

THE CADIZ SENTINEL.

CADIZ, HARRISON COUNTY, OHIO, MAY 15, 1844.

NUMBER 8.

VOLUME XI.

PRINTED AND PUBLISHED EVERY THURSDAY BY L. HARPER.

TERMS.—One dollar and fifty cents per annum, in advance, or within three months; two dollars at the end of six months, or two dollars and fifty cents at the end of the year. These conditions will be strictly adhered to.

ADVERTISING.—One square (twelve lines) fifty cents for the first insertion, and twenty-five cents each subsequent publication. A liberal discount made to those who advertise by the year.

Letters to the editor must be post paid.

SPEECH OF MR. DUNCAN, OF OHIO.

In the House of Representatives, March 6, 1844

On the bill introduced by him to regulate the election of electors for President and Vice President and members of Congress throughout the United States.

Mr. DUNCAN spoke as follows:

There is no higher duty we owe to ourselves, to each other, and to our country, in whatever situation we may be placed, or whatever sphere in life we may fill, than to understand the nature of our government, and the civil institutions by which our rights are to be maintained as citizens, and by which our civil duties and obligations toward each other are to be regulated. This duty is not more binding upon us in a civil than in a political sense. It is indispensable to a faithful discharge of our duties as private citizens that we should understand the duties of a citizen. Those duties involve a knowledge of the legal and political restraints which civil government throws upon us and brings us under. These civil duties and obligations are common to, and binding upon, all men in a state of organized society, whatever the form of government may be; but we, as American citizens, in addition to these duties, owe some of a higher character which may more properly be denominated political duties, which I contradictorily from civil duties for the purpose of illustration. Civil duties, and a knowledge of the obligations which civil duties impose, appertain to the subjects of monarchy or an aristocracy. The same civil duties, in proportion to the requisitions of law, appertain to the citizens of a republican government; but owing to the fact that each individual here is not only a citizen, but also a member of the republic, and a part of the law-making power, he owes some higher duties than a mere citizen. Those higher duties I call political duties. Obedience is the duty of the humble subject of the monarchical government, while command is the prerogative of the monarch; but in a republican government the duties of obedience and submission are united with the prerogative to command in the same person. Such is the nature of our government. With us, no man can be so low as to shake off the duties of legal and constitutional submission; no man can be so high as to be exempt from them. No man can be so low (in crime excepted) as to excuse himself from a participation in the duties of governing. No man can be so high as to transcend exemption from the obligations and duties of the most humble citizen, or to exercise powers in the establishment of ruler of civil conduct, not common to each and every citizen, only as that power is delegated to him by the suffrage of those he represents, in whatever official position he may occupy. And this leads me to an expose of the character of our government. That I do, not only in conformity with a high duty which I owe as a citizen in common, but as a representative; I do it not only because we cannot too frequently refer to first principles, whether in a private or in an official capacity; but because the bill under consideration, in its defence and advancement, requires such an expose, in order to illustrate the absolute necessity of this bill becoming a law.

Sir, our government is a government of the people. It was created by the people; it is sustained by the people; and the people are the government, to every political purpose and intent. And in these consist the great and fundamental difference between a republican or democratic form of government and all others. I believe there are but three distinct forms of government regarded as fundamental, viz: a monarchical, an aristocratical, and a republican form; all others are modification or mixtures of those. All governments were republican in their origin; so people ever were so blind to their own interests, and so regardless of their individual privileges and natural rights, as to surrender them into the hands of any one man or set of men, to dispense them at their pleasure or caprice. I make another assertion that is, that man possesses all the requisites for self-government; and to deny those requisites is a slander on the human family, and a base imputation on the Almighty. I also assert, that no government ever fell by the corruptions of the people. Why, then, (it has been said and will be asked) have all republics fallen? Why have all governments which depended upon the aggregate wisdom and stability of the people, failed? It is part of my purpose, in my support of the present bill, to answer these interrogatories. At present, I wish to define and illustrate the character of our government; and, for that purpose, to illustrate the principles of other governments, and to expose the difference to the end that ours may be better understood.

