

Always give me pleasure to refer to the one as examples, and to the other as guides in the performance of duty. Admitting, to its fullest extent, the importance of preserving unscathed the inestimable and unalienable right of the people to govern themselves, I shall ever give my best efforts to prevent encroachments upon that right. So long as man continues the being he is, error must be expected, both in his individual and collective conduct. He may be expected to err upon sudden impulses, but an intelligent community will rarely fall deliberately into error. Hence the deliberate expression of the people's will, should always furnish the rule of conduct to those who represent them in public stations.

A new era has arrived in our Commonwealth. Our first constitution, formed amidst the storms and troubles of the revolutionary conflict, was found in practice not to answer the expectations under which it was framed. In fourteen years thereafter, it was entirely new modeled by the constitution of 1790; an instrument framed by men of great talents and eminent worth; but the plan of government was always considered, by no small portion of the people, as not sufficiently democratic in its details. After repeated attempts to procure revision, a majority of our citizens who voted on the question, in 1835, decided that a convention should be called to revise, alter and amend the constitution of the commonwealth. In pursuance of this determination of the people, a convention assembled, and after a long and arduous session, closed their labors on the 22d of February last, and the amendments agreed upon by that body, have been ratified and adopted by the people and it is under this amended constitution that it has been my lot to be called upon to administer the duties of the Executive. This instrument gives to popular suffrage, the decision of many appointments heretofore vested in the Executive, and changes the duration of the judicial tenure from that to good behaviour to a term of years. It shortens the period of eligibility to the Executive chair, and reduces the senatorial term; enlarges the right of suffrage, and changes other provisions all of which are important in the conduct of the government of the State. Approving as it did, of the amendments in the aggregate, and having sanctioned them by my vote at the late election, it will afford me great pleasure to assist in carrying them out in practice, by a strict adherence to their principles.

It is a beautiful exemplification of the capacity of the people for self-government to see them from time to time, as exigencies may require, coming together through their representatives, and quietly, yet intelligently and dispassionately examining the fundamental law of the land, ascertaining where it has not answered its intended purposes, and correcting evils not foreseen at the time of its adoption. The adoption of constitutions was a wise regulation to prevent the abuse of power to limit and restrain its exercise by public servants, to protect the weak against the strong, and to preserve the liberties of the country from encroachments. They are in themselves admissions of the fallibility of human nature; if the tendency of power to corrupt, and of the necessity of protecting the people from the misconduct of their functionaries, arising either from weakness or wickedness. An innate disinclination to needless change, it is hoped will ever prevent frequent alterations of this fundamental law; had the provision adopted for future amendments will only be resorted to when experience has clearly demonstrated that such change is essential to the public good. Constant or continuing changes tend to create distrust in the stability of our government and its institutions; an evil greatly to be deprecated as tending to loosen the bonds of mutual confidence which bind a republic together. It will give me great pleasure to co-operate with the representatives of the people in enacting all such laws as the amended constitution has rendered necessary, and to give that full, fair and candid trial of the instrument in practice, which patriotism now requires from all, when the people have decided on its acceptance. Whatever difference of opinion existed before its adoption should now cease. It is the supreme law of the land, and it is the duty of every branch of the government and every good citizen, so to regard and respect it.

A strict accountability of all public agents tends to prevent wrong to the public from negligence or misconduct. Lavish and prodigal expenditures necessarily induce extravagance and luxury; these undermine and destroy the habits of industry and frugality of our citizens, and there by take away one of the principal supports of popular government. The luxury, extravagance, and appendages of royalty are unsuited to the habits, as they are to the well being of a free people. Economy in the various departments of the government is not only required at all times in a republic, but is peculiarly called for at this time, when such is the magnitude of our state debt, that more than the whole net revenue is required to discharge it interest.

This debt, true, has been incurred in the prosecution of schemes of internal improvement, unparalleled in other days and States, which have tended to increase our trade and develop our resources, and it may perhaps be fairly assumed, that they have increased the value of the real estate within the Commonwealth to the amount of their cost. Much of the funds of the State have, however, been expended on

works of secondary importance, and in some instances of doubtful public utility, which received appropriations from a course of legislation, in which aid was given to them to secure favor for greater and more public improvements—a course of legislation universally admitted to be wrong in principle, and which ought never to be adopted. I respectfully solicit the co-operation of all who have the welfare of their country at heart, in putting an end to this course of legislation.

