THE ANTI-SLAVERY BUGLE

is published every Friday, at *Salem, Columbiana Co., Ohio*, by the Executive Committee of the WESTERN ANTI-SLAVERY SOCIETY; and is the only paper in the Great West which advocates secession from pro-slavery governments and pro-slavery church organizations. It is Edited by BENJAMIN S. and J. ELIZABETH JONES; and while urging upon the people the duty of holding "No union with Slaveholders," either in Church or State, as the only consistent position an Abolitionist can occupy, and as the *best* means for the destruction of slavery; it will, so far as its limits permit, give a history of the daily progress of the anti-slavery cause—exhibit the policy and practice of slaveholders, and by facts and arguments endeavor to increase the zeal and activity of every true lover of Freedom. In addition to its anti-slavery matter, it will contain general news, choice extracts, moral tales, &c. It is to be hoped that all the friends of the Western Anti-Slavery Society—all the advocates of the Disunion movement, will do what they can to aid in the support of the paper, by extending its circulation. You who live in the West should sustain the paper that is published in your midst. The Bugle is printed on an imperial sheet, and subscribers may take their choice of the following

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ANTI-SLAVERY BUGLE.

"NO UNION WITH SLAVEHOLDERS."

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The Ohio Black Laws.

BY WM. L. PERKINS.

The laws of the State of Ohio, the first of which is entitled "An act to regulate black and mulatto persons," and the others, acts amendatory thereof, and which in common parlance are significantly denominated "the Ohio Black Laws," are contained in Swan's Statutes, commencing at page 592.

The first was passed January 5, 1804—more than two years after the adoption of our Constitution, and required all black and mulatto persons residing here prior to June, 1804, to have their names and the names of their children registered in the office of the clerk of the court of Common Pleas in the proper county, and take a certificate thereof, as evidence of their freedom. It prohibits the settling or residence of others within the State, unless they have a certificate from some court in the United States of their freedom, which must be recorded in the proper county. It prescribes a penalty on all persons who shall hire or in any way employ any colored person who has not such certificates. Care is taken to provide for the clerk, who must be paid by those for whose especial benefit his services are rendered. The last section visits a severe pecuniary penalty on any one who shall remove or attempt to remove from the State any colored person, without first proving his right to do so; and doubtless this section performed the office of grand lubricator, rendering the ways smooth and slippery, so that this otherwise uncovered deformity glided easily through the Legislature. The first amendatory act was passed January 25, 1807. This act prohibits any black or mulatto from emigrating to or settling here, unless within twenty days he shall enter into bond with two freehold sureties in $500, for his or her good behavior and support; if afterwards chargeable, and on non-compliance, the overseers of the poor are authorized to remove such person out of the State. The bond is to be entered into before the clerk, a certificate taken, and the clerk to receive one dollar from the emigrant, and a penalty of $100, half to the informer, by way of temptation to cupidity, is provided against any person who shall employ or harbor such emigrant if he has not the certificate, and moreover such employer is made forever chargeable for his support, if he shall become unable to support himself. The 9th section of this act prohibits any black or mulatto person from being sworn or giving evidence in any cause of prosecution in which either party is a white person.

The remaining amendatory act was passed January 27, 1834. It enacts no new disabilities, but provides for the recording and authentication of the certificate. There is on the face of Swan's Statutes another act commonly known as the "Kentucky Black Law," passed in 1839, where the free people of Ohio, by their representatives, servilely played lackey to the slave aristocracy of Kentucky; but this has been repealed.—Two other provisons in our law may be classed with the foregoing. One denies the colored man the power to gain a settlement, the other debars him the sacred right of the benefit of the school fund for the education of his children.

It is proposed to show that these laws are a violation of the Constitution of the United States and of this State, of the Ordinance of 1787, and of the principles and genius of our institutions.