A monarchical government is that which concentrates all power, legislative, judicial, and ministerial, in the hands of a single individual. An aristocracy is that form of government which places the same powers, and the same amount of power, in the hands of a few individuals. Such governments are called absolute monarchies, or absolute aristocracies, as the case may be—absolute, because the mass of the people have no participation in making, adjudicating upon, or executing the laws by which they are governed. Their civil duties consist in submission and obedience; prerogative duties, in commanding and submissive obedience to the laws which they have no hand in making, and submission and obedience to the adjudication of laws, without any part in the adjudication and submission, and obedience to the execution of the laws, without any share in the execution, only as the subjects of execution. In such governments the people are a kind of political automaton, without political will or volition, which moves merely as they are moved by the will of the laws which govern them, or by the will of him or them who make the laws. Such a people may bear, in their external form, the image of their maker for a time, but have the soul of Balaam's ass; and in a time will become assees both in soul and body. A monarchy and an aristocracy may both assume a representative character, by a delegation of the prerogatives or law making, law adjudication, and law execution,

which is most generally the case in extensive monarchies and aristocracies; but representative change does not change the character of the government; it only operates to the ease of the monarch, or to those holding power in an aristocracy, not to the relief or enfranchisement of the people. Those who receive the delegation of such prerogatives, are the representatives of the original power; and it is his will, power, and interest, they are bound to promote—not the interests of the people. And it is most generally the case, that representative monarchies and aristocracies are the most oppressive of all governments; they increase taxation, and oppress still more by increasing the character or condition of the subject. But I have neither time nor space to pursue the investigation in detail; it is sufficient to say they are, both in their nature and practical operation, calculated to oppress the subject, and are worse than no government. I would prefer anarchy; I would rather die in defence of my natural rights, than live a slave. A republican government, I repeat, is a government of the people. The people and the government, in a political sense, are the same. I have said, in all republics, all political prerogatives belong to the people: this is literally true. Though our government is a representative democracy, yet all power is in the hands of the people; and their representatives are but their agents, bound by their will, responsible to them, and removable at their will. It was impossible, at the commencement, that ours could be any thing but a representative democracy; our population was too great, and our territory was too wide spread to admit of a single democracy.