I have been the friend and advocate of a judicious and liberal system of public improvements, essentially necessary, as I always believed it, to the great agricultural, manufacturing, and commercial interests of the Commonwealth—interests intimately connected with, and mutually dependent upon each other. But this system may be pushed beyond the means and resources of the Commonwealth. Such a course should be avoided. We have now in the course of construction, portions of the main lines of our canals, which are yet incomplete, and which are necessary to finish the chains of intercommunication within our Commonwealth. Their situation exhibits one portion of some of the lines completed, and now in a state of dilapidation and decay, while other portions of the same line are yet unfinished. The alternative then presented is, shall these uncompleted main lines be abandoned, or shall every possible energy of the Commonwealth be put in requisition for their completion? Unwilling as I am, needlessly to increase the State debt, the soundest dictates of public policy and justice require the adoption of the latter course, as the only mode of making available the large amounts already expended upon them. The resources and capabilities of the regions through which they pass, will be thereby developed, avenues of trade to and from the seaboard will be opened; and new markets for our agricultural and mineral products will be furnished, and the revenue of the work already completed and in operation greatly increased. When these lines shall have been completed, produce would seem to require that we should pause, and at least for a season, husband our means, and endeavor to decrease the public liabilities.

I shall, as soon as conveniently may be caused to be laid before you a full and candid statement of the debts due by the Commonwealth. These debts, let it be steadily borne in mind, have been incurred under the authority of law; and as the public faith must, and as far as in me lies, shall be sacredly maintained, at all hazards, it will be our duty while we shall prevent their unnecessary increase, to provide the means of meeting the lawful engagements of the commonwealth. In effecting these desirable results, I look with great confidence to the co-operation of the Representatives of the people in both branches of the legislature. The truth cannot be concealed, that the funds of the commonwealth are in an embarrassed state, and that a strong, vigorous and well directed effort is required to extricate them therefrom.

By the provisions of the amended constitution, notice is required to be given of all intended applications for the grant or renewal of charters to banking institutions. This provision will prevent legislative action in relation to them at the present session, and renders any exposition of my views on this delicate and agitating subject unnecessary at this time. I shall take occasion in a future communication to express them very differently, and need only now say that the banking capital of the commonwealth has been increased of late years beyond what I believe to have been necessary. Having formed this opinion deliberately, I shall not be disposed to change it for light reason.

There is, in my judgment, a manifest impropriety in entangling connections between the government and the banking or trading institutions of the country; and I shall, at all times, be ready to co-operate in any measure which shall so separate the government from banking institutions as to leave each to the pursuit and exercise of their legitimate ends, without interfering with those of the other.

The creation of corporations, were necessary to accomplish purposes beyond the reach of individual enterprise, has no doubt, done much to advance the prosperity of our country, where the means of the citizens, generally, are moderate, as they are like to be in a young and growing country; and where the concentration of the capital of many is necessary to do what, in older countries, might be accomplished by individuals of great wealth. As our country becomes older and our wealth increases, the reasons for multiplying these corporations are, to some extent removed. Although they may be resorted to with propriety where absolutely necessary, their undue creation and increase should be discouraged. Corporations ought never to be created, where the object to be accomplished is within the probable reach of individual exertion. They absorb men from individual liability, and may tend, by undue combinations and concentrated action, to embarrass the operations of the government and interfere with the popular sovereignty.

The position which our Commonwealth occupies, as a member of the Union, should never be lost sight of. For whilst, as to all the purposes not delegated to the General Government, she is an independent sovereignty, yet as to all granted to the confederation or union, she must exercise her authorities in subordination to the General Government

evinced a proper regard for, and subordination to, that Government in all things properly pertaining to it. The government of the States should ever exercise a careful vigilance for the preservation of their own rights, that the objects of the Confederation may be fairly effected, and the harmony of a system of Government without parallel in ancient or modern times, be preserved in all its beauty and symmetry.

It is not sufficient that there should be a cold compliance in terms with the letter of our constitution—there should be a proper national feeling of brotherhood kept up. We should exhibit in all our conduct, that we are members of a great and powerful union of free States, who have made certain terms and conditions by way of mutual concession and compromise, in order to promote the general good of the whole. The old articles of confederation, as well as the present constitution of the United States, were the results of these feelings and these concessions and compromises. A due regard to that good faith which should ever characterize the conduct of republican States, would seem to require that a contract or compact of union, thus formed, should be kept, not only inviolate in terms, but in spirit also.

