Pittsburgh Gazette.

WEDNESDAY MORNING, APRIL 15.

We give up much of our space this morning to the reports of the majority and minority of the Committee appointed to investigate the charges of fraud and corruption in the election of United States Senator. For the latter document, which is an admirable commentary upon the former, we are indebted to our regular Harrisburg correspondent. It is so good an analysis, that any further remarks on our part are superfluous. We give both documents, that our readers may see both sides of the case. Will the *Post* act with equal fairness? It has given the majority report; now let it give that of the minority.

THE RECENT CANVASS FOR SENATOR.

Report of the Committee Appointed to Investigate Certain Charges in Reference to the Recent Canvass for United States Senator.

The Committee appointed under the resolution of the 20th of January last, to inquire whether unlawful means were employed to secure the election of a United States Senator, with authority to send for persons and papers, beg leave to offer the following report:

That they have held for thirty-three sessions since that time, and examined thirty witnesses.

The first witness was T. J. Boyer. (He testified precisely as he wrote in his letter published after the election.)

Now, if this statement of Mr. Boyer is true, there can be no doubt about the employment of unlawful means to secure the election of General Simon Cameron to the Senate of the United States. But the Committee had other testimony before them in regard to the transactions related by Dr. Boyer; and it becomes necessary, in the sight of that testimony, to examine his claims to truthfulness.

That there were, within a few days previous to the Senatorial elections, repeated interviews between Mr. Brobst and Mr. Boyer cannot be doubted, because they not only both testify to this fact, but their testimony is corroborated by that of Capt. Christman, Dr. Early, Michael K. Boyer, and Mr. Vaughan. They also agreed in regard to the private interviews had between Dr. Boyer and Gen. Cameron; first at the State Capital Bank, and afterwards at Dr. Boyer's room, in the Pennsylvania House; and in this they are sustained by the testimony of Capt. Christman, Dr. Early, and Mr. Vaughan. They agree, moreover, as to the arrangements and preparations which were made to visit Gen. Cameron at his own house at the request of Mr. Brobst; and as to the fact that such preparations were made, we have the testimony of Dr. Early.

There is also a marked agreement between the testimony of Dr. Boyer and that of John J. Patterson. They both testify that they met in Harrisburg on the Friday immediately preceding the Senatorial election; that they went to Reading on the afternoon of that day on the Lebanon Valley cars, and that Gen. Cameron was on the same train; that arrangements were there made between Mr. Patterson and Dr. Boyer to meet Gen. Cameron at the house of his son, J. D. Cameron, on the next evening; that they met according to appointment, and that on the following Tuesday morning, the day of the Senatorial election, Dr. Boyer, at the request of Mr. Patterson, went to Patterson's room, in Herr's Hotel, where he found Gen. Cameron, and afterwards met Dr. Fuller.

These are only a few of the numerous points of coincidence between the testimony of Dr. Boyer and that of Messrs. Brobst and Patterson. Indeed, there is almost a perfect agreement between them, *except in regard to the alleged money transactions.* It must be evident to every one that, in the interviews which Mr. Brobst and Mr. Patterson had with Dr. Boyer, their only object was to influence him, by some means or other, to vote for Gen. Cameron for United States Senator. But by what means did they attempt to accomplish this object?

Here the testimony of these three witnesses involves a direct contradiction. Dr. Boyer asserts that Mr. Brobst told him he was authorised by Gen. Cameron to offer five thousand dollars for a vote, which Mr. Brobst denies, and that Gen. Cameron and Mr. Patterson positively agreed to give him twenty thousand dollars, and finally, twenty-five thousand dollars, in order to secure his vote for Simon Cameron, which is emphatically denied by Mr. Patterson. We are, therefore, bound to conclude either that the statements of Dr. Boyer, on the one hand, or those of Mr. Patterson and Mr. Brobst on the other, in regard to the pecuniary considerations, are downright and deliberate falsehoods.

