

# HUNTINGDON JOURNAL.

"ONE COUNTRY, ONE CONSTITUTION, ONE DESTINY."

A. W. BENEDICT PUBLISHER AND PROPRIETOR.

Whole No. 169.]

HUNTINGDON, PENNSYLVANIA, WEDNESDAY JANUARY 9, 1839.

[Vol. IV, No. 13.]

## TERMS

### HUNTINGDON JOURNAL.

The "Journal" will be published every Wednesday morning, at two dollars a year if paid in advance, and if not paid within six months, two dollars and a half.

Every person who obtains five subscribers and forwards price of subscription, shall be furnished with a sixth copy gratuitously for one year.

No subscription received for a less period than six months, nor any paper discontinued until arrears are paid.

All communications must be addressed to the Editor, post paid, or they will not be attended to.

Advertisements not exceeding one square will be inserted three times for one dollar for every subsequent insertion, 25 cents per square will be charged. If no definite order is given as to the time an advertisement is to be continued, it will be kept in till ordered; but, and charge accordingly.

## MESSAGE.

[Continued.]

TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE COMMONWEALTH OF PENNSYLVANIA.

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 taxpayers before described, that all persons might have an opportunity of knowing the names of those who intend to vote, and an original receipt for the tax, from 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 knowing justice of the peace or alderman, and a minute of such proof endorsed on the receipt.

If to those restrictions with regard to tax receipts, which have been the ready means of much fraud, were added one that no receipt whatever should be competent to prove payment of taxes, unless it express on the face of it the year for which it was assessed, and that no tax assessed more than two years previous to the election, should 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 with in the time named, and that during the 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 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 as were cognizant 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 such 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, 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, should be sentenced to pay the costs of prosecution, and be confined in the proper county goal, not less than six calendar 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 it be otherwise proved, that they were not and that he failed to institute the requisite proceeding, 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 the elections, which practice forms the very worst and most pernicious species of gambling. Betting and gaming of other kinds only injure the parties themselves, but this inflicts a wound on the rights of all, and destroys

that confidence which every citizen should feel in the decisions of the ballot-box. I would therefore urge that, whenever thereto required by any voter of the district, or whenever he shall think it necessary, the inspector of each election shall cause any person offering to vote, to declare on oath or affirmation whether he is or is not directly or indirectly interested, either as principal, partner or stakeholder in any bet on the result of any election to be held on that day, and if he admits that he is, or if he declines 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 dependent on them. We owe it to ourselves now, 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.

Besides 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 those 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 offices, and the establishment of a department of education. This can be done without increasing the number of officers, for those 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 the three years the permanent State appropriation to this object has been increased from \$75,000 annually to 400,000; for the latter sum 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 colleges, academies and female seminaries, which will not be less than \$40,000. 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 active and permanent operation, disseminating the principle 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 and eighty-six have received their portions of the State appropriation for the present school year, commencing on the first Monday of June last. The number of accepting districts goes on steadily increasing, and the usefulness and economy of the system were fairly tested, are becoming every day more apparent.

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

I would also recommend that the power of School Directors on the subject of taxation, be curtailed. When they were by law authorized to assess a school tax, equal to three times the amount of State appropriation coming to the District for the year, the whole amount of appropriation was only half what it now is. Perhaps absolute power of taxation in Directors to that amount, was then necessary; but it is not at present. I would therefore recommend that the 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 careful 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 the 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 improvement, 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 worthy 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 a small cost to the State. It would, beyond a

doubt, form 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 completed all doubt 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, though 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 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 mechanic at Parkersburg, 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 waggons 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 Coffin 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 in to 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 embarrassment whatever.

Other repairs and improvements, in different parts of the State, were required and have been made on 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 occurred 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, Acqueducts, 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 Transporters 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 of passengers, to enable the Companies to meet the unexpected and heavy expense necessarily incur-

red by Staging and wagoning a cross 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 received at Harrisburg 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 endeavor to raise the necessary funds and have the repairs made without the delay or expense of the 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 U. States offering to the Executive, on the faith that the Legislature would ratify the transactions, 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 despatch 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's office. The water was let into the whole distance on the 20th ult and though 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 time 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 detriment to the public interest. I feel the most perfect confidence that this will be done, and I 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, Speaker 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 negotiate 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 other 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 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 Wisconsin and Kittanning extensions, authorized by the Improvement Bill, of the same session, were also put under contract, and the small appropriation made to the for ner, 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.

In connection with her improvements, which form the chief demand on the Treasury of the Commonwealth, the situation of her finances is to be taken into view.

The appropriations of last session were made with great profusion. They exceeded by nearly one million of dollars, the amount which a prudent foresight seemed to me to justify. At the commencement of the session a full expose of the means of the State, and the most pressing claims upon the Treasury, was exhibited. During the course of the session an adherence to moderation in expenditure was attempted to be enforced by every means within the power of the Executive, on every proper occasion, but without success. And finally, the unpleasant alternative was presented, as had been foreseen, of sanctioning appropriations, of which, in the existing condition of the public finances, he could not approve, or of wholly obstructing the use of the completed works, by defeating a bill containing the indispensable provisions for repairs. Under these circumstances, that bill was sanctioned, but no act of my public life was ever performed with greater reluctance.

The only check left was to decline subscribing to the stock of the companies that were participant of the favors of the law, till it should be ascertained that money could be had on loan at the rate of interest which was believed not only to be reasonable, but which the course of legislation for the last two years, had established as that to be given for future loans. This decision of the Executive produced a very trifling excitement on the part of some of the companies, which, however, soon of itself subsided. The money was subsequently obtained at four per cent, and applied to the purposes designated by the Legislature. The loan in question (\$600,000, was taken by the following Institutions, in the following proportions, and has also been paid into the Treasury viz:

The Girard Bank,	\$100,000
" Philadelphia Loan company,	100,000
" West Branch Bank at Williamsport,	50,000
" Farmers' & Mechanics' Bank	50,000
" Bank of North America,	30,000
" Bank of the Northern Liberties	15,000
" Manufacturers' and Mechanics Bank,	25,000
" Schuylkill Bank,	40,000
" Commercial Bank,	35,000
" Kensington Bank,	15,000
" Bank of Pennsylvania,	100,000
" Bank of Penn Township,	10,000
" Western Bank of Philadelphia,	7,500
Mechanics, Bank,	17,000

\$600,000  
Though the State may delay repaying these loans till the expiration of one year from the time when they were made, which was at different periods, between the 18th of June and the 16th of October, 1838, yet it will be proper that the money should be refunded with as little delay as possible. In the correspondence with the Banks on the subject, they were given to expect that repayment would take place before the first of February 1839.

The Temporary Loan authorized by the third section of the same law, having become necessary for the contingent object for which it was authorized, was also obtained at four per cent. and applied by the Canal Commissioners to the proper works. It was taken by the Bank of the United States. That Institution also agreed to permit the Temporary Loan allotted to in the joint resolution adopted on