First: They are a violation of the Constitution and Ordinance. Up to the time of the adoption of the Constitution of Ohio, the colored inhabitants of the territory had all the rights and franchises which the whites possessed. The Constitution of the United States declares that "the citizens of each State shall be entitled to all the privileges and immunities of citizens in the several States." The Ordinance of 1787 for the government of this then territory, provided that "for every five hundred *free male inhabitants* there should be one representative in the General Assembly." In the 2d article of the "Articles of Compact," in the same organic law, is this provision: "The *inhabitants* of the said territory shall always be entitled to the benefit of judicial proceedings according to the course of the common law." These "Articles of Compact" our Supreme Court have decided in 5, O. R. 410, are as obligatory on the State as her Constitution. By a territorial act passed December 6, 1799, to ascertain the number of "*free male inhabitants*" of the age of twenty-one, and to regulate the election of representatives for the same, provision is made for taking the number of "*free male inhabitants*," and in defining the qualification of electors, mention is made of "*every free male inhabitant*."

These several organic laws and legislative enactments were in force at the time of the adoption of our Constitution, and there existed no law abridging the rights of colored citizens, except such as were fugitive slaves. "*Inhabitants*," "*free male inhabitants*," "*citizens*," are words of most general signification, and embrace every class of society. In these several laws and acts no allusion whatever is made to color. The word "free" negatively excludes slaves, white or black, and the one as well as the other. This caution was unnecessary, for by the "Articles of Compact," of the ordinance, slavery could not exist here; so that the moment a slave, of any color, should touch our holy soil, unless he were a fugitive, he was a freeman.

It is plainly demonstrated by the preceding, that at the time of the adoption of our State Constitution the colored inhabitants of Ohio had all the rights, privileges and immunities of other citizens.

Of what rights did the Constitution deprive the colored citizens of Ohio?—for, as we have already shown, the blacks were part of the people; the delegates who formed the Constitution were therefore the delegates of the colored portion, as well as of the white portion of the people, and the whole people must abide by the Constitution. By the first section of the fourth article, it is provided that "in all elections, all *white male inhabitants* above the age of twenty-one years," &c., "shall enjoy the right of an elector."—Throughout the Constitution this is the only mention of or allusion to color, and by its negative effect excludes blacks from voting at elections. These rights so left them were by the Constitution guarantied to them. The Legislature is bounded by the Constitution. Its powers are thereby delegated. As the delegates of the people finished their fabric of liberty, they closed the door upon the introduction of any further powers, or the transgression by the Legislature of those given; placed their seal upon it, and in the 28th section of the bill of rights, set over it a never-sleeping guard, which, like the double-flaming sword, turns every way, and declares "that all powers not hereby delegated remain with the people." There is no power delegated to disfranchise an innocent citizen.—If the laws under consideration do disfranchise such, they are therefore unconstitutional.

Among the franchises of a freeman are the following: The right to remain peaceably in the State—to be employed and receive the hire of his labor without his name being enrolled or exhibiting a certificate—the right to testify in courts of justice and otherwheres where testimony is given—the right to gain a settlement and be supported in his infirmity by that government which in his vigor he has helped sustain—the right that his children shall be educated by the public bounty provided for all the people, and for which side by side with our white fathers, his colored father fought and bled. Of these inestimable franchises the "Ohio Black Laws" have divested the innocent, colored citizens, and they are therefore thus far unconstitutional and void.

The citizen of other States coming here to reside, is required to give bond for good behavior and his maintenance; he therefore has not the privileges and immunities of citizens of this State, and so the law is a violation of the provisions of the Constitution of the United States, above quoted, and is therefore void. By the course of the common law every individual, whatever his grade, country, religion or color, unless interested, infamous by crime, an atheist, or related as husband and wife, may be sworn and give testimony in all places. Of this high franchise the colored citizens of Ohio are divested by these laws without any offence on their part, and so the law is an infraction of the provisions of the "Articles of Compact" in the ordinance above quoted, and therefore void.

I am now to show that these laws besides being an infraction of the letter of our constitution and other organic laws, are a violation of the principles and genius of our institutions.