When the infant states of the union united together in the revolution, for the common defence, under the feeble bonds of the old confederation; and when necessity drove us from something more definite and binding, which brought about the constitution of 1788, involuntary servitude was the subject of much discussion, and arrangement and concession. It was finally disposed of in the manner pointed out in the latter instrument. To agitate the question anew when it was thus satisfactorily settled, is not only unwise and impolitic, but it is a virtual breach of good faith to our brethren of the Southern unwarrantable interference with their domestic relations and institutions, and is calculated to do positive injury to the African race then held in servitude, for whom in her policy, and within her own borders Pennsylvania has always shown a becoming sympathy. I can never, in the official station which I occupy, consent to countenance a course, which may jeopard the peace and harmony of the Union, without answering any good purpose in the end. It shall meet with no encouragement at my hands.

Let Pennsylvania keep clear of all entangling alliances and she has no political consequences to dread nor collisions to encounter; and our experiment of the union of the States will be found to work as harmoniously in practice as it is beautiful in theory. Her people are characterized by strong practical common sense and useful intelligence. If not disposed generally, to theorize and speculate, they are not thereby the less competent to judge correctly in matters of public policy.

As a member of the Union she has stood forth manfully, under all circumstances, in support of republican principles.

A strict construction of the Constitution of the United States; a reluctance to yield to the general government any powers, except those expressly granted, or which follow by direct and necessary implication from those so granted; a rigid system of economy in public expenditures; the definition and limitation by law as far as practicable, of the duties of public functionaries; and a strict system of accountability, in all public servants, are doctrines, in support of which she has ever raised her voice. Believing these to be correct views, it will afford me pleasure, so far as the subject shall fall within the province of the Executive, to give them effect; and that pleasure will be enhanced in finding that I am therein co-operating with, and sustaining the administration of the General Government in the able and efficient hands in which it is now placed.

In a republican government, general intelligence should be diffused among the citizens. They are thus enabled to perform their duties as constituent parts of the Government intelligently and correctly. Every means, therefore, for educating the whole people in useful knowledge should be restored to. In carrying out this system, our State is now progressing with the great experiment of her Common Schools, Academies and Colleges. Whether the course adopted, in all its details, is the best that could be devised; or whether, like every thing else which is the offspring of human action, it is imperfect and will require the corrections which experience teaches us are necessary in all our projects, time will develop. I feel disposed to give every necessary aid to accelerate the march of intellect, and enlighten the human mind; the better to enable us to preserve and hand down to posterity, unimpaired, the civil and religious privileges received by us as a sacred inheritance from our fathers. While giving every aid to the cause of education, let us be careful that we do not, by over-much exertion, produce a revulsion in public opinion, and thus retard, if not prostrate a system which, by judicious management, will ultimately conquer prejudice, and recommend itself to general favor. Our literary institutions are certainly earning for themselves rich reputations for usefulness, which it should be our duty, by extending to them a fostering hand, to enable them to retain and improve.

Our Commonwealth is a great and powerful one; rich in her resources, in her mineral, agricultural and commercial

wealth, and not less so in the exhaustless energies of her citizens, whose reputation for integrity of conduct, has given to her the enviable character she bears at home and abroad. By fostering and encouraging the virtuous enterprise of her citizens; by discountenancing and punishing vice, immorality and crime; by instructing the ignorant, reforming the vicious, and securing the rights of all; by preserving inviolate, under all circumstances, and sacredly maintaining the public faith founded on law, as a binding obligation and duty of the government, we shall elevate her character, advance her moral and political greatness, and realize the hopes of the patriot and philanthropist. In this work the public functionaries of the State must bear an important part for good or evil. Their example will always to a certain extent, be reflected on the conduct of the citizens. We should be circumspect and careful, setting a proper example to those whom we serve, and thus become, under Divine Providence, the instruments of good.—Firmly relying upon that Providence for its aid, without which the efforts of man would be vain; and desiring a hearty and harmonious co-operation from the other departments of the government, in all measures calculated to promote the public weal, I proceeded to the discharge of the duties imposed upon me, in the new and untried station to which the party of my fellow citizens have elevated me.

DAVID R. PORTER.
Harrisburg, January 15, 1839.



THE JOURNAL.

One country, one constitution, one destiny.

Huntingdon Jan. 23, 1839

Democratic Antimasonic CANDIDATES.

FOR PRESIDENT,

GEN. WM. H. HARRISON

FOR VICE PRESIDENT

DANIEL WEBSTER.

