MESSAGE

From the Governor.

To the General Assembly of Pennsylvania, read in Senate, Dec. 27, 1838.

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

FELLOW CITIZENS—The annual message to the legislature was prepared on the 4th inst. for presentation. But the scenes of confusion which then commenced, and which continued to disgrace the seat of government till a few days ago, prevented its delivery. In transmitting it now, I feel compelled by every motive of official duty as chief magistrate, and of patriotism as a citizen, to preface it with a brief detail of the facts connected with the recent outrage, and to call upon you, as you love order and your rights, and venerate the institutions of your country, to adopt every possible means to prevent the recurrence of similar disorders.

On the day appointed by the constitution for the meeting of the legislature, the members of the house of representatives attempted to organize that body; but owing to a dispute relative to certain returns, two Speakers were chosen, and two Houses organized. This was, however, done peacefully; and if the members of both branches had been left in the free exercise of their minds and their rights, the difference would probably soon have been settled. But when, in the afternoon of the same day, the annual session of the Senate was commenced, a mob of lawless and daring persons were found to be in attendance, who attempted to influence and dictate the course to be pursued by that body. Certain members were admitted to seats, in accordance with the known laws of the state, but in opposition to the will of those persons. As soon as this was done, the lives of Senators and others were threatened, and loud cries were heard commanding the Senate to reconsider its vote, and admit other claimants to seats. To such height did this scandalous outrage proceed, that the Senate adjourned in confusion, and some members of the legislature and others, were compelled to escape from the chamber, unknown to the mob, to save their lives.

The rioters, under their leaders, some of whom were federal government officers, then took possession of the Senate chamber, and desecrated it by their insurrectionary harangues, in the course of which, and afterwards in other places, it was announced that a revolution had commenced. They then adjourned to the court-house, where the most inflammatory speeches were made, and the most dangerous proceedings took place. Next day, and for some time afterwards, the Senate did not meet for want of a quorum, the members not deeming it safe to appear in their seats, or proper to attempt to legislate in the presence of the rioters, who filled the capitol. On the same day also, when one of the portions of the house of representatives attempted to meet, the member who had been deputed to act as Speaker, was prevented from taking the chair, and violently ejected from the hall by the mob.

In the meantime, a body called a "Committee of Safety" had been appointed by the rioters, and seemed to exercise unlimited control over them. They made the most inflammatory appeals to the citizens of the state at a distance, and, when a small guard had been placed by the keeper and by my orders in the arsenal, to prevent the public arms from falling into the hands or rash or ill disposed persons, they were compelled to evacuate the building under terms dictated by the mob, with the concurrence of the "Committee of Safety." During the occurrence of these disgraceful events, neither branch of the legislature could hold a regular session—the Executive Chamber and the State Department were closed, and confusion and alarm pervaded the seat of government.

In this fearful state of affairs, I felt it my duty to issue a proclamation, calling on all the civil authorities to exert themselves for the restoration of law and order, and on the militia to keep themselves in instant readiness to march to the seat of government to suppress the violence. I also issued an order on the Major General of the 1st division of the state militia, to march his command to Harrisburg forthwith, and made a requisition on the commanding officer of the U. S. troops at Carlisle, to bring his force to the aid of the constituted authorities. At the same time, the President of the United States was informed of the state of affairs, and required to take such steps under the fourth section of the fourth article of the constitution of the United States as might seem proper. This last named measure was adopted, that if matters proceeded to extremity, it might appear that every proper and possible precaution had been resorted to by the Executive.

The result of these several applications are known to you. With regard to that made to the federal government, I will not now speak, further than to say, that having made it in the regular and constitutional discharge of official duty, I felt bound, as chief magistrate of Pennsylvania, to protest against the reception it met with, and the highly improper reply made to it.

Fortunately, however, the appeal made to the citizen soldiers of the commonwealth was heard, without doubt of its necessity or delay in obedience.