And in the first place, it is to be considered that ours is a government of written constitutions. They rest not in the minds of Presidents, Governors, Legislators, or Judges, to be varied by the passions and caprices of changed or changing men; but, living on parchment and paper, remain the same.—They are not secreted in governmental recesses, that, all unseen by the people, Legislators may enact such laws as they please, and refer to a hidden constitution for authority; or a judge, after his victim is caught in the toils of the courts, may draw the manuscript from his side pocket and say, "here is the law;" but through a press, free as the air we breath, they are printed and re-printed, and in the hands of every citizen, demanding their approbation and support. Without this popular approbation and support, they are but paper and lampblack. They possess no intrinsic *power to compel* reverence or obedience; for these they rest alone on the respect and regard of the people. The people, as if by an irresistible force of instinct, adhere to their organic laws. This is the secret of the perpetuity of the Union, amidst the roar of conflicting elements. This is the way on which our country has advanced with rail-road speed, overtaken and out-stripped the progress of the old established governments of the world. Cherished by the government, in all its departments, this popular devotion to the constitutions would grow with our growth, and strengthen with our strength, and imagination could set no bounds to our greatness. But if, on the other hand, legislators and judges disregard these sacred instruments, every infraction serves to weaken the public respect. The consequence of unconstitutional laws repeated daily in the eyes of the people—the deep regard for them, of which I have spoken, is speedily changed to contempt and disgust. Our progress will be stayed, anarchy intervene, and the history of our boasted free institutions be written in the past, by the literary minions of monarchy and tyranny.

It must ever be remembered that at the foundation of our institutions lie the principles of equal rights and equal justice. Observe how carefully the constitution of Ohio has established this substratum. "*All* men are born equally free and independent."—"That all courts shall be open, and *every person* * * * shall have remedy by due course of law, and right and justice administered without denial or delay." "The doors of the said schools, academies and universities, shall be open for the reception of scholars, students and teachers, *of every grade, without any distinction, or preference whatever*." The foundation shaken, the superstructure cracks, crumbles, falls. Have not the laws under contemplation subverted these principles? Examples explain things best. Two citizens of Massachusetts, one white the other black, come to Ohio; one is received into all the rights of citizenship, the other is compelled to give bail, is excluded from the courts, and his children condemned to ignorance. A white citizen of Ohio buys and sells with a colored one. The first sues the other on account, and is admitted to prove it by his oath. The other presents his account well kept and in amount the largest—he possesses a moral character above reproach, but looses his offset and the fruits of his industry and frugality, because the Almighty having seen fit to give him another complexion, our laws do not permit him to testify. A few years since, in Cleveland, a white person entered the house of a colored family and broke and destroyed the furniture and goods. The benevolent relieved their distresses, but the outraged laws, strangled by the power that made them, reposed in silence. A few years since, a colored man resided about a mile north of Cincinnati, and being in the city, was kidnapped and sold into slavery.—He got free, returned, and sued his kidnapper. He was shot in his own house, in the bosom of his family, the members of which saw and recognized the murderer. But he walks the streets of the proud city of the west with impunity, and men point the finger, and say, "*There goes the law-protected murderer!*"

The county of Clinton was the scene of a more horrid tragedy a number of years since. A man and his wife were kidnapped.—Prompted by the love of liberty and the horrors of slavery, the man resisted desperately. The frantic husband was overpowered. They were taken into the woods, and the husband was deliberately *shot before the eyes of his wife*. She was carried into a slave State and sold there. She succeeded in obtaining her freedom, and returned. But the blood of her murdered husband cried from the ground in vain. Her skin was black; and the land groans under the guilty tread of the murderers.