Men always act from motives. It is, therefore, legitimate to inquire what motive could have influenced Dr. Boyer in this single case? It could not have been fear, for surely he had no more to fear from telling the truth than from a declaration of falsehood. It could not have been the hope of gain, for it is impossible for any one to see how he could have expected any benefit from the utterance of any such false statement. Nor could he have been actuated by a malevolent or revengeful feeling, for there is no evidence of the existence of any such feeling on the part of Dr. Boyer against Gen. Cameron or any of his friends. Moreover, to suppose any man could falsify and knowingly charge upon his fellow-man, without some strong motive, a crime which would forever blast the reputation of its perpetrator in the community, and then call upon God in the most solemn manner, in attestation of the truthfulness of his charge, would be to ascribe to him an unaccountable degree of moral depravity.

Here another question will naturally arise. Can any motive be discovered on the part of Messrs. Brobst and Patterson which might induce either of them to a denial of the truth, in regard to this money transaction? The answer is easy. If this feature of the statement of Mr. Boyer be true, they have both been guilty of attempting to bribe a member of this Legislature, which is, under our laws, a high misdemeanor, subjecting the offenders to a severe penalty.

But who does not know that the fear of exposure and punishment and of the odium that must necessarily result from the commission of such a crime would be one of the strongest motives to impel them to falsehood. It is not reasonable to expect men to criminate themselves.

Let us look at this testimony from another stand-point. Truth is always consistent with itself. The statement of Mr. Boyer is plain, straightforward, circumstantial, bears upon the face of it no apparent discrepancy. It is corroborated in nearly all its leading details by the testimony of Messrs. Brobst and Patterson, and in several particulars by that of Capt. Christman, Dr. Early, Mr. Vaughan, Michael K. Boyer, and Dr. Fuller, all of which may be seen by a reference to the testimony of these gentlemen, herewith submitted. But now let us take a brief survey of the sentiments of Messrs. Brobst and Patterson.

Mr. Brobst met Gen. Cameron some weeks before the meeting of the Legislature, but no conversation passed between them in regard to the election of a United States Senator. Subsequently, without any request from any one, and of his own accord, he came to Harrisburg, went the same evening to see General Cameron, and offered him his services, without being asked to do so, to secure his election to the Senate of the United States. He again returned to Harrisburg, stopped at Herr's Hotel, but soon removed to the Pennsylvania House, where Dr. Boyer then had his rooms.

Here he met with Dr. Boyer, and had repeated interviews with him; invited him to Gen. Cameron's house; provided horses and carriages on two occasions to convey him there; visited the General three or four times at his residence; became the medium of communication between him and Boyer, and made the arrangements for several meetings between them. All this was done by Mr. Brobst, be it remembered, at considerable cost both of time and money, and without any arrangement whatever with Gen. Cameron, or any body else, by which he was to be reimbursed. *This is possible*, but is it at all *probable?*

But again: Mr. Brobst is positively implicated, as other testimony than that of Dr. Boyer proves, in an alleged bribery.

Mr. John Hancock testifies that Mr. Brobst told him he had the authority of Gen. Cameron to use money to secure his election, and that any arrangements he might make, within a reasonable amount, would be immediately complied with by Cameron.

The testimony of Michael Boyer on this subject is, that Mr. Brobst told him that he was authorised to offer ten thousand dollars.

It is also in evidence that Mr. Brobst told Mr. Pottsiger, a member of the House, that if he would vote for Gen. Cameron he could make an independent fortune; that he would guarantee to him five thousand dollars in hand, and a position worth forty thousand dollars; that if he would name the day he would bring Gen. Cameron down to Berks county to make a final bargain on that; he had better let party go to the devil and make his money.