The presence of Major General Patterson's, and subsequently of Major General Alexander's commands, completely accomplished the object in view. Their numbers were sufficient to frown down every thing like open violence, while their correct and soldierly deportment obtained the confidence of the moderate of all parties. Under protection of their presence, the members of the legislature were free to settle their own differences in their own manner. With regard to the result of their deliberations, of course I, as an Executive officer, can express no opinion. My only duty was to take measures to ensure its accomplishment, by the free agency of the members themselves, and when that was effected to dismiss the military force. This has accordingly been done, and the hope is sincerely entertained, that a resort to similar protection may never again be required.

To the citizens of the state generally, the events of the past three weeks are fraught either with instruction, or fearful omen, as they may be treated. If from them we learn the danger of departing from law and right, even in the slightest degree, or to accomplish the most desirable object; and if all make up their minds hereafter to frown upon every originator or advocate of such insurrectionary movements, the lesson will be invaluable, and the present disgrace productive of lasting benefit. But if a repetition of the outrage be countenanced, and mob threats become the rule of legislation, then it requires little political sagacity to foretell the speedy downfall of our liberty, and the complete prostration of all rights. The desperado who enters a legislative hall to-day with his bullies, to compel the admission of a particular member, will assuredly, and perhaps on the morrow, demand the passage of a law to promote his private interest at the expense of others. Nor will it be long before he uses the same means in a court of justice, to escape punishment, or cheat his neighbor. Then the difference between guilt or innocence, the value of title deeds, and the sacredness of all rights, will be only nominal. Might will be right, and the minority and timid, slaves.

The evil effects of the late disorder will, I fear, be immediately felt in the pecuniary credit of the commonwealth, unless you, her representatives, act promptly and efficiently. Well may capitalists and creditors doubt the faith of a community to them, when that community is faithless to its own dearest rights. It therefore becomes your imperative duty, gentlemen, not only to your posterity and majesty of the laws, but to yourselves and your own immediate interests, to say to the world that similar outrages shall not again take place, and that what has happened is the work of only a few desperate men, and not of the people of this great state.

This, it seems to me, can be accomplished by the enactment of severe laws against all riotous and violent proceedings at the seat of government during the session of the legislature, and by compelling the county or counties, whose citizens shall be originators or ringleaders of such proceedings, to pay all the loss caused by them and expense incurred in their suppression.

It will be also proper to revise the acts of assembly relative to election returns, and to render the mode of making them so plain, that no one can misunderstand or evade them. In their existing shape, there is some difficulty in arriving at the true intent of the legislature. In the present case, I have not the slightest doubt but that the duties of the proper executive officer, with regard to the disputed returns, was legally and faithfully performed. But the subject is one of such vital importance, that the law should be rendered perfectly plain, and every shadow of doubt removed. I am clear in the opinion, that the whole of the late difficulties arose from the return judges assuming powers never intended to be delegated to them. They are merely ministerial officers: their duty is only clerical, and consists exclusively in adding up and declaring the whole vote polled for each candidate within their district, and making return thereof to the proper officer. The law gives them no power to reject or exclude the vote of a district, or a part of a district. It is from the unauthorized assumption of such dangerous power, that the whole of the recent disturbances proceeded. I would, therefore, recommend the infliction hereafter of the most severe penalties on similar usurpations.

I shall now proceed to lay before you the message as it was prepared to be transmitted on the 4th inst.

Many subjects of great interest will occupy the time of the legislature at its present session.

The radical alterations which have taken place in the constitution, impose duties that will necessarily claim your first attention. The people have willed the change, and it is the duty of representatives to carry out and perfect its details.

Of prominent moment among the new features in our organic law, is that which relates to the right of suffrage. It consists in a residence of ONE instead of two years within the state—of ten days actual residence within the district in which the elector offers to vote, which was not required formerly—and of the payment, within two years, of a tax actually assessed on the voter at least TEN days before the election. There are also other changes, chiefly declaratory of passages in the old constitution, which were not clearly expressed in that instrument, and which do not require recapitulation.