Two instances of kidnapping have occurred in Ohio three summers past. One of them in our metropolis, upon the person of a respectable freeman, fourteen years a citizen of Ohio. A part of his kidnappers were arrested and put on trial. Benevolent citizens of Columbus bribed those who had him in custody under claim of title in Kentucky, for $500, to give him up. He returned to Columbus while the trial of his kidnappers was in progress. There sits the judge in robes of justice, the scales trembling in his hand—the guilty men are there—they may and probably will escape for want of proof—and there sits Jerry Phinney, the subject of the outrage—knows every one of the minutest facts of the dark transaction. Why does not the Prosecuting Attorney, sworn faithfully to discharge his duties—why does not the Judge, conservator of the laws, call on the witness to disclose the perfect knowledge in his possession? Why does not the injured man speak? His skin is not of the same complexion with that of the culprit's at the bar—his lips are hermetically sealed by the law. Where, in the annals of the christian world, is justice so manacled!

It is an indisputable fact, that white men settle in the neighborhood of blacks for the purpose of plundering them of their property under the sanction of law. In the case of Jordan vs. Smith 14th Ohio Reports 199, the court say: "The white man may now plunder the negro of his property; he may abuse his person; he may take his life: He may do this in open day-light, in the presence of multitudes who witness the transaction, and he must go acquitted, unless perchance there happens to be some white man present."—Judge Hitchcock, the oldest member of the court, of great and long experience, who more than any other man in the State, has moulded and given stamp to our jurisprudence, and who wrote the opinion of the court in the above case, adds his testimony, that "the uniform effect of the law has been to prevent justice, both public and private." By these laws, therefore, the principles of equal rights and equal justice are subverted.

From the illustrious Washington downwards to the man of the smallest degree of common sense, it is an agreed fact, oftener reiterrated than any other, that the education of the *whole* people is the great bulwark of our free institutions. We have now in the State about 20,000 colored persons. The several census show that their increase is regular; not a shade of difference since the enactment of the "Black Laws" from what it was before; and relatively the same as the whites. They are to remain with us, a portion of our population, and are to increase with our increase. Is it wise that they shall be kept in ignorance? Is it magnanimous, that *we*, an intelligent people, should deny them the means of intellectual and moral improvement, and then unbraid them as degraded and vicious? They desire education—they wish to be valuable citizens—*we* mock their aspirations, and tell them they are degraded. We curse the inhuman wretch who leaves any being in the form of humanity to perish with hunger, yet we leave the immortal mind to famish with want.

We boast that our institutions are *free*.—The hypocritical Pharisees made broad their phylacteries, and wore them conspiciously, but in practice disregarded the sentiments upon them. So we loudly quote the Declaration of Independence, the Ordinance and our Constitution, against slavery—we print them in staring capitals—we hurl epithets at our brethren of the slave States, and when they point in derision at our disgraceful laws, we make up in clamor what we want in principle, and vociferate, "*We are free—we are free—are we not a free State?*" *Free?—no slavery in Ohio?* In the name of Liberty, what mean apologists for the "Ohio Black Laws," by the words "freedom and slavery!" The colored citizen of Ohio may indeed expatriate himself, and find in Canada under a monarchical government, the Liberty denied him in a free Republic. So may the subject of the Grand Turk. Is he free who is under bonds? Is he free whose lips are closed, and whom the laws forbid to speak the truth? Is he free who is condemned to ignorance and consequent degradation?—Does slavery consist in fetters and chains? Then there is no slavery in the United States. These are the insignia of crime, not of slavery. Is the idea of slavery to be confined to physical coercion? Does freedom consist in exemption therefrom? None but a slave of the lowest grade could entertain notions so gross. No. It is the manacles imposed on the mind—shackles placed on the rights of man, as man, in contra-distinction from his rights as an animal which constitutes the worst of slavery. Our fathers did not pour out their blood for our emancipation from foreign bondage, that their decendants should daily and forever witness the operations of domestic slavery. Let us, for shame, cease boasting of our *free* State. We are a slave State—more degrading to us on account of our organic laws and boasts of freedom, than the slave laws of our Southern brethren to them.

The children of a free country should be reared with sensitive regards for human rights. There should be no laws or customs which can blind their keen sense of the rights of man, of justice and freedom. On this sense, the purity and perpetuity of our institutions must greatly depend. The tyrannous operation of these laws habituate them to look on injustice and oppression as sanctioned by their own governments, and they grow up tyrants, in contempt of the sacred principles which sustain our institutions.

