legislature seem to have been, for the last twenty years, greatly on the increase. While the expenses of the other departments have been almost stationary, those of the Legislature have been considerably more than doubled. No satisfactory reason can be shown for this, and it calls aloud for inquiry and redress. The public printing is one of the largest items in this expenditure, and increased in a ratio that defies reasonable explanation. It demands a remedy. I can see none better than to provide for appointing a public printer to execute all the public printing at fixed and reasonable prices. The work can then be done with greater facility and economy. Sound policy strongly recommends

this measure, and the example of other states fully sanctions it. I respectfully commend it to your attention.

This is the first occasion on which I have had the honor to address a majority of both houses of the general assembly, belonging to the same political relationship with myself; and I cannot forbear to express the gratification I feel at the prospect of a harmonious and confidential understanding between the several legislative departments of the government. I trust we shall recollect, that one of the great distinctive characteristics of the party to which we are attached, have ever been magnanimity and justice to our opponents. Let us not forget that minorities have rights as well as majorities, and that whatever may have been the example set us by others, it is the part of those who are genuine believers in the principles of democracy, "to do unto others, as they would that others should do unto them."

You will allow me, in conclusion, to submit to you in a spirit of perfect frankness and respect, the propriety of a prompt and energetic despatch of the public business, and an adjournment at the earliest day practicable. But few leading measures of public importance will come before you, and those are not of a nature to be essentially benefited by a protracted delay. The people will certainly be willing to forego at the present session most, if not all of those private matters, which usually occupy so large a share of the time and attention of the Legislature. We have a surfeit of jumbled private legislation. Let those measures, in which the public at large really has an interest, be adopted; and the work for which you are assembled is done. Let the rest be postponed until the condition of the Treasury justifies the continuance of the legislature for private uses; the present is not that time.

To whatever department of the government we belong, we should remember, that our efforts to reform abuses, and to retrench expenses, will avail but little, if we do not practice ourselves the principles we lay down for the guidance of others. This is the only mode, in which we can prove our own sincerity, and satisfy the people that we are truly in earnest. Let us act upon this policy, and I trust the present session will furnish an example worthy the imitation of future legislatures. It will afford me great pleasure to join with you in all efforts to render it deserving of that proud and honorable distinction. A firm and manly exertion, on our part, to do much and to do it well, in a short time, will both promote welfare, and secure the public approbation. No stronger incentives to duty can possibly be afforded to honest and intelligent servants of the people.

DAVID R. PORTER,  
EXECUTIVE CHAMBER,  
Harrisburg, Jan. 4, 1843.

## New Store

AND



## NEW GOODS.

THE subscribers inform the public, that they have entered into Partnership, under the firm of

## EYER & HEFFLEY;

and have just received from Philadelphia, and now opened, at their NEW STORE, Northwest Corner of Market and Main Streets, Bloomsburg, an entire new and extensive assortment of

## DRY GOODS, GROCERIES, HARD WARE, CROCKERY, AND QUEENSWARE, &c.

which they offer for sale, on reasonable terms, as their prices are suited to the times. Their assortment will be found

Broadcloths, Cassimeres, Sattinets, and various kinds of cloths for men's Summer wear; Calicoes; Ginghams; Cambrics; Muslins; Silks; Muslin de laines; and various other articles for Ladies' dresses; Shawls; Silk and Cotton Handkerchiefs and Hosiery; Bleached and Brown Domestic Muslins; and a variety of other articles suitable for the season and believed to be as good and complete an assortment as is usually found in country stores.

COUNTRY PRODUCE will be received in exchange, and CASH will not be refused. Our friends, and the public generally, are requested to call and examine for themselves.

JACOB EYER,  
CHARLES HEFFLEY,  
Bloomsburg, June 25, 1842.

## WOOD WANTED AT THIS OFFICE.

## NEW ARRIVAL! KEYS TO THE HEALTHY EMPORIUM, Formerly owned by D. S. TOBIAS, EPHRAIM LUTZ

RESPECTFULLY informs his friends, and the public generally, that he has just received from Philadelphia a new and extensive assortment of

## Drugs, Medicines, Oils, Paints, Varnishes, Glass, Dye-stuffs, Confectionaries, &c. &c.

which, in addition to his former stock, comprises a complete assortment of articles in his line of business. All persons wishing to purchase any of the above articles are particularly invited to call and price the articles in his Store before buying elsewhere as he is determined to sell as low, and by a little Jewing, lower than can be bought any where else in the surrounding neighborhood. The subscriber considers it hardly necessary to mention the articles in particular as he is confident that no one can come amiss by enquiring for any article belonging to a Drug Store. N. B. Merchants and Physicians will find it to their advantage to call and buy such articles as they may stand in need of, as they shall be accommodated at a very low percentage. In few words all are respectfully invited to call, see and judge for themselves.