For years, much abuse and evasion of the constitutional provisions and of the laws relative to voting, have been supposed by many citizens to exist. The present occasion will afford an opportunity to guard, as far as can be done, this inestimable right from violation. Another reason now demands more strict and specific legislation. The number of officers to be directly chosen by the people, will give the elections more of interest, and to each individual vote more of present and local value, than they formerly possessed, and will consequently subject the power of the individual voter, which has now, in a great measure, become the direct appointing power, to greater danger from fraud and malpractice than heretofore, when its influence was more remote.

Under these circumstances, it is a first duty of the legislature to form such a code of laws for the regulation of elections, as will cause their results to be known and respected as the honesty expressed will of the majority, and also to place around them such guards as shall completely preserve peace and order during their progress.

Both these desirable objects may be accomplished by defining and establishing, beyond cavil or evasion, the evidence of the qualifications required by the constitution, to be possessed by every elector; and by ensuring the punishment of all violations of the peace at elections.

Two qualifications in addition to *citizenship*, (which is as heretofore,) entitle to a vote: First, *residence*—second, the payment of a state or county *tax*. The constitutional provisions with regard to neither can be changed nor effected by the legislature; but the mode of establishing the fact, that these qualifications are really possessed, in other words the *evidence*, can.

I would propose, then, that GENERAL residence in the state for and during one year next before the day of election, may be proved, as heretofore, by the oath of the party offering to vote, if there be any doubt on the subject. This mode must necessarily be relied on, or the voter be perhaps deprived of his right; for in many cases he might not be able to offer any other proof: But that the *particular* residence for ten days, if doubted by any qualified citizen of the district, shall be established by the oath or affirmation of a resident taxable citizen of the district, who shall have already voted at that election, and not by the oath or affirmation of the party himself; and that the party himself shall be obliged to swear or affirm, if required, that his bona fide residence, in pursuance of his lawful calling, is in the particular district; that he, at the time of voting, has no other residence or home; and that he did not remove into it for the purpose of obtaining a vote therein. There could be no hardship in such provisions, nor could they deprive any of their just rights, inasmuch as no one could possibly reside during ten days in one district without such fact being known to at least one of its resident citizens. Neither would it be oppression to inquire DISINTERESTED proof of actual residence in the mode proposed, because it would only be demanding the best proof the nature of the question admits of, which is done in every other case.

Equally strict proof of the assessment and payment of taxes should be exacted in all instances.

In case of persons claiming to vote on tax assessed and paid *within* the district for the *current year*, the assessor's corrected list or a certified copy of it, should be the only evidence of assessment. But to prevent all altering of, or tampering with assessor's list, a certified copy of the list in each township should be published by being put up and exposed at the house at which the election is held, *nine* days previous to the day of election. This would both enable each person constitutionally entitled to a vote, to have himself assessed on the day before the list is completed, and would also present an opportunity to the whole district of examining the lists to proposed voters and of taking means to prevent imposition.

And in cases of a right to vote claimed on an assessment for a *former year*, within two years next preceding the election, and within the district, no other proof should be admitted than assessor's list of the proper year, or the published copy of it just described, which might be preserved for such use from year to year, by being taken down at the end of the election by the inspector, and sealed up in one of the ballot boxes by the judges, with a certificate to that effect endorsed on it by the inspector.—The correctness of such a document would not be questioned.

To guard against illegal voting by persons assessed and having paid tax *out of the District*, they should be required to give their names to the assessor, to be by him put up, at least nine days previous to the election at the election house, appended to the list of assessed taxables before described, that all persons might have an opportunity of knowing their names of those who intend to vote, and an original receipt for the proper Collector of the district in which it was paid, should be produced at the time of voting. The hand writing of the Collector should also be proved, by some disinterested person, before a known justice of the peace or alderman, and a minute of such proof endorsed on the receipt.