The framers of our government were compelled to give us a representative democracy—that is, to authorize us to appoint agents to do that for us, which we, according to the fundamental principles of democracy, should have done ourselves. Our ancestors, in the formation of our government, provided the means by which we should appoint our agents. The power and the means by which we appoint our political agents or representatives, is called the elective franchise. To define all of our free institutions which make up our proud and glorious political fabric, is foreign to my present purpose, nor does the support of the present bill require such a range. There is one of our free institutions which I propose very briefly to discuss—I mean the elective franchise. That is one which, of all others, demands our attention, our consideration, and our especial guardianship. Of all our free institutions, that is the proudest; of all our free institutions, that is the most valuable. It is the soul and the body of our republic; it is the basis of our political fabric; it is the foundation of all our free institutions. Destroy it, and our government loses its name, and all our free institutions are annihilated. They become, in an instant, a part of the dust of other republics; and with them must be numbered among the things that are not. The elective franchise is not only the arch of our own, and every other republic, and the main pillar of the temple of liberty, but it is the rule by which freedom is measured; for, just in proportion to the exercise of the elective franchise, so are any people free and sovereign. Freedom and the elective franchise are synonymous terms and handmaidens. The one has no abiding place without the other. They walk hand in hand together; they live together; they die together. The framers of our government were so conscious of the vast importance of the elective franchise, that they interwove it in the political institutions of our country in such a manner that it could not be destroyed without bringing ruin upon all others. Our ancestors had a right to expect that this franchise, which was purchased with the blood of thousands, and with the treasure of millions, would be appreciated as a rich legacy—would never be squandered. They had a right to suppose that those moral, political, and patriotic obligations and sacred covenants which descended upon their posterity, would forever be a secure guaranty against all innovations upon that sacred institution. They had a right to suppose that no sons of theirs would be so profligate and reckless as to squander that legacy which was to provide peace, happiness, freedom, and independence to millions, and for all time. They had a right to hope that no wretch would be found base enough to corrupt that franchise upon whose purity depended the duration of all the free institutions purchased with their blood and their treasure. But, not content with that hope and that confidence which they had a right to indulge in—not content with the obligation of patriotism upon those who were to inherit the rich legacy of their toil, they superseded religion and morality. They interwove, in the official duties of all who were to have the safe keeping of the elective franchise, a solemn oath. They required the individual whom choice or the law was to select to guard the purity of the elective franchise, to appear at the throne of the Judge of the living and the dead, and in His presence and in His name, to bind themselves to permit no unlawful force to tread upon the sacred franchise. Such is the value of the elective franchise, and such are the means provided to defend and preserve it in its pristine purity. But in order that this sacred institution shall remain pure, and shall the more completely maintain all our other free institutions, our constitutions and laws have wisely defined the manner in which it shall be used, the time when it shall be used, the place where it shall be used, by whom it shall be used, and the circumstances under which it shall be used. A violation of any of those provisions is a violation of the constitutions and of the laws regulating the use of the elective franchise, and a corruption and violation of the franchise itself; and he who is guilty of it, is guilty of treason the most dangerous and aggravated; and if the sworn officer, whose duty it is to guard and defend that franchise, has wilfully or negligently permitted such violation, he is guilty of both treason and perjury. And upon the same principle, he who holds an office in corruption of the elective franchise, and in violation of the constitution, is equally guilty of treason, inasmuch as both are violations of a sacred and fundamental principle of the government. All republics have placed a high estimate on the elective franchise, and have imposed penalties for its violations and abuses in proportion to its magnitude.

I believe in the Grecian States, in their republican days, a violation of the elective franchise was punished by death. It was also a penal offence for a citizen of one State to vote in, or meddle with, the institutions of another. Such an offence was looked upon and punished as treason, in every republic. An abuse of the elective franchise is a violation of a fundamental principle

of the government, and an attempt to overthrow the government itself. No institution should be granted with such jealous care as that of the elective franchise; for the overthrow of all others put together would not so much endanger our liberties. It is the highest duty that every citizen owes to himself, to his country, to the memory of his ancestors, to their blood and treasure spilled and expended in the great revolution by which we were redeemed; and, above all, to those who are to come after him, to preserve this franchise in its pristine purity, and to transmit it unscathed to posterity.

My next object is to show that the elective franchise has been basely violated, and the ballot-box most corruptly abused. If I can do that, I will have shown good reasons why this bill should pass, or some other one that will prevent such abuse and such corruption hereafter.

I have stated that our constitutions and laws have defined the manner in which the elective franchise shall be used, as well as who shall be entitled to its exercise; and the same rules prohibit its use in any other way than those prescribed, and by any other persons than those designated. For this purpose elective precincts are established in every county in every State in the Union. By the wisdom of our law-makers, those precincts are small; they have also provided for the appointment of a class of officers called judges of election, whose duty it is to know of themselves, or by information, all persons who are or are not entitled to the use of the elective franchise. The judges are sworn to receive no vote from the hand of any one not entitled to a vote within the precinct, and to reject all votes from persons living without the precinct, whether citizens of the State or of the United States, or not. The object of those provisions and guards, is to secure the elective franchise from abuse. Our constitutions and laws have peculiarly guarded the States from interference with each other in relation to the privilege and use of the ballot-box; and all elections are declared void which are vitiated by illegal votes—whether by illegal votes from the hand of those who have no right to vote, or having a right to vote, vote in the precinct, county, or State, other than that designated as the proper place to vote. It is now my purpose to show that the elective franchise has been violated in all the particulars which I have mentioned, and more especially by persons voting in States, counties, and precincts in which they had no right to vote, and in violating express laws regulating elections, and defying the privileges of elections; and it is to prevent a repetition of such violations hereafter, and in all time, that I have introduced this bill. It would seem that the framers of the federal constitution had a presentiment of the possibility of the abuse of the elective franchise, in the very manner and by the very means by which it has been violated; hence they reserved the means to the Federal Congress of preventing such an evil.