The testimony of John J. Patterson, as already intimated, corroborates that of Mr. Boyer in nearly every point. They agree as to their trip to Reading on the Lebanon Valley Railroad; their interview on the cars; their arrangements to meet Gen. Cameron at the house of his son previous to the Senatorial election; a meeting, according to this arrangement, to have an interview between Gen. Cameron, Dr. Boyer and Senator Fuller, in Mr. Patterson's room, at Herr's Hotel. But Mr. Patterson denies most emphatically that he or Gen. Cameron offered Dr. Boyer money or anything else as a means of inducing him to vote for Cameron. This, whether true or false in itself, is what might be expected under the circumstances, according to the statement of Dr. Boyer, of what Mr. Patterson said he would testify, if the investigation should be instituted.

There are other statements in the testimony of Mr. Patterson that are worthy of consideration. He says he came to Harrisburg at the request or suggestion of no one. That he arrived here on the 8th of January, between five and six o'clock in the afternoon. That after supper he met General Cameron by accident at the Post Office, and was informed by him that he was not a candidate for United States Senator. On the next day he sought an interview with Dr. Boyer, in order to ascertain whether he really intended to vote for General Cameron. That after having some conversation with Dr. Boyer, on their way to Reading, he had no faith in him, and concluded that he would advise General Cameron not to trust him, and that General Cameron had said he would have nothing to do with him. Still, however, as the testimony of Dr. Boyer and Mr. Patterson shows, they persisted in holding interviews with Dr. Boyer, in order to secure his vote for General Cameron. All this service Mr. Patterson performed without fee or reward from any one. There is one other point in Mr. Patterson's testimony that may be noticed. He says that he was present during the whole time of the interview between Senator Fuller, Gen. Cameron, and Dr. Boyer, at his own room in Herr's Hotel. Accordingly, he relates in his testimony the conversation which took place on that occasion.

But the testimony of Senator Fuller is that Mr. Patterson was not in the room when he was there. Here, then, is a flat contradiction between these two witnesses; but the committee have no doubt from the evidence before them, and from all the circumstances of the case, that the testimony of Senator Fuller is all literally true.

Mr. Wolf's testimony is that Mr. Henry Thomas said to him: "Go for Gen. Cameron and you shall be well paid; state how much you will take to vote for him. Cameron's put down the figures." It is also in evidence that John T. Hammer told Mr. Wolf that he could make $5,000 by voting for Gen. Cameron, and again that he (Mr. Wolf) could make a nice thing of it.

The report concludes with the assertion that if the testimony of these men is true then Gen. Cameron and those already implicated are *guilty.*

The testimony in this case, as taken before the committee, is very voluminous, occupying over 132 pages of large bill paper.

REPORT OF THE MINORITY.

The minority of the Committee appointed to investigate the allegation that unlawful means were employed to procure the election of United States Senator, respectfully report as follows:

Said Committee was appointed pursuant to the following preamble and resolution of the House, viz:

WHEREAS, It is of vital importance to the perpetuity of our free institutions and to the citizens of Pennsylvania that the electoral franchise be preserved inviolate; and whereas, it has been extensively reported and is believed by many that unlawful means were employed to procure the election of United States Senator on Tuesday last; and whereas, it is due to those on whom suspicion may rest, as also to the citizens of this great Commonwealth, that this subject be investigated; therefore

Resolved, That a committee of four (subsequently increased to seven) be appointed to examine the facts in the case, with power to send for persons and papers, and that they report to this House.

We believe that the duty imposed upon the Committee by the resolution recited, was fully completed when the testimony was taken and reported to the House. Neither the Committee nor the House have power to enter legal judgment against or inflict punishment upon persons implicated, and in view of the probability that the matters submitted to the Committee will undergo judicial investigation, there would seem to be much propriety in submitting the testimony taken, without argument or comment.

The majority of the Committee have thought otherwise, and in their report, and accompanying an abstract of the principal testimony taken, they have submitted to the House arguments, inferences and deductions, founded upon, and, as they think, resulting from the facts in proof. After reciting the testimony of Doctor Boyer, the majority of the Committee, singularly enough, address themselves with zeal to an examination of his, Boyer's, claims to truthfulness.