If to these restrictions with regard to tax receipts, which have been the ready means of much fraud, were added one that no receipt whatever shall be competent to prove payment of tax, unless it express on the face of it the year for which it was assessed, and that no tax assessed, more than two years of the election, shall entitle to a vote, there would be little room for evasion or violation of the Constitution. I deem this latter provision proper, as well as necessary, because I suppose it to be the intent of the Constitution, that the tax must not only have been paid but *assessed* within the time named, and that during that period the voter must have contributed to the support of the Government under which he lives. Assessment *and* payment of tax being both required, it is fairly presumable that they were intended to occur, not only *in*, but *for* the period, or at least part of the period, designated by the Constitution.

To preserve order at elections, I would recommend that it be made the duty of the constable of each ward, borough or township within which any election is held to lodge information before some justice of the peace or alderman thereof, of the names of persons engaged in any assault, battery, intimidation, riot, or other breach of the peace, at and during the day of such election, and to return as witnesses, on the part of the Commonwealth, the names of such persons as were assaulted, beaten, intimidated or otherwise injured, or of such other persons were cognisant of the facts, who with the parties accused, shall be bound over to appear at the next court of quarter sessions, or Mayor's court, as the case may be: that any constable neglecting or refusing for 24 hours to lodge information, on being required so to do by the party injured, or by any three qualified voters of the district, shall, upon complaint before a justice of the peace or alderman, and proof of such requisition and neglect, be fined in the sum of fifty dollars: that the party or parties found guilty by the proper court of such assault, battery, intimidation, riot or other breach of the peace, shall be sentenced to pay the costs of prosecution, and be confined in the proper county gaol not less than six months, and that it shall be the duty of the proper court before whom each constable makes his quarterly return to examine him expressly whether the elections held in his district were peaceably conducted, and if he report that they were not, and that he failed to institute the requisite proceeding, or if, it be otherwise proved, then to inflict the foregoing fine on the constable.

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 citizens should fell 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 not directly or indirectly interested, either as a 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.

These provisions, together with one more effectually to prevent the highly improper and corrupting interference in our State elections of Federal Government office holders, it is believed would effectually check the spirit of fraud, disorder and betting which is rapidly compelling all good men to doubt the fairness of their results, and to fear for the permanency of a government dependant on them. We owe it to ourselves, while reform and correction are within our power to apply them. We owe it to the cause of virtue and republicanism—we owe it to our posterity. I accordingly again earnestly urge upon the legislature the adoption of the foregoing provisions, or of others calculated to produce the same effects.

Beside making provision that elections shall be constitutionally, fairly and peaceably held, it will also be your duty to prescribe the manner of election and return of the additional number of officers to be chosen directly by the people under the new Constitution. These include all county officers, with justices of the peace and aldermen.

With respect to county officers, it will also be for you to declare how many persons shall hold them, and how many offices may be held by the same person in the different counties. It will also be your duty to classify the associate Judges of the State, in the manner prescribed by the ninth section of the schedule.

On examining the amended Constitution, it appears that the people have designated the offices which they desire to fill by direct election; they have also specified those that are to be filled by Executive appointment or nomination. But there are others for which no positive provision is made—the mode of filling which is to be determined by the legislature. These are—auditor general, surveyor general, secretary of the land office, attorney general, superintendent of common schools, canal commissioners, appraisers of damages, adjutant general, notaries public and inspectors of flour, spirits, tobacco and other articles. It is fair to presume that these officers were neither intended to be elected by the people nor appointed by the Executive, or it would have been so expressed; and that they were to be left within the power of the legislature. It will therefore be incumbent on you to make provision for the mode and time of their appointment.