I hold in my hand the Constitution of the United States. The fourth section of the first article reads thus:

"The times, places, and manner of holding elections for senators and representatives shall be prescribed in each State by the legislature thereof; but the Congress may at any time, by law, make or alter such regulation, except as to the place of choosing senators."

A part of article second, section first, reads thus:

"The Congress may determine the time of choosing the electors, and the day on which they shall give their votes, which day shall be the same throughout the United States."

And these, sir, are the constitutional authorities for the passage of the bill now under consideration. There never was a time, nor will there ever be a time, when it will be more proper for Congress to interfere and assert its constitutional authority in this matter than at this time.

It would seem, with the knowledgewe which we possess of the wholesale frauds and unparalleled treason that were practised in 1838 and 1840, that it is an imperative duty that we owe to our situation, to the country, and the oath we have taken, to pass some law which will arrest a repetition of such frauds. I would be excusable in the mere assertion of the frauds upon the ballot-box, and violation of the elective franchise, practised in the elections of those years, so well are they known, and so firmly are they fixed in the conventions of this wide-spread community; but I have promised proofs and exposes, so I proceed to present some of them. I say some of them, for I have neither time nor space to give even those I have more than a bird's-eye glance, nor have I had time or opportunity to collect the one-thousandth part.

I hold in my hand a book. It is the journal of an investigating committee raised and authorized by the legislature of Ohio to investigate a contest between J. C. Wright, contestor, and G. W. Holmes, contestee, (all of the county of Hamilton,) who were candidates for the Ohio Senate at the annual election of 1840—the former as rank a blue-light federal who as ever justified the Hartford convention, or worshipped a coon; the latter as pure and as firm a locofoco anti-bank Jeffersonian democrat as ever bore the name, or "skinned a coon"; both clever fellows, and highly respectable citizens in every personal and private sense. Holmes was the successful candidate; Wright contested his seat; and this book contains the evidence disclosed by the contest. It is a large book; it contains four hundred and twenty pages; and every page, from the title-page to the last page, is crowded in close lines and small type, with evidence of the basest frauds on the elective franchise. Well as the frauds of 1840 are understood, this book discloses the same to a new generation, and almost beyond comprehension. Did I not owe it to my conscience, to my country, and to my office, and this constitution, which I have bound myself with uplifted hand, and in presence of my God, to support—for the honor of my country, and for the character of our public institutions at home and abroad, I could wish this book, and all such evidence of fraud practised in that memorable 1840, were among the things that never were. But the evidence is here in books; it has a place in the knowledge and recollection of the people in this country; and it is matter of taunt and boast in other countries. So, our best plan is to use it, and expose it, to prevent a repetition of such frauds. Sir, I have evidence indisputable that not less than seven hundred voters were imported into the single county of Hamilton, at the election of 1840, to defeat the democratic ticket by a regular, organized system of swindling and pipelaying. A part of the evidence is contained in the journal to which I have referred; a part in

the acknowledgements of those who participated in the frauds, not only as workers and conductors of the iniquity, but as voters also; but a larger part in letters which I received from persons residing in the interior of the State Ohio, and several other western States—letters received before the election, informing me that arrangements were making by the whigs to send voters by companies to defeat my election, and letters received after the election, informing me that companies had been sent, had voted, and boasted of having done their part to defeat "bully Duncan." I have said that I have neither time nor space to display but a small part of this mass of evidence. I can only present one of the most glaring items, and merely allude to the balance. Pipelayers flocked from other districts, and other States—some on foot, some on horseback, some on mules, by wagon-loads, by stage-loads, and by steamboat-loads. My time will only permit me to notice the steamboat-loads. I will ask the clerk to read the following deposition. The clerk read:

DEPOSITION OF JEFFERSON PEAK.