After reciting various nonessential points, in which Doctor Boyer is corroborated by other witnesses, the majority report says "there is almost a perfect agreement between them, *except in regard to the alleged money transactions.*"

It appears to us that what is thus called "*the alleged money transactions*" was the only important point in the whole investigation, and the only point on which it was necessary to inquire for corroborative testimony. Upon that point, the report states, and we do not dissent from the statement, that either Doctor Boyer on the one hand, or both Brobst and Patterson on the other, are guilty of "downright and deliberate falsehood.

We do not now propose to discuss the relative claims of Boyer, Brobst and Patterson to credibility; but as the report already submitted omits no occasion to commend the testimony of Boyer, and as the majority have not been able to see anything in his agency in the matter but what entitles him to commendation, and it may not be inappropriate to inquire whether the zeal of the majority to aim at certain conclusions has not blinded them to some cases of probable guilt which presented themselves at the outset of our examination, and reappeared in the testimony of many of the witnesses.

In the statement of Dr. Boyer, published in the *Patriot and Union*, and which he swears is his statement, he says he conceived the project of putting himself in the way of the operatives, for the purpose of seeing how far they would go. One conceived, (to use his own language), "I determined to act upon it." The same statement is substantially repeated in the evidence submitted with the addition that it was for that purpose that he continued his interviews with Gen. Cameron and his friends. He further states that he did conclude a bargain by which he agreed to vote for Gen. Cameron in consideration of $20,000, which Gen. Cameron agreed to pay him.

By the act of 1850 it is provided that if any member of assembly shall agree to accept any bribe offered for the purpose of influencing his vote as a legislator, he shall be guilty of a misdemeanor, and, on conviction, shall pay a fine not exceeding $1,000, and suffer imprisonment not exceeding five years. Dr. Boyer, if his own statement is believed, did so agree, and it does not matter whether he did or did not intend to live up to his agreement. The act is leveled against corrupt influences, and it places him who offers and him who agrees to accept a bribe upon the same level. The mischief which the law was intended to guard against has been accomplished, and the intention not to comply with the agreement is immaterial—the only question being, did the party agreeing to accept the bribe intend so to agree, or did he design to entice another into a violation of the law? If this reasoning be correct, it follows that T. J. Boyer, a member of this House, is guilty of resorting to "unlawful means" to secure the election of a U. S. Senator.

It is a well established rule of law that he who counsels, advises, and encourages another in the perpetration of an offence of the grade of a misdemeanor, is himself an offender of the same grade of the principal actor. The report already presented implicates no person or persons as the advisers of Mr. Boyer in his scheme to entice Gen. Cameron or his friends into a violation of the law by offering money to secure a vote for United States Senator. The majority of your Committee having (doubtlessly through inadvertance) failed to discover spot or blemish upon Mr. Boyer, by the same inadvertence, fail, of course, to discover any thing wrong in the conduct of those who were privy to his schemes and his counsellors thereto.

Dr. Boyer states that during the progress of his negotiations with Gen. Cameron, and his friends, he was in consultation with Mr. Wallace, of the Senate, Dr. Early, of the House, and one Robert Vaugn, the proprietor of the Pennsylvania House at Harrisburg. He also states that he communicated what he was doing to his father, Mr. P. Boyer, and one or two others.

It is but fair to Senator Wallace, Dr. Early, and the father of T. J. Boyer, to state that they all deny this statement so far as it might be inferred therefrom that they were cognizant of the fact that he (Boyer) had, or intended to consummate a bargain for the sale of his vote. Indeed, Dr. Boyer's father states that he knew nothing of the part his son was acting until he saw it in the papers, when he made inquiry as to its truth.

With reference to Mr. Vaugn, however, the case is different. His own testimony corroborates that of Mr. Boyer, stating as he substantially does that he advised Boyer if he could save the Democratic party from defeat by agreeing to accept a bribe it was his duty to do so.