I have now shown that the "Black Laws of Ohio" are unconstitutional.

That the Constitution of the United States and of Ohio, depend for their support on the reverence of the people for them, and that these laws prevent that reverence.

That the principles of equal rights and equal justice lie at the foundation of our institutions, and that they are subverted by these laws.

That popular education is the bulwark of our institutions, and that these laws overthrow it and train up a numerous class in ignorance and degradation.

That while we boast *free* institutions, we in fact sustain and enforce the worst of slavery: and

That while our children should be reared in habits of a quick sense of the right of human nature, these laws accustom them to look with complacency on injustice and oppression.

I will only add my ardent hopes that the time is at hand, when the people of Ohio will wipe this deep and only stain from their escutcheon.

Anti-Slavery in New Mexico.

The Santa Fe Republican of October 18th contains the proceedings of a convention of delegates of the people of New Mexico, "to form a Constitution and apply to Congress for a State or Territorial Government, and to do such other acts as to them may seem for the interest of the people."

A majority of the convention were Mexicans. Antonio Jose Martin, of Taos, was elected president, and J. M. Giddings secretary; and the business of the convention was transacted mainly through an interpreter.

The only official act of this body was the adoption of a petition, on behalf of the people of New Mexico, to the Congress of the United States, in which they ask for the speedy organization of a territorial civil government for New Mexico. They represent that the organic and statute laws, promulgated by authority of the United States, September 22, 1846, with some few alterations, would be desirable to them. That they desire the appointment of a Governor, Secretary of the Territory, United States Marshall, District Attorney, and Judges; and to have all the usual rights of appeal from the Territorial Courts to the Supreme Court of the United States. They "respectfully, but firmly protest against the dismemberment of our (their) Territory, in favor of Texas, or for any cause." They furthermore say, "We do not desire to have domestic slavery within our borders, and until the time shall arrive for our admission into the Union, we desire to be protected by Congress against its introduction amongst us. A local legislature is asked for, and that their interests may be represented by a Delegate in Congress."

On motion of Mr Quinn, it was

Resolved, That the petition of the people of New Mexico, in Convention assembled, to the Congress of the United States, be forwarded to Hon. Thomas H. Benton, and the Hon. John M. Clayton, and that they be requested to represent the interests of this Territory, in the Senate of the United States."

It appears, from a statement in the Republican, that two of the delegates refused to take the oath of allegiance to the United States.

This convention was held in pursuance of a proclamation issued by the acting Governor of the Territory, Donaciana Vigil.

At one of the meetings, we observe that the claim of Texas, to any portion of the Territory of New Mexico, and the recommendation of the President of the United States that it be attached to the same, was denounced in strong terms. They say that "it is fabricated to defraud the government and the people of the Territory of their just rights," and that they look upon it "with scorn and disdain there not being in the State the least shadow of right, except in the wicked imagination of grasping demagogues."

The Slavery Question in Relation to California & New Mexico.

There is no longer any reason to doubt that both New Mexico and California are destined to remain free States. For several months we felt very anxious as to the result of the controversy in relation to these territories.—We greatly feared that the demands of the Southern politicians, heretofore, in all controversies between them and the politicians of the Northern States so potential, would be acceded to, and the virgin soil of the territories acquired by treaty from Mexico, would be cursed by the translation thither of African slavery with our other "democratic institutions." We breathe more freely now, since the convention assembled in New Mexico has protested against the introduction of our "peculiar domestic institutions" into that territory. This request can hardly be trampled under foot by Congress, and although Congress may not inhibit slavery there, it will not legalise its introduction in violation of the earnestly declared wishes of the New Mexicans.