EPHRAIM LUTZ,  
Bloomsburg, July 16, 1842. if 29.

## NOTICE IS HEREBY GIVEN,

TO all legatees, creditors and other persons interested in the estates of the respective decedents and minors, that the administration accounts of the said estates have been filed in the Office of the Register of the county of Columbia, and will be presented for confirmation and allowance to the Orphan's Court, to be held at Danville, in and for the county aforesaid on Monday the 16th day of January next at 2 o'clock P. M.

1. The account of Joseph Brobst Executor of the last will and testament of Lawrence Christ late of Catawissa township, dec'd.
  2. The account of Benjamin Beaber, guardian of the minor children of Joseph C. Cleaver late of Catawissa township, dec'd.
- CHARLES CONNER, Register.  
REGISTER'S OFFICE, Danville,  
December 15, 1842.

## NOTICE,

IS hereby given, to all concerned, that we have this day purchased, at Constable sale, as the property of James Girtton, two thirds of 23 acres of grain in the ground, 2 1/2 acres of new ground Wheat one Mantle Clock, one Dining Table, one Bed & Bedding, one Iron Kettle, one Weaving Loom, one Plough, one Harrow, one Sled, one Black Cow, one Cutting Box, one set of single Harness, one set of Harness, one lot of Geers, one Strap of Bells, one lot of Hay, one lot of Oats, one swarm of Bees, one Grind Stone, two lots of Potatoes in the hole one Cradle and Sythe, one Grass Sythe, one yoke of Oxen, and have left the same in his possession during our pleasure, and all persons are cautioned from purchasing or, otherwise taking them from him without our consent.

JACOB L. GIRTTON,  
PETER LEIDY,  
Dec. 13, 1842.

## \$5 REWARD.

LOST, on Friday, the 21st day of Oct. 1842, somewhere in the township of Fishingcreek, or Greenwood, a calfskin

## POCKET BOOK,

containing about \$35 in bank notes.— One five on the Minets Bank, Pottsville, and other Relief Notes of different banks.— Any person finding said Pocket Book, and will deliver it, with its contents, to the owner, shall receive the above reward.

RICHARD HAYCOCK,  
Nov. 5, 1842.—28.

## NOTICE.

THAT I have purchased at Constable sale as property of William Edgar, to wit: one Horse two sets of Harness, two Sleds, one Clock, twenty Sheep, one Horse Wagon, and have left the same in possession of said Edgar during my pleasure of which the public will take notice.

MICHAEL LEMON,  
Dec. 31, 1842.—36.

## TRIAL LIST, For January Term, 1843.

- 1 William Dale vs Charles Craig
- 2 Commonwealth vs William Colt
- 3 Mary Strawbridge vs Jesse Funston
- 4 Charles Miller et al vs Samuel Irwin.
- 5 John Cummings et al vs John C. Lesig
- 6 Samuel Miller vs John Auton's Adm'r
- 7 John Mann et al vs Moses Moyer.
- 8 George E. Gehrig vs Frederick Fridly et al.
- 9 Daniel Hoats vs Patterson, et al
- 10 Elizabeth Prong vs Michael Congers, Ex
- 11 John F. Mann vs S. C. Martin
- 12 Comth. of Pennsylvania vs Wm. Mo Keyy
- 13 Fredericks Beates Exec. vs Henry Follmer
- 14 Francis Ball, Adms vs John Rhodes
- 15 Valentine Best vs Henry Deffenbacher
- 16 John C. Boyd vs George Erwin.
- 17 Nathan Collier vs David Fetriken et al
- 18 Abraham Terwilliger vs Daniel Cross.
- 19 Henry Baum vs Philip Cotner, et al
- 20 George Moyer vs George Maus et al
- 21 Jorish Egbert et al vs Cornelius Still
- 22 John T. Davis vs Ashbel B. Wilson et al.
- 23 Charles Carllege vs James Straw-bridge
- 24 Casper Christmans, Admr vs John Robison
- 25 Leonard Stoughton vs Charles F. Mann
- 26 Leonard Stoughton vs Benjamin P. Frick
- 27 Archibald G. Voris vs Clarissa. A. Schenck
- 28 Abraham Steppen vs Lewis H. Maus, et al.