If the statement of Mr. Boyer, corroborated as it is by Mr. Vaugn's oath, be true, it follows that Robert Vaugn, of the city of Harrisburg, is guilty of resorting to unlawful means to secure the election of United States Senator.

Dr. Boyer further states that on the Sunday preceding the election, and after he had, as he testifies, concluded a bargain for the sale of his vote, Mr. Buckalew, (since elected to the Senate) called upon him; that he informed Mr. Buckalew of the arrangements he had made; that Mr. Buckalew advised him to be cautious, to which he replied that he understood himself, or to that effect. This testimony standing by itself would not be very important, but taken in connection with other facts, is, in our opinion, justifies the inquiry: Did Charles R. Buckalew, prior to this interview, know of the part Mr. Boyer was acting and its purposes? Was he privy to it and an adviser therein.

It is to be borne in mind, that Mr. Buckalew was at this time a prominent (perhaps the most prominent) candidate for the Democratic caucus nomination. It was natural and certainly not improper that he should feel some degree of anxiety that the caucus nominee should succeed in the election, and that efforts to prevent such success should in some manner be thwarted.

Mr. Boyer states that it was generally reported that unlawful means would be resorted to to defeat the Democratic nominee. He also informs us that he kept several of his party friends informed of what he was doing and the progress he was making. Now it is possible that Mr. Buckalew (the person of all others the most deeply interested in the success of Mr. Boyer's scheme,) might, while his party friends were fully informed, have been left in total ignorance of it, but to use the language of the majority report, "is it probable?"

If we have reason to believe that he was privy to Boyer's proceedings at the time, he sought his society on the Sabbath day preceding the election, it was but natural that these proceedings should be the subject of consultation and in that consultation Mr. Buckalew must have been either passive, expressing neither approbation nor disapprobation of Boyer's action; he must have disapproved of it or he must have approved it. To suppose that he was entirely passive would be to suppose that he is constituted different from all other men; to infer that he disapproved of it would be to run counter to the testimony of Boyer.

That he approved of Boyer's course—that he counseled him to be cautious; that such caution had reference to the further interviews which Boyer had arranged to have with Gen. Cameron and his friends—that it was merely a caution to so conduct himself as to avoid detection, are inferences we think very clearly deducible from the evidence. If this reasoning be correct, and if Dr. Boyer's testimony be true, it follows that *Charles R. Buckalew* is guilty of resorting to "unlawful means" to secure the election of United States Senator.

Mr. S. S. Pancoast, a member of this House, testifies that soon after the election, he met Mr. William Goodwin, formerly a member of the State Senate, in the city of Philadelphia; that Mr. Goodwin informed him (referring to the Boyer transaction) that "Mr. Buckalew set the whole thing up, and that we carried it through." He further states that he understood from Mr. Goodwin that there was an arrangement between himself, Mr. Buckalew, and others, to get Gen. Cameron to offer a bribe, or to get some person to offer to be bribed. Mr. Goodwin (the party thus implicated) denies this substantially. If the testimony of Mr. Pancoast be true, it follows that Mr. William Goodwin, of the city of Philadelphia, is chargeable with resorting to unlawful means to secure the election of United States Senator.

Thus far we have spoken only of the statutory offence of which T. J. Boyer, if his testimony is true, is guilty, and if guilty (the offence being a misdemeanor to which there can be no accessories) it follows that all the parties who were in consultation with him, aiding, counseling and advising, are also guilty as principals.

If our conclusions are not well drawn from the premises, there is still another view of the subject, overlooked by the majority, upon which, in our judgment there can be no two opinions.

The offence of conspiracy at common law is a combination of persons to do an unlawful act, or to do a lawful act in an unlawful manner. If T. J. Boyer's testimony be true, he, together with the persons with whom he consulted, and who advised and encouraged him, are guilty of a conspiracy to entice Gen. Cameron and others into a breach of the law by offering money or using other undue influence to secure a vote for Senator, and it does not matter whether the primary purpose of such combination was to defeat General Cameron or to ensure the success of the Democratic nominee.