It is very well known that Texas has preferred a claim in favor of the extension of her jurisdiction over all that portion of New Mexico lying on this side of the Rio Grande.—This claim is based on the resolution of the Texan Congress of 1836, which body, with a presumption rarely paralleled, declared that the Rio Grande was the "rightful boundary" of Texas, from its mouth to its source. This line includes a large portion of New Mexico, and on it, we have no doubt, a controversy will spring up. The claim of Texas will be sustained by a majority of those who are in favor of extending and perpetuating negro slavery, and opposed by those who are in favor of restricting it within its present limits. The decision of the question will belong to Congress, and it is not to be supposed that a majority of the representatives will record their votes in favor of a claim which the Whigs, in their opposition to the grounds on which the supporters of the Mexican war undertook to justify the course pursued by Mr. Polk, repudiated with great unanimity. The Whigs contended that the rightful boundary of Texas did not reach the Rio Grande, as necessary to show that the administration, in ordering the army to advance and take possession of the disputed territory, transcended its legitimate power. If it be true that the claim of Texas to the boundary of the Rio Grande was just, then the declaration of Mr. Polk that the war was commenced by Mexico, in shedding American blood on American soil, was strictly true. But the Whigs universally took issue with the President, and that party must in consistency repudiate the claim of Texas to jurisdiction over any portion of New Mexico. Many of the Democrats, who are opposed to the extension of slavery into New Mexico, will join the Whigs in Congress in opposing the Texan claim, and the result will be a large majority in the House of Representatives against that claim. Such a decision will protect the New Mexicans from the invasion of their territory by slavery, which they so justly and wisely dread.

We feel the most profound joy at the prospect of the settlement of the slavery question, as it relates to the Mexican territories, in opposition to the wishes of those who would force on them a blight as fatal as the breath of a pestilence. We sincerely hope that limits will speedily be fixed beyond which the dark and bitter tide of slavery cannot pass. To hem in slavery within certain prescribed limits is a great point gained. So long as new and fertile fields remain open to the extension of slavery, its perpetuation will necessarily be secured. But bounded and confined, it will in the course of time, become an evil so insupportable that its upholders will find some means to rid themselves of it.

We are not without a strong hope that a very considerable portion of Texas will be rescued from the curse of slavery. Very important movements are in progress in Ireland and France which may result in confining slavery to the cotton and sugar regions of Texas. We refer to the movements in respect to emigration from those countries to Texas. Already the work has been successfully begun, and it is stated that a large number of persons in comfortable circumstances in Ireland and France are preparing to remove to Texas. The troubles in Europe will cause an immense emigration to the United States, and Texas will be the recipient of much of it, and these emigrants, in making provision for the happiness and prosperity of their families, will hardly make so fatal a blunder as to employ slave labor in the cultivation of the soil.—*Louisville Examiner.*

☞ There is a gentleman yet living, in his 88th year, who says he shipped the first cotton from Charleston to Liverpool—three bags—which he helped pack by hand, and with the seed. The consignees in Liverpool discouraged any further shipment, as they did not know how to separate it from the seeds. This gentleman has in his possession a bed quilt, in a good state of preservation, made from this parcel of cotton, by his reverend mother. The seeds were picked out by her fingers. Now, our country is the principal cotton producing part of the world, making more than two millions of bales, all in the Southern section.

☞ Those who are curious to learn what the assembled wisdom of the State is doing at Columbus, may get an inkling of it from the following details. What a mercy that it is only the Whigs and Democrats who are guilty of such revolutionary acts; had it been the Disunionists, the cry of *Treason!* would have rung throughout the whole State, but as party interests require such demonstration at this crisis, why, it's all well enough.

From the Elyria Courier.

OHIO LEGISLATURE.

HOUSE.

As was anticipated, difficulty has arisen in organizing our Legislature. From the daily reports which are before us we shall endeavor to give a concise and accurate statement of proceedings, so far as received.

Between the hours of eight and nine Monday morning, the bell of the State House gave an uncertain sound, whereupon the Democrats proceeded to the House, and called Leiter from Stark to the chair. Smith, of Brown, was appointed Secretary. A call of Counties then commenced, beginning with *Hamilton*, and several members elect handed in their certificates, including the five Democrats from Hamilton, and were sworn in by Judge Reed, who was in attendance for the purpose. Before ten o'clock, 37 such certificates were received, at this hour Leiter called the House to order, and requested those not having certificates to retire from within the bar. (Every part of the House, even the windows were by this time crowded with spectators.) A call of the House to include only those not sworn in was then ordered, and Townshend, and Van Doren, of Sandusky, were sworn.