The business of the Secretary of the Commonwealth, as superintendent of common schools, has so much increased within the past three years as seriously to embarrass that officer. I would, therefore recommend the separation of the two officers, and the establishment of a department of education. This can be done without increasing the number of offices, for those of surveyor general and secretary of the land-office can, with great ease, be filled by the same person, and may be consolidated into a general Land Office Department.

The condition of the means provided 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 appropration to this object has been increased from $75,000 annually to $400,000; for the latter some will be required next year to meet the increase of taxable citizens from 308,919 to 350,000 which will probably be the number returned, (though probably not more than $300,000 will be actually called for,) and to pay the annuities to college, academies and female seminaries, which will not be less than $50,000. Nor will this large outlay have been without its fruits. Instead of seven hundred and sixty-two common schools in operation at the end of the year 1835, and about seventeen academies, (the latter in a state of almost doubtful existence,) with no female seminaries fostered by the State, she has now five thousand common schools, thirty eight academies and seven female seminaries in an active and permanent operation, 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 steadly 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 his 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 *thrice* the amount of state appropriation coming to the district for the year, the whole amount of the 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 now authorized, viz:—by vote of the majority of the citizens.

The public works of the state will require your immediate and carful attention.

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 chains 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, and that, to retain the balance, the Canal Commissioners found it necessary to take the toll off ninety miles of the most profitable part of the remainder viz: between Huntingdon and Duncan's Island, to which if the distance from Huntingdon to Hollidaysburg be added, the distance thus 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. The income from them the present year, may, in view of these facts, with perfect safety be estimated at *one million six hundred thousand dollars*, with a favorable season.

The completed Canals and Rail Roads, except part of the upper portion of the Juniata division, have been kept in the best state of repair, and have been almost uninterruptedly in use during the year. The Columbia and Philadelphia Rail Road paid two hundred and ten thousand three hundred and ninety-three dollars and ninety one and a half cents, in addition to maintaining the motive power and defraying the cost of repairing the road, and supervision, or a sum about equal to *seven* per cent on the whole cost of construction and of Locomotive Engines.

By an unavoidable accident, the wooden bridge over Valley Creek, on the last named road, was burned in March.—With unparalleled dispatch, a temporary bridge was completed in its place, in nineteen days; and in the mean time, nearly all obstruction to the trade was obviated by waggons, employed by the State agents. A beautiful and permanent bridge, without roof or cover over the road way, and with double track, is now completed and in use. It is a decided improvement to the road. The cost exceeds by two thousand two hundred and eighteen dollars thirteen and a half cents, the original estimate by the Engineer, owing to the fact, that the temporary structure was more expensive than was anticipated. An appropriation of that amount will accordingly be required to enable the proper officer to pay the final estimate and close the account.

It is a matter worty of inquiry whether the roofs of most of the larger Bridges on this road could not be dispensed with, and a double track laid on each, at small cost to the State. It would, beyond a doubt, from a great improvement, by wholly removing all danger from collision of trains, and decreasing very greatly the risk of total loss of the bridges by fire. It is believed that the present structures, with some additional timbers and slight alterations, could be made to answer this purpose by being lowered below the level of the road way.

Experience on this road for the past two years has completely removed all doubts as to the use and management of steam as a motive power, by the State agents. The year just closed exhibits a balance in the motive power fund of the road of thirty thousand two hundred thirty-one dollars and eighty cents after defraying all claims of the year upon it. A nearly similar state of things exists on the Allegheny Portage Railroad. The motive power toll paid all claims upon it with the exception of about one thousand dollars, tho' subjected to much expense that will not hereafter arise, caused by the increased number of Locomotives used during the year, which of course made many preparatory arrangements necessary that will not be again required, and which were calculated for an amount of business that was not realized.

Another most valuable result of the experience of the year on the Columbia and Philadelphia Railroad, is the complete success of the trials to use anthracite coal, as a fuel for the generation of steam in the Locomotive Engines. There is now no longer any doubt on this subject. The invention of Mr. Brant, the master mechanist at Parkesburg, has completely effected this desideratum. Thus, by the use of one of our chief staple commodities, the State will save a large amount yearly—will add to the certainty and despatch of the use of her roads—and, what is a no less valuable achievement, will decrease very largely the danger from fire to the property of the citizens resident along the lines.