In the matter of the contested election, where the seat of George W. Holmes, in the Senate of the State of Ohio, is contested by an elector of Hamilton county, the said George W. Holmes appeared by his attorney, Thomas J. Henderson, at the clerk's office of the Gallatin circuit court, in the town of Warsaw, county of Gallatin, State of Kentucky, on the second day of December, 1840, agreeably to the annexed notice, and adjourned over until to-morrow morning, December 3, 1840, as endorsed on said notice.

DECEMBER 3, 1840.

Met pursuant to adjournment, when Jefferson Peak, a witness, produced on the part of said G. W. Holmes, who being duly cautioned and sworn, deposes and says:

Question by Thos. J. Henderson, attorney for G. W. Holmes.—Please to state if you know of any person or persons taken to Cincinnati to vote at the State election held on the 13th of October last; and if you know any thing about it, state all you know in relation to them?

Answer by Deponent.—I went on board the steamboat Mail, at this place, on the night previous to the State election in Ohio, for Lawrenceburg, Indiana, on business for Messrs. Peak and Roberts, of this place. On going aboard, I found the boat so much crowded, that there was no possible chance for sleep, either on the floor, or in a state-room or berth. As there were so many persons on board, over and above places for sleep, including the floor, myself, with a number of others were compelled to sit up all night, or nearly so. I did get to lie down a short time before day by occupying another man's place on the floor, which he had just left.

During the night on our way up, nearly all the conversation seemed to be in relation to the Ohio election, that was to take place on the next day; and a great portion of the passengers that I saw that night did not have the appearance that cabin passengers usually have, though I did not see anything like all the passengers which were on board, as I got off of said boat about daylight, at Lawrenceburg, and a great portion of them were in bed when I went on board, as every place seemed to be crowded; and the greater portion of those I saw seemed to be more like ruffians than otherwise. And when the boat stopped at Lawrenceburg to put me out, they sent me ashore in the yawl, and I had to pass through the lower deck to get to the yawl, and there appeared to be a great many persons on deck as well as in the cabin.

After remaining in Lawrenceburg a short time—probably one and a half hours, I left for Cincinnati, Ohio, on board the steamboat Indiana, where we arrived about 10 o'clock on the morning of the day of the election in said State. During which day, in passing through the city of Cincinnati, I saw several advertisements sticking up in different places, purporting to want hands to go on the Green river locks to work, to the number of one or two hundred hands. This advertisement stated that they wished all the hands that would condescend to go, to be ready on the wharf on Wednesday morning, the 14th of October, ready to go on board the mail boat, for which so much per month will be given—the amount not recollected. On my arriving at the mail boat, Gen. Pike, next morning, I saw an unusual number of persons on board said boat, Gen. Pike; and also a large number on the wharf and wharf boat opposite the said steamboat Gen. Pike. I also saw a man on the wharf, with a sheet of paper in one hand, which appeared to contain a number of names, and a number of bank bills in the other, and seemed to be settling with a number of men on the wharf before the boat left, and the same man, with the aid of another, continued to settle and pay a number of men and boys, or youths, on board said boat, after she left the wharf. And after we had left the city of Cincinnati, and proceeded down stream some six or eight miles, Mr. E. F. Calhoun, of Mississippi, and myself, were in conversation on the politics of the day, and during which time a gentleman by the name of George Baell, of Lawrenceburg, came up to us in the cabin of said boat, and asked me if I had noticed what was going on on board of the boat. I answered that I did not know of any thing strange. He then asked me if I had not observed a man paying off men on the boat ever since she had left the shore. I answered I had, before she left and since. He asked me if I knew what it meant. It told him I supposed it was an individual who had been to Cincinnati to engage hands to go on the Green river locks. He immediately informed me that it was a man paying off persons for going to Cincinnati to vote for Pendleton. I said to him, it can't be possible. He replied, come with me, and I will prove it to you, or I will satisfy you, I do not recollect which. He then stated, as well as I can recollect, towards the crowd, when they were assembled at or near one end of the cabin of said boat. I called or spoke to him to stop, which he did. I then remarked to him [Duell] and Mr. Calhoun, and requested them to be cautious, and we would find them out. About this time the crowd appeared to move forward, and assembled again on the boiler deck, in front of the cabin. We three then proceeded near the crowd. I went up in the crowd, and observed one man sitting on the railing of the boat, and some ten or fifteen around him; the one sitting seemed to be making calculations; and he asked one of the men how much did they owe him, or how much was his bill; he replied, Sunday, Monday, Tuesday, and Wednesday. The man remarked, that was making the calculation, that he ought not to