This finished, a Whig moved that the House proceed to organize regularly by appointing Holcomb, to the chair. The greatest confusion ensued, those in the galleries adding to the tumult, during which a motion was made that the old Whig Clerk, Swift, should call the roll, the Whigs voted aye, and Leiter insisted upon order. Townshend voted no. The roll of unsworn members was again called, the Whigs refused to answer except Bigger of Guernsey, who was sworn.

Swift, then commenced, from the left of the desk, to call the list of Representative districts in alphabetical order. Those already sworn refused to answer to this call, but those who had not presented their certificates except, Morse, Lee and Chaffee, were sworn in by Judge Avery, the last words of the oath being drowned in the voices of the voters and the yelling in the galleries. During all this time Leiter was also calling the roll of unsworn members. The Whig side of the House then adjourned till two o'clock.—The Democrats and spectators remained, and roll calling, noise and confusion, laughing &c., were the order of the day till half past one, when a lunch from Kelsey's was brought in, of which those present generally partook. A few minutes before two, Samuel Bigger addressed the Chair, remarking that for obvious reasons the House could not proceed to business, that he desired to converse freely with members irrespective of party, and therefore moved an adjournment until Tuesday morning. This motion was seconded by Mr. Townshend, and the ayes and nays being called, there were three ayes, (Messrs. Bigger, Smart and Townshend,) to thirty-six nays. A new call of the roll was ordered and J. F. Morse, member for Ashtabula and Lake was sworn. At two o'clock the Whigs returned, and Mr. Holcomb called the House to order, whereupon Leiter called out "Gentlemen must keep order." Mr. McClure, Free Soil member from Summit, stated that he had given his certificate, as he supposed, to the proper officer, he therefore regarded himself as a member of the House, and should perform his duty, fearless of consequences. On motion, Mr. Swift proceeded to read the certificate of a Justice of Franklin, declaring he had administered the oath to certain members. The tumult was almost deafening.—Cries were heard of "order! order! stop him! no, no—go on—don't let him do it—order! order! whew! go it! hurrah!" Mr. Leiter, at the same time adding to the disorder by rapping incessantly upon his desk and crying "order!" Mr. Olds, of Pickaway, attempted to speak, but was interrupted by Leiter and Pugh, of Hamilton. As soon as he could be heard he said—

"My proposition is this: we have seen gentlemen called up upon your side of the House and sworn, whose credentials you have taken as *prima facia* evidence of their right to seats. There are other gentlemen here with credentials in the hands of the Clerk of the late House of Representatives; let their names be entered upon the list with yours and we are prepared to go with you into an oganization of a House of Representatives."

Pugh replied, claiming that the organization was complete. Mr. Spencer, Whig from the 1st District of Hamilton, made some remarks claiming his seat. A resolution was then submitted by Mr. Townshend, of Lorain, in substance as follows:

"*Resolved*, That Messrs. Spencer, Runyan, Pugh and Pierce, all claiming rights to represent the first district of Hamilton county, he requested not to take their seats in this House, until all questions in relation to those seats be decided."

Mr. Olds then supported his proposition, stating that if it was not met in a spirit of candor he was ready to consider the above resolution. Considerable discussion ensued.

Mr. Pugh sugested that the Senate, in some case of contest had received certificates and admitted members under precisely the same circumstances that the Whigs now urge to reject the Democratic members from Hamilton.

Mr. Olds.—The Senate is the judge of the qualifications of its own members. We are here for the purpose of organization, and are not to be drawn from our position. We stand here determined to do right and resist the wrong; and I make this proposition; Let the names of our members be entered upon your list, and we will accept your chairman provided you will take a Clerk from us—say Mr. Swift or Mr. Townshend. [Cries