During the year the new bridge at Duncan's Island has been completed. It cost ninety-two thousand five hundred sixty seven dollars and eighty-one cents—was passable for wagons in less than seven months from the day when the first stone of the piers was laid, and has been used as a towing path bridge the whole season. It is now one of the most beautiful and solid structures in the State, and promises to be permanent.

The dam at the same point has also been most substantially and effectually repaired. The old defective structure was a continual cause of expense to the State, and of loss and vexation to passengers and transporters. It was so open as to permit nearly all the water of the river to pass through when the stream was low. It is now solid and nearly water tight. During the almost unprecedented drought which prevailed over the State from July till November, no difficulty whatever was experienced in the lines of Canal dependent on it for supply. This was owing to the judicious measures adopted by the Engineer and Contractors in raising early in the season a Coffer Dam across the whole stream, which answered the double end of keeping the water off the workmen engaged in making the repairs, and of throwing an ample supply into the Canal.

Owing to these and other improvements at Duncan's Island, that point, which has been such a cause of vexation, expense and delay in the use of the main Line ever since its first completion, promises hereafter to cause no embarrasment whatever.

Other repairs and improvements, in different parts of the State, were required and have been made on the public works, as will be explained by the report of the Canal Commissioners; but the main difficulty was experienced on the upper Sections of the Juniata Division.

It is needless to dwell at large on or describe the devastation which occured on the 17th of June between Huntingdon and Hollidaysburg. Suffice it to say that the Allegheny torrents rose in their might and nearly obliterated in the short space of ten hours, forty miles of as solid improvement as was in the Commonwealth. Dams, Aequeducts, Culverts, Locks, Banks and in many instances the very bottom of the canal itself were swept away, and the whole left in a state requiring nearly as much labor and expense to render it navigable as on the day when the first location was made.

Under these circumstances the first duty of the public Agents was to take measures that the business of Transportators and others, who relied on the State works as a medium of transportations, should suffer as little delay or loss as possible. Accordingly the toll was taken off freight on ninety miles of the canal between Huntingdon and Duncan's Island and subsequently off passengers, to enable the Companies to meet the unexpected and heavy expense necessarily incurred by Staging and wagoning across the breach in the line.

The canal Commissioners were happily on the spot when the misfortune occurred. They at once despatched the Engineer of the Line to survey the injury and estimate the sum and time requisite to make the repair. He reported that the work would occupy at least four months and cost four hundred thousand dollars.

When this intelligence was rec'd at Harrisrisburg it became at once necessary to decide the question whether the Legislature should be convened to provide for this sudden calamity, or whether the Executive should endeavour to raise the necessary funds and have the repairs made without the delay or expense of an extra Session. The latter expedient seemed the more prudent and economical one under the circumstances, but before a final decision was made, a letter was received from the President and Directors of the Bank of the United States offering to the Executive, on the faith that the Legislature would ratify the transaction, the loan of any sum that might be required. The patriotic offer was at once gladly accepted and relieved me of much anxiety. The correspondence on the subject accompanies this message and will exhibit the terms of the loan.

The work has since advanced with all the despatched that it would admit of; and the accounts and vouchers of the disbursing Agents, who gave ample security for the faithful discharge of their duties, have been duly deposited and examined in the Auditor General office. The water was let into the whole distance on the 20th ult. and tho' little benefit was derived from it during the navigable season just closed, yet it will be of vast importance to the State to have the line in perfect readiness to accommodate the business of next spring, which could not have been the case if the repairing of the breach had been delayed by calling an extra Session of the Legislature.

