

sequently, on the 10th of February, 1857, passed a law for the election of delegates to the Convention. Both these acts obviously contemplated the possession of general powers, by the Convention. In neither was there any limitation or restriction whatever; and the delegates having been elected in view of these laws, possessed the power of forming and enacting a Constitution, subject only to the ratification of Congress, as heretofore shown. The act of February, 1857, upon examination appears to be entirely fair and just. It extends the right of suffrage to every bona fide inhabitant of the Territory on the third Monday of June, 1857, who, being a citizen of the United States and over twenty-one years of age, shall have resided three months in the county where he offers to vote; and provides adequate penalties against illegal voting; fraudulently hijacking a fair expression of the popular vote; and unlawful attempts to influence the electors.

And as a further guard against fraud, and to secure the election of delegates to the Convention, a registration of the voters is required to be completed from a census previously taken by the sheriff and deputies. The census returns are to be filed in the office of the Probate Judge, showing the number of qualified voters resident in the county or district, on the first of April, and to be posted in the public places. And the Probate Judge from the time of receiving them, is to hold his court open until first of May, for the purpose of causing a list to be made up, or striking out those improperly registered. Provision is also made for vacancies in the office of Sheriff, by authorizing the Probate Judge to act in his place; and in case of vacancy in both offices, the Governor is to appoint some competent resident citizen to perform their duties. The other details of the act are equally unexceptionable, and tend to the production of a fair and honest election.

It is to be further observed upon this act, that voters omitted from the census could have full notice of the omission, and ample opportunity to have their names added, by the Probate Judge, to the register of names. Full time is also afforded for the proceeding. But it is notorious and undeniable that the great body of those who did not vote at the subsequent election in June, withheld themselves from enumeration and registry, instead of insisting the officers, as good citizens should, to interpose all the obstacles in their way, extending to the most total intimidation and force, because they desired the authority of the Territorial Government and laws, and intended by their conduct to refuse a recognition of them. Yet over nine thousand names were registered, although many who were registered, and in favor of a Convention, did not vote for delegates, as in many, if not most of the precincts, there was no serious opposition to the candidates named. But the case is even yet stronger than these facts make it. A part of the nineteen counties, so far spoken of, were wholly without inhabitants; and in the remaining counties, the population was so small, that the paper established in expectation of future settlement. Besides these, most of the counties composing the nineteen had an inconsiderable population; settlements in them having just begun. It is said that four only of the whole number had any considerable population, and that these were the very ones where the Topeka party were strong, interposing resistance to the law, and neither desiring to attempt to qualify themselves for voting at the election, nor to do any thing to cause remote or immediate, which induced opposition to that as well as to the Territorial law, although such inquiry would strengthen the general conclusions already stated. As far as the objection to the powers and proceedings of the convention, on the ground of narrowness of suffrage in the election of the members in concerned, that matter would remain an object, for the foregoing statement, would remain uncontroverted by the production of any fact or argument whatsoever.

4th. Finally it is asserted in general terms, that including all parties and every description of persons, a majority are in fact opposed to the Constitution. The answer to this, if it truth be admitted, is twofold. First, that the majority, in point of law, must express itself by a vote, and legal mode to amending the Constitution; and such majority, if it exist, cannot be formed; in short, that majorities equally with minorities are bound by existing Constitutions and laws. The other reply is furnished by the late masterly writing of the Constitution, transmitted to Congress, by the most satisfactory evidence, that the great portion of this "alleged" majority is made up of ignorant and uneducated persons. The "Office" dispatches, even of Gov. Walker himself, stamp upon the Topeka party, both designs and overt acts to subvert and nullify the Territorial laws, as well as to resist any Constitution, however unexceptionable, to be made by the people.

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THE ERIE OBSERVER

MLOAN & McCORMACK, Publishers. SATURDAY, MARCH 6, 1858.

News of the Week. We find in the *National Intelligencer* a letter from Lieut. Mary to the Secretary of the Navy, in which he refers to a discovery by a Dutch meteorologist of a remarkable relation between the force of the wind and the difference of simultaneous barometric pressures at certain stations. From this relation the discovery has been enabled to deduce rules by which every morning the maximum force of wind during the day may be predicted, and consequently the amount of fuel may be saved in the steaming. This is a discovery of great importance, and one which will be of great value to the navigation of the sea.

A most singular occurrence transpired a few days since on the Baltimore and Philadelphia Railroad. Mr. Thomas S. Higgins, fitting out the night train for Baltimore, and returning to his home, was crossing the bridge over the Gunpowder river, when he was struck by a train of cars, and was killed. The cause of the accident was the negligence of the engineer of the train which struck him, who was not allowed to pass over the bridge until the train of cars had cleared it.

A singular circumstance showing the depravity of the human heart, has recently transpired in Hudson, New York. A Mr. Hinkley has been arrested for premeditated murder. It appears that he was the owner of a building, and that he had hired a man named Jones to work for him. Jones had been found dead in the building, and Hinkley was charged with the murder.