charge for Sunday, as he could not make anything in Louisville on Sunday. He remarked that he was to have a dollar per day for every day, Sunday included, and board in the city of Cincinnati. Just at that time the man sitting down observed me looking on; and some individual who stood by holding a sheet of paper in his hand, with a large number of names on the same; and the individual sitting on the rail observing me looking on the same, he immediately snatched the paper in the other man's hand, and tore the same in two; and remarked, at the same time, by G—d he did not want every man to see that paper.

The whole crowd then moved their stand to near the wheel-house; and there, as before, appeared to proceed to settle with divers individuals. They seemed to come up from the deck of said boat into the cabin in crowds of from 10 to 15 in number; and after they got through settling, and a portion of them receiving their money, they would disperse and go below, and another crowd come up. They continued in the same way, I think until about one o'clock, P. M., of said day; during which time I did not fully satisfy myself about the matter.

I then went to the clerk of the boat, who was at that time a stranger to me; I asked him how many men were there on board that had been carried to Cincinnati to vote. He laughed, and remarked that he did not know. I asked him who settled for their passage. He pointed out to me a man, rather an elderly looking man; I afterward found out his name to be William Stewart, from himself. I asked the clerk of the boat if he had a list of their names. He said yes; there lay a paper on his desk. I asked if that was the one. He said it was. I then took it in my hand, and then laid it down again, as I thought it would not be prudent to open it, as I had picked it up of my own accord. I then went to several of the men, and asked them a great many questions; where they lived. They all said that I talked with, but two exceptions (that they were citizens of Louisville, Kentucky; the other two lived in Indiana, one in Jeffersonville, the other in Indianapolis. These men on board of the Pike (but with few exceptions) seemed to be a set of cut-throats and ruffians. One of them was pointed out to me by one of the head officers of the boat, who observed that, while he (the officer) was lathering his face, that fellow stole his razor. And another one was pointed out to me by a whig passenger, who observed that he was sold under the vagrant act at St. Louis for six bits. I then called on an individual on board of said boat, (Pike,) who belonged to the steamboat Mail, by the name of Robert Edmonson, a nephew of mine, and asked him what he was doing on the Pike, and why he was not on the steamboat Mail. He observed that he had stayed at Cincinnati to vote, and then going to his home, which is about six miles from Warsaw, in Kentucky. I asked him why he would vote in Ohio, or any where else, when he well knew he was not old enough. He said he knew that. I asked him if he swore to his vote. He said he was too smart for that; he said when he was in Louisville that yonder (pointing to William Stewart) came to him on the wharf at Louisville and offered him and another man a dollar a piece per day, and pay their expenses to Cincinnati and back; if they would go and vote the whig ticket. And after chatting some time with said Stewart (Edmonson) said he would see him (Stewart) damned first, before he would vote for money; but that they both belonged to the steamboat Mail, and were going to Cincinnati, and intended to vote the whig ticket. I asked Edmonson if he voted the whig ticket, and he said he did. I then asked said Edmonson to give me all the names that he knew had voted illegal votes; to which he refused, stating as his reason that, if he did that, they would take his life; and that he was afraid to, and did not wish to be brought into any scrapes about the election; that they were a set of swindlers and cut-throats, and would steal the coat off a man's back.