FLAG OF THE PEOPLE!

A single term for the Presidency, and the office administered for the whole PEOPLE, and not for a PARTY.

A sound, uniform and convenient National CURRENCY, adapted to the wants of the whole COUNTRY, instead of the SHIN PLASTERERS brought about by our present RULERS.

ECONOMY, RETRENCHMENT, and REFORM in the administration of public affairs, Tired of Experiments and Experimenters, Republican gratitude will reward unobtrusive merit, by elevating the subaltern of WASHINGTON and the disciple of JEFFERSON, and thus resuming the safe and certain track of our Fathers.—L. Gazette.

New Appointments—Novel Procedure.

During our last week's court, a very novel, if not dangerous procedure was had, in the case of the new appointments.

It was generally known that since the new Constitution became the law of the land, Gov. Ritner has commissioned new officers of our court; who it was supposed by many of our ablest men would hold their commission, until elections could be held by the people. On Friday it was learned that new commissions had been issued by the new Governor, the result of which was, that there were two sets of officers claiming the right to act for the court. An impression had got out that it was the intention of Judge Burnside to claim the right, to say, who was the proper officer, and when the subject was broached, Jno. Blanchard Esq. signified his intention of "arguing the topic" with the Judge, as to his right to do so.

In the afternoon of Friday, the court heard the argument of Mr. Blanchard. It was concise, and overwhelming, and at one time we thought he had convinced the Judge of his error. He assumed the ground, that the officer appointed by Gov. Ritner, (James Steel Esq.) being in possession, and that too, clearly by a strictly legal appointment, could not be dispossessed, except by some form of law, and that form of law, he declared was, for the new claimant (Jno. Creswell Esq.) to take out a writ of *quo warranto* requiring Mr. Steel to show by what right he held the office. Mr. Blanchard clearly proved this to be the law—produced what we considered the positive statute to that effect. He showed by every principle of common law and common sense, that the possessor could not be made the plaintiff, in a suit of the kind. Never have we listened to a more lucid and powerful argument, than that made by Mr. Blanchard.

The court contended, that if the present occupant considered himself aggrieved, he could resort to a writ of *quo warranto* to make the officer installed by the court, show cause why he exercised the powers of Prothonotary.

Mr. Blanchard desired the Judge to specify the process to eject Mr. Steel, should he deny the right of the court to dispossess him. It was a perfect poser. The Judge was stalled, he could not reply. (We were much disposed to inquire if it would not be by a writ issued, on authority of the statute of *club law*, by Judge Lynch.) The argument was closed and for more than an hour, the judge gave evident signs of being in an unpleasant quandary. We thought on one or two occasions that he was "convinced against his will." The court however, adjourned. Morning proved that he was of "the same opinion still." He directed that the person in peaceable and legal possession should be ousted, and be made the plaintiff in the suit.

Never in our life have we witnessed any scene on the judicial bench so much regretted. Taught to believe from our childhood the judicial ermine should be above suspicion, that its spotless purity should never be doubted—we looked with sorrow—we might almost say—mingled with shame, upon such a palpable violation of common reason. Our high opinion of the legal knowledge of Judge Burnside, would not permit us to say he did not know better. Whatever may have been our views of the Hon. Judge's political acts—on no occasion—under no circumstances, have we ever doubted his integrity, and impartiality, while seated on the Bench. We have often declared that we always thought, that if he erred at all, it was when he leaned, if anything, too strongly against the side it was presupposed he might favor. Even now we would feign believe that for the time he was misled by some delusion of prejudice, that his calmer reflection, and calmer moments would remove. Certain it is, we have heard men, who have venerated his Roman firmness and Spartan integrity, avow themselves, for the first time, shaken in their faith.

The Judge, however, said that he considered it so plain a case, that should the Supreme Court reverse the judgment—"this court is disgraced."

This much we have written, upon the preliminary step taken by the court, a step that we think, could only be paralleled, by some man going to one of our wealthiest farmers, and demanding his farm, and bringing the farmer into the court—the court order the farmer to give up his farm, and then take his remedy by bringing an ejectment.

As to the right of Mr. Porter to appoint the officers, our most learned men differ. So far as our individual opinion is concerned, we believe he has, we have never but for a moment doubted it. But as to the course of Judge Burnside, we doubt its correctness. We thought the Judge doubted it himself. We shall not censure him, until we become convinced that he was wrong, in his *wholesale* view of the matter. In the mean time we shall content ourselves with regretting, that any course of the Hon. Judge, should have been such, as at least to have shaken the confidence of some, he was pleased to rank among his warmest admirers, and who believed his Judicial robe, was of virgin whiteness.