Mr. John Morgan, a bachelor, about 63 years of age, who resided one and a half miles west of Plainville, in the State of New York, was found dead in his bed on Friday morning last. He had been ill for some time, and was attended by a physician. The cause of his death is not known.

The *National Courier* tells of a rough business party going on the streets of that city, who had drifted far from home, and stopping at the door of a residence, where a gentleman was enjoying a quiet evening. The party was very noisy, and the gentleman was obliged to call the police to remove them.

A man named McLean, a resident of Heron Island, New Brunswick, during one of the coldest days of the winter, drove his wife out of doors, saying that he would kill her if she refused to go. Her son, a boy of sixteen, was absent at school at the time, but immediately on arriving home started in search of his mother and found her lying on the ground, and he immediately called the police to remove her.

The intelligence from Salt Lake City represents the Mormons as suffering for want of provisions, clothing and dry goods. A party arrived at the Mohave river in quest of supplies, and with a view to prevent the further migration of the Saints from San Bernardino. Two companies of soldiers had been sent to protect the inhabitants from any violence from the Mormons.

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The case is exciting much feeling in St. Louis, and it is probable that it will be probed to the bottom.—*Chicago Globe*

NEW YORK CHARTER MOVEMENTS. Our city election yesterday passed harmoniously, though greater interest than usual was manifested and the administration vote was very close. The Board stands 18 republicans and 9 democrats. Chas. H. Clark, democrat, was elected Mayor by about 500 majority.

THE BOSTON COURIER. The following letter appears in the London Times of Feb 12th: Sir, In your paper of the 9th inst is a letter from the Hon. Mr. B. H. Hall, of the ship *Castles*, stating his belief to be that the great sea serpent near St. Helena, is a large snake strengthened from the fact of something similar having been seen by Her Majesty's ship *Dundas* near the same position. The following circumstances, which occurred on board the ship *Pekin*, being belonging to Messrs T. and W. Smith, on her passage from Malmeidun, may be of some service, respecting this "great sea snake." On Dec. 28th, 1848, being then in lat. 26. 8. N. lon. 6. 4. W. nearly calm, having only a slight breeze from the east, the water of the sea was very tranquil, looking like the water of a pond. The ship was then in the water of the sea, and was plied down a large head and neck, covered with a long shaggy looking kind of mane, which it kept lifting at intervals out of the water.—This was seen by all hands, and declared to be the great sea serpent. I determined on knowing something about it, and accordingly lowered a boat, in which my chief officer and four men went on shore, with a long line, small line, and a hook, to be used for the purpose of catching it, and I watched them very anxiously, and the monster seemed to regard their approach. At length they got close to the head.

They seemed to hesitate, and then they themselves with the line, the monster all the time ducking his head and showing its great length. Presently the boat began pulling towards the ship, the monster following slowly. In about an hour they got alongside, and a tackle was got on to the head, and it was hauled on board. It appeared somewhat supple and hanging, but to completely covered with shaggy looking barbaules, about 15 inches long, that had it some time on board before it was discovered when in the water like the head of the animal, and the motion given by the sea caused it to rise and fall. In a few days it dried up into a hollow tube, and it had a rather offensive smell was thrown overboard.

I had only been a short time in England when the *Dundas* arrived and reported having seen the great sea serpent—to the best of my recollection, near the same locality, and which I have no doubt was a piece of the same wood. So like a huge living monster did it appear, that had circumstances prevented my sending a boat to it, I should certainly have believed it had been the great sea snake. I am, Sir, your obedient servant, FREDERICK SMITH, Newcastle-upon-Tyne, Feb. 10.

How Eggen was unexpectedly Killed.

The Paris correspondent of the New York *Register* relates the following as a positive fact: A moment when excitement, alarm and confusion were at their acme, a circumstance occurred of the most curious kind, and the victims of the infernal machine. The Emperor had just stepped out of his carriage on the press invitation of Lanez, and had turned shocked and horrified to contemplate the one hundred and fifty people who were writing around him, who he felt his hand grasp in an unknown man apparently low ranked in life, who warmly congratulated him on his escape. Thinking the man hurried, the Emperor resumed, as I have said above, his regard of the officers, and gave orders for attention to them.

His intrusive felicitator turning from him in equal haste, took the Emperor in his arms, laid his hands on his shoulders, and kissed his forehead a dozen times. When the Emperor entered her box, and recounted the incidents of the explosion. His consequences, as far as she was concerned, he added, "Alas! I was kissed with warmth by some person, by whom I cannot conceive." "It was, no doubt, the same friend who shook my hand," said the Emperor. As usual, a number of young men were whiling away their leisure hours in the Cafe dedicated to them, with billiards, dominoes, piquet, and other games, when the horrible explosion was heard. The Emperor's carriage was hurled into the air, and the Emperor, with his comrades scattered on the ground, and the Emperor's carriage hurled into the air, and the Emperor, with his comrades scattered on the ground.

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