Some time after dinner, for the first time, I saw the man (Stewart) alone, who had been during the day, sitting with the men. It was just before we arrived at Aurora, or Rising Sun, I think the former; and some of the persons on board had painted or marked on a board the whig majority in Hamilton county and city of Cincinnati. I stepped up to him and remarked, that we would soon have a fine huzzaz; and in a few moments, the persons on the shore, at the before-mentioned town, saw the result of the vote on the board, and raised a tremendous huzzaz. He remarked to me, at the same time, and said, is it not a great victory to beat such a scoundrel and villain as Duncan? I observed, that I thought that the party had gone to greater lengths to beat Duncan than any one of the party. He said yes; for he was the greatest scoundrel in the world, as well as I recollect.

I at that moment hid my hand on his shoulder and observed, old fellow, if it had not been for you, that we never would have beat them in the world. To which he replied, beat indeed! No indeed, said he, if it had not been for the votes that I carried to Cincinnati, that Duncan would of beaten them to death. I asked him, how in the devil did you manage so as not to be found out? What would did they vote? He remarked, that he divided them out, and carried seven or eight at a time, and voted in different wards, and his friends helped him, and a portion of them voted in the third ward. I asked him if he carried as many as eighty or a hundred; and he remarked, that he carried more than either; and remarked more than once that he carried more than Pendleton's majority. And, I suppose, there were eighty or a hundred on board that day, and, probably, over that number.

Stewart also informed me that he was the man that beat Merrywether, in Jefferson county, Ky., who ran at the August election, for a seat in the legislature of Kentucky. I asked him how he managed. He told me that he took the men from the city of Louisville, and carried them to Six Mile island, and there kept them several days, and eat, drank, and slept with them, until Monday of the election, and then carried them over into Jefferson county, and he got them to vote, and in that way he beat Merrywether. He also stated that the whigs did not treat him well at Cincinnati; for they did not give him but scanty-five dollars to pay the men with. I asked him who gave him that. He said that the Tippecanoe club gave it to him, of Cincinnati. He remarked, that he had paid out ten dollars of his own money, and that he could not pay them off until he got to Louisville. I asked him if they were making any noise about their pay, and he said no; that he had just been below and treated them to a dollar's worth of drink. He

also stated that he never eat until they eat. He also stated that they eat in the cabin, and part of them slept in the cabin and part on deck. He told me that he knew how many men it would take, and they were determined to have them. I noticed, at dinner, when the men came to the table, that it was easy to distinguish them from the rest of the passengers, or, that is, the most of them.

Mr. Shephard of this place, the editor of the Warsaw Patriot, a decided whig paper, and as much so as any in the State, was on board, and called on him to notice the men, and called his attention to a great many circumstances herein detailed. And I do further state, that I went to house where Shephard stopped, with an officer, on this day, for the purpose of bringing said Shephard before the justice for the purpose of taking his deposition, but he could not be found.

The same Stewart informed me that he would have no difficulty in getting the money on his arrival at Louisville. I asked him if they did pay him well for his trouble. He said he did not charge anything, only his money back; that what he had done he done free of charge. I asked him how many went up on the steamboat Mail; I think he told me between eighty and one hundred. I asked him who had charge of those on the Mail, and he informed me that Russell had; and I think he said Captain Russell. I asked him if they swore the men that he carried up to vote, and he told me nearly all of them. He told me that he told them, when they came on board the boat at Louisville, what they should have if they voted, and if they did not vote, they well knew what they would get. And further this deponent saith not.

JEFFERSON PEAK.