The 1st hour at which the majority report was necessarily made—the mass of testimony in the case and the other duties devolving upon us have precluded anything like a thorough review of the evidence, and we are obliged to content ourselves with a hasty review of the principal testimony bearing on the subject of our inquiry, and in our judgment disclosing some instances of unlawful means used to secure the election of United States Senator, which were overlooked in the majority report.

We accord to the majority of the Committee our approbation of the courtesy exhibited by them to the minority during the progress of the investigation, and we only regret that the argumentative character of their report has, in our judgment, imposed upon us the duty of following their example, and presenting our views and conclusions as drawn from the evidence, all of which is respectfully submitted. (Signed,) WM. D. BROWN, D. LILLEY,

Dated April, 13, 1863. W. C. BREE.

THE POPULAR FEELING FOR FREMONT.—Gen. Fremont came very near being a victim to the popular enthusiasm he creates, on the afternoon of the great Sumter meeting. When leaving the stand he was instantly surrounded by a large crowd, which had improvised a platform for the purpose of carrying him around the square. With great effort and the assistance of the police he was able to extricate himself from the throng and reach his home, in Fourth avenue. In response to the acclamations of the people he then made a few remarks, when they departed with three times three.

THE RICHMOND BREAD RIOT.—A "refugee," who left Richmond last Tuesday, and has just reached Washington, says that the bread riot at the rebel capital caused the greatest consternation among the authorities. The women were the heads of the families of the working classes, and were actually starving, many having been compelled to beg on the street. A repetition of the demonstration is feared, and every precaution is being taken to avert it. The effect upon the troops was most demoralizing, the men having become very clamorous, and demanding that their families should be fed.

TRAITORS IN INDIANA.—A letter from Indianapolis says that "hereafter all persons who may cheer for the Southern Confederacy, utter treasonable sentiments or print disloyal papers in Indiana, are to be sent to Gen. Rosecrans, to be sent across the lines to the land they love so well."

DISSOLUTION OF CO-PARTNERSHIP.—The Co-Partnership heretofore existing between HUDSON HENRY and JOHN H. SLENTZ has this day been dissolved.

HUDSON HENRY,
JOHN H. SLENTZ.

Pittsburgh, April 11, 1863.

The business of the late firm of Henry & Slentz will be settled by Hudson Henry, who will continue the business under the superintendency of James White. HUDSON HENRY.

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BENZINE—100 bbls. No. 1 for sale by HENRY H. COLLINS. apl8

PUBLIC NOTICES.

NOTICE.—In accordance with the provisions of the 5th section of an Act to incorporate the "Inland Telegraph Company," notice is hereby given to the Corporators named in said Act, and the Stockholders in the corporation, that there will be a meeting of the said Corporate Body at the FRANKLIN HOUSE, in the Borough of Gettysburg, on THURSDAY, the 7th day of May next, A. D. 1863, at 2 o'clock in the afternoon, for the purpose of choosing a President and six Directors for the management of the affairs of said corporation

DAVID WILLS,
JOEL B. DANNER,
H. J. STABLE,
GEORGE ARNOLD,
R. G. McCREARY.

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PUBLIC NOTICE.

OFFICE OF THE PENNSYLVANIA R. R. CO., CANAL DEPARTMENT.

The Pennsylvania Railroad Company hereby gives public notice, to all whom it may concern, that in pursuance of the power and authority conferred upon it by sundry provisions of an Act of the General Assembly of the Commonwealth of Pennsylvania, entitled "An Act for the sale of the Main Line of the Public Works," approved May 16th, 1857, it will, on the first day of May, A. D. one thousand eight hundred and sixty-three, sell and dispose of the Western Division of the Canal, lately forming a part of the Main Line of the Public Works, and so much