The whole work will cost when completed, three hundred and eighty thousand dollars, of which two hundred and ninety thousand dollars have been received from the Bank of the United States, at four per cent. per annum, and fifty thousand dollars from the Harrisburg Bank, at five per cent. The balance remains to be provided by the Legislature. The sum received from the Harrisburg Bank, was borrowed on the private credit of the Executive, Canal Commissioners, Secretary of the Commonwealth, Auditor General, Secretary of the Land Office, Surveyor General, and two public spirited, though private individuals (Thos. Elder and Jacob M. Haldeman of Harrisburg) on the 30th of June, for the purpose of commencing the repairs till such times as the mode of obtaining the whole sum requisite, and of carrying on the work, could be arranged, which was shortly afterwards satisfactorily accomplished by the liberal offer of the Bank of the United States, as before explained.

It now becomes the duty of the Legislature to redeem the faith of the State as pledged by the Executive under circumstances that admitted of no other course without great and manifest deteriment to the public interest. I feel the most perfect confidence that this will be done, and hope it may be entered on without delay.

The disagreeable dilemma in which I felt myself placed when this calamity occurred, suggests the propriety of recommending a standing Legislative provision to meet similar cases. The one that has appeared safest and yet most effectual, is to confer on the Governor, Speakers of the Senate and House of Representatives, Auditor General and State Treasurer the power, whenever an unexpected breach or other injury of the public works shall occur, requiring more than fifty thousand dollars to repair it, to negociate a loan on the faith of the state for the requisite amount, or to take it from some specific appropriation made by the preceding Legislature, but not instantly requiring the money.

The decision of a Board of this kind would be as safe as that of any other body that could be convened, except the Representatives of the people themselves. A majority of it being officers elected by the Legislature, and the whole consisting of public servants fully amenable for their conduct. Such a provision is accordingly recommended.

If this mode or some others calculated to accomplish the same end, be adopted, the ordinary repair fund for any year, need not be greater than the finished lines will actually require, which may at all times be ascertained in advance with great precision.

The progress of the new works during the year, has been steady, and satisfactory. The additional distance authorized by your predecessors to be put under contract on the Erie extension of the main line, the north and west branches of the Susquehanna, and Gettysburg rail road, were let early, and at reasonable prices. Further appropriations to each of these improvements are required.

The Wisconisco and Kittanning extensions, authorized by the Improvement Bill, of the same session, were also put under contract, and the small appropriation made to the former, has been expended. They are both works which, if they were yet to be commenced, should neither be undertaken in the present condition of the Treasury nor in view of the stronger claims of other works long since begun, but yet unfinished. But they are now, by the deliberate voice of your predecessors, incorporated as a part of the system and should be carried on as rapidly as the resources of the State, and prior claims will justify. The former particularly, being a light work and holding out a certain promise of ample remuneration in the way of toll, the instant it is made to connect with the rich Lykens Valley coal region, by means of the Lykens Valley rail road has strong claims to favorable consideration.

The report of the Canal Commissioners will exhibit in detail the condition and wants of the whole system of public works, both completed and in progress. To that document you are referred for full information on both subjects.

Conclusion next week.

[COMMUNICATION.]

The Sir Joseph Surface, who scribbles flippant editorials for the Volunteer, is still striving to fan into a flame the embers of party spirit. When the pot boils, the *scum* rises to the surface; and when parties are in a ferment, *little* minds gain notoriety. The Captain first tried to sow the seeds of disaffection among the military; but, to his chagrin, he failed. He next endeavored to get up an 'indignation' meeting in the court house; but this also, like all his bubbles, had only wind sufficient to keep it floating for an instant; when it evaporated and was forgotten. O! noble efforts, worthy of a noble mind! The Captain may flatter himself with the idea, that he is urged to this course by the spirit of patriotism; but ALL good men will pray, 'Heaven save me from *such* patriotism!' NO CAPTAIN.

Extract of a letter to the Editor, dated

GETTYSBURG, JAN. 5, 1839.