Sworn to and subscribed before us, this 3d day of December, 1840.

B. TILLER, J. P. G. C.
JAS. F. BLANTON, J. P. G. C.

Commonwealth of Kentucky Gallatin Co. ec.

The foregoing deposition of Jefferson Peak was this day, taken, subscribed, and sworn to by the said Jefferson Peak, before the undersigned, two of the commonwealth justices of the peace within and for the county of Gallatin, State of Kentucky, at the time and place, and for the purpose stated in the caption thereof, and the notice hereto annexed. The said Jefferson Peak being duly sworn, and the question propounded, did in our presence, write with his own hand, the said foregoing deposition.

Given under our hands and seals this 3d day of December, A. D. 1840.

B. TILLER, J. P. G. C. [SEAL.]
JAS. F. BLANTON, J. P. G. C. [SEAL.]

But as I have said those frauds were not confined to Hamilton county, they were wide spread and never can be but partially exposed. I hold in my hand an expose of the frauds practised in Philadelphia, as corrupt and as alarming as those which I have partially exposed, as practised in Hamilton county. I also hold in my hands the Gentworth funds as practised in New York, which can only be equalled in infamy by those which I have named. The limits of a speech will not permit any thing more than a mere synopsis of those frauds. I will ask the clerk to read some short extracts of the Gentworth funds in New York. The clerk read them.

Mr. Spenker, I have nothing to say of the political crime, and moral depravity involved in holding a seat on this floor, obtained by such means as those disclosed by these reports, only so far as I and my constituents are concerned. The individuals who it is said were returned to this House by this system of fraud, were Charles Naylor of Philadelphia; Edward Curtis, Moses Grinnell, Ogden Hoffman, and James Monroe of New York; and N. G. Pendleton of Ohio. How many more have been returned I know not, nor is my present purpose to inquire, (except as to the member from Ohio.) O'Brien I leave others to speak, with the single remark, that present honor gained by such frauds and treason will but future infamy and contempt. But I repeat, that I have something to say of these frauds as connected with those I have the honor to represent.

The people of the first congressional district of Ohio had no representative in the 27th Congress of their choice. N. G. Pendleton, Esq. of Cincinnati, bore the governor's certificate, with the broad seal of Ohio; and by virtue of that certificate and broad seal he appeared and took his seat here; but he was no representative of the people of the district which the broad seal represented him to be. He was the representative of a minority of the people of the first congressional district of Ohio, and of other States and counties without the district of his residence; and if Mr. Pendleton held a seat, knowing those facts, he held it in the guilt of treason and in crime of perjury. He may not have known them, though every body else in the world beside knew them. Mr. Pendleton, in all the frauds, perjuries, briberies, and treasons which characterized the elections of 1840, all over the Union but more especially in the Ohio first congressional district, may have been a political automaton or mere man-machine, and, like Balaam's ass, moved merely as he was kicked into passive action and obedience. If so, he must be discharged from any imputation of immorality or crime, and the charge passed to his stupidity. I undertake to say there was not one dollar short of fifty thousand expended in and out of Hamilton county, to secure the election of the whig candidate for that district; and no man who has a character for truth and veracity, and who wishes to maintain that character, and who is acquainted with the circumstances, will undertake to deny that assertion. That vast sum was expended in consummation of the frauds which you have seen and heard disclosed. Mr. Pendleton may not have advanced one dollar, nor one mill, of all that sum. Through one of the richest men in the city of Cincinnati, or the State of Ohio, himself, and more immediately interested than all others, he may not have advanced one dollar to secure his own election, which was secured by a system of swindling which no agency but money would have secured, and no sum less than that which I have named would have been sufficient; yet, I repeat, he may not have advanced one dollar for such an infamous purpose, to secure such a infamous end. The liberality of his federal party friends, in their zeal to overthrow the democratic party, and to defeat the democratic candidate, may have done all without his knowledge, and

The Philadelphia and New York funds are not inserted for want of room.