The Inaugural Address.

We this week give our readers the address delivered to the Legislature by the new Governor at the time of his inauguration. There is nothing particularly important in the document. The greater portion of it is to us no way objectionable. It advances no new notions of policy, nor new plans of operation. But is characterized by many promises, many of which will undoubtedly be broken.—One of which will we doubt not will be kept; we predicted such an event before his election, in the event of his being successful—*The increase of the State debt*. Let our honest tax-paying farmers stick a pin there.

Gov. Porter avows himself the friend of the Education and Internal Improvement systems. We earnestly trust he may prove so. The latter is the arteries, and the former the life's blood of our country.

Previous to the election we declared Mr. Porter to be the devoted adherent of Van Buren's *Leg* Treasury system. Gov. Porter clearly proves that we were in the right. He has also thrown out a little "soft sawder" for the Southerners, although he admits that that Pennsylvania has always shown a "becoming

sympathy" for the suffering of the degraded Africans an acknowledgement, we should hardly expect in these times, when the most "becoming sympathy" evinced by the party which elevated him to the executive chair, is degradation, oppression and wrong.

Without further remark we shall leave the address with our readers. If we were however to express an opinion as to the authorship, we should say so far as we have had an opportunity of judging, that it is neither the production of the Governor nor his Secretary.

Instult to the Gov. of Pennsylvania.

Never within our recollection has a more disgraceful act occurred, than the refusal on the part of the partisans of the new Governor, to assign a place in the Inaugural procession, for the then Governor. We care not what party perpetrate such contemptible acts of meanness and disgrace, they shall have our severest censure. Joseph Ritner was Governor of Pennsylvania, and was the choice of 123,000 freemen, and any indignity offered to him was intended to cast insult at every one of his supporters.

As the Governor of Pennsylvania, he merited respect—as the Executive of a great State, he should have received at least honorable treatment, even were his moral character, as questionable, as some others. But it is beyond reproach. And that party which for the first time refused the Gov. of Pennsylvania a place in the inaugural procession of his successor, merits, and will meet the scorn of every honest, American Freeman.

Penn'a. Legislature.

On Saturday there was no quorum in either house, and the consequence was there was nothing done.

On Monday, the Senate for the first time, was called upon by the Governor to advise a consent to the appointment of two associate Judges. Mr. Royers reported the order to be observed in the procession of inauguration, and strange as it may appear, there was no place assigned for the then Governor of Pennsylvania. The report was recommitted.

The House met and a number appeared for the first time and were sworn in, a message was read from Gov. Ritner retaining this resolution relative to the appointment of State Treasurer. A message was received from the Governor communicating the correspondence with the government at Washington during the late disturbances. The House refused to print more than one copy for each member. It excited considerable discussion, but they refused to print.

Tuesday, no business done in the Senate. In the House a communication was received from Daniel Sturgeon relative to the State of the finances. The vote was taken on the resolution vetoed by the Governor, and the resolution passed by a vote of 61 to 23. The inauguration then took place. The oaths of office were administered by C. B. Penrose.

On Wednesday, several petitions for new counties &c. were presented to the Senate. A considerable argument was had upon a petition of Dr. Espy (the gentleman who lectured in this place last fall) asking the Senate to appoint a committee to witness his experiment to cause rain over a territory of ten miles, and that if he was successful that they pay the expense of the experiment. The committee to see the experiment were appointed.

In the House the resignation of Mr. Shuak as clerk was read, and Jacob Seiler was elected to fill his place. An argument again arose on a motion to print Gov. Ritner's last message, the House refused to do so.

On Thursday, Mr. Stevenson of Philadelphia county, was sworn in, Mr. Wagner having resigned. A considerable argument was held, on the manner of electing the State Treasurer. Brown of Philadelphia, moved a motion to amend the resolution under discussion, by striking out "according to the Constitution," and inserting "as heretofore." We suppose it is Loco Foco doctrine.

In the House a resolution was discussed, appropriating money to the North Branch and Erie extension of the Pennsylvania Canal, the resolution was referred to the Improvement committee.

On Friday in the Senate, a resolution was offered, calling upon the Secretary of the Commonwealth to specify the manner, in the different counties, by which the various officers are commissioned, and also