MY DEAR SIR,—It is expected that Thomas C. Miller of this county will be the Locofoco candidate for Senator. I hope it may be so, as it will give him an opportunity of trying his popularity. Whatever confidence the people of this county may once have had in Gen. Miller is now entirely gone. People have found him out and view him as an unsafe and dangerous man. He is looked upon as a double faced hypocritical creature, who with smiles and smooth words would sacrifice his friends or his country to his interest or his ambition. His connexion with the infamous Harrisburg mob has ruined him here and shows his character in its true light.

JOHN F. MACFARLANE, was nominated by our county committee this day. We hope the conferees will unite upon him. He is popular and has every thing to recommend him. You may in your calculations set old Adams at a round *one thousand* for Macfarlane if nominated.

Yours truly.

Extract of a letter to the Editor, dated

CHAMBERSBURG, JAN. 7, 1839.

DEAR SIR:—All is well here. We calculate on giving a small majority for our candidate—whoever he may be. At the last election frauds were practised upon us, which put us in a minority, but we will try and guard against them this next. The people here are opposed to mob law. It is thought that the notorious rioter and leader of the mob—Miller—will be the Locofoco candidate. We can scarcely think that party would so far disgrace themselves as to select a man whose offences at Harrisburg may be called High Treason.

Yours in haste, &c.

MARRIED,

On the 1st inst. by the Rev. Mr. Moody, Mr. *W. M. Matter*, Merchant of Cumberland county, to Miss *Jane D. Johnson*, of Franklin county.

Well done friend Mateer: most nobly hast thou commenced the new year; not only by taking unto thyself a companion for life, but by sending unto the "Printer" a fine slice of the wedding cake. May peace, happiness and contentment, be the lot of thee and thine thro' life.

On the 31st ult. by the Rev. Mr. Kingsford, Lieut. *Henry J. Kelly* of this place, to Miss *Louisa M. Wierman*, of Harrisburg.

On the 25th inst. by the Rev. J. Ulrich Mr. *James Dougherty*, to Miss *Margaret Sweet*, all of South Middleton township.

On the 27th inst. by the same, Mr. *Abraham Hurst* to Miss *Jane McGray*, all of Allen township.

On the same day by the same, Mr. *George Beelman* of Allen township, to Miss *Eliza Brandt*, of Monroe township.

On the same day by the same, Mr. *Daniel McNeel* to Miss *Barbara Brechbill*, all of South Middleton township.

On the 3d inst. by the Rev. John Ulrich Mr. *John P. Plott* late of New York, to Miss *Elizabeth Boyle*, of Carlisle.

On Tuesday, 18th December last, by the Rev. J. F. Hey, Mr. *Daniel Bailey* to Miss *Rebecca Egulph*, both of Carlisle Pa.

On Thursday December, 27th by the Rev. J. F. Hey, Mr. *Abraham Matthews* to Miss *Jane Taylor*, both of Carlisle.

On the 3d inst. by the Rev. Mr. Quay Mr. *Samuel Miller* to Miss *Caroline Quigley*, both of Monroe township.

On Thursday the 27th inst. by the Rev. John H. Smaltz, Mr. *Peter Black* to Miss *Sarah Ann Peffer*, both of Harrisburg.

On Wednesday evening, 2d inst. by the Rt. Rev. H. U. Orderdonk, the Rev. *Charles Vernon Kelly*, Rector of St. Stephen's Church, Harrisburg, to *Elizabeth C.* eldest daughter of James Peacock, Esq. of the same place.

Dec. 20th, by the Rev. Sam'l Sprecher, Mr. *David Spangler* to Miss *Sarah Franklin*, both of Mechanicsburg.

On the same day, by the same, Mr. *Thomas Boak*, to Miss *Sarah Rupley*, both of Cumberland County.

FRESH SUPPLY OF EVANS' CAMOMILE PILLS, just received and for sale at the HERALD OFFICE.