

## "THAT COUNTRY IS THE MOST PROSPEROUS, WHERE LABOR COMMANDS THE GREATEST REWARD."-BUCHANAN.

## CITY OF LANCASTER, TUESDAY MORNING, JANUARY 29, 1850.

## Marhle Vard

THE undersigned adopt this method of inform-ing their friends and the public in general, that they have taken the Marble Yard, formerly Conducted by Daniel Fagan, situated in North Queen Street, in the city of Lancaster, a few doore north of Van Kanan's (formerly Scholfield's) tavern whe'e they are prepared to execute all orders in heir line, in the neatest manner, at the most liberal prices, and with every possible expedition.

William Leonard acquired a thorough know' bigs the business in the most celebrated Marb' es-Abner S. Bear was an apprentice to Daniel Fagan, and has had many years experience. As their work is all to be finished by themselves, they feel assured, that they can afford entire satisfaction to

Assored, that they can about entrie satisfaction to their customers. They exhibit John Beard's celebrated BOOK OF DESIGNS, embracing a large and attractive variety, from which their patrons can scarcely fail to make satisfactory selections. WILLIAM LEONARD, Dec. 25-6m-48] , ABNER S. BEAR.

London Mustard, Pickles & Sauces

Mushroom and Walnut Ketchep. Prepared Salad Dressing for Lobsters, Chick-

English Mustard in pound and half pound bottles. Junn's Chemically Prepared Chocolate for Inva-

Spanish and French Olives, Capers, & Sweet Oil, Currie Powder, Indian Soy, and Cayenne Pepper. Anchovy, Shrimp, Bloater and Cavier Pastes. RICH SAUCES of every variety imported, such a Reading, Harvey, John Bull, Worcester, Camp,

kc. &c. &c. Preserved English Fruits and Provisions. Jellies, Jams, Marmalades, and Preserved Jamai-

Real Gorgona Anchovies. Stoughton

Syrups of every sort.

iqueres of the choicest kinds. London Pickles, Chow Chow, Piccalli, Gherkins

PAUL DE VERE & CO.'S flavoring extracts for Confoctionary, Ice Creams, Jellies, &c., viz: Lemon, Mace, Nutmeg, Peach, Vanilla, Celery, Rose, Orange Peel' Ginger, Clove, Almond, Nectarine &c The above articles, and many others of the choi-cest kind, are imported from the principal houses in England. For sale lower than any houses in the United States, by GEORGE RAPHAEL, 262 Pearl Street, U. S. Hotel, N. Y. Perfumery in every variety, Imported & Domestic. New York, Sept. 4 6m-32

**New Arrangement.** 

PHENIX LINE WAY TRAIN now leaves the Depot, No. 272 Market Street, EVERY DAY (except the Sabbath) at 11 o'clock A.M., for Downngtown, Lancaster and Columbia, and on its return o this city, will leave Columbia at 8 o'clock, and b this city, will leave Columbia at 8 o'clock, and ancaster at 9 A. M., and arrive in Philadelphia t 1 P. M. This line is intended to accommodate he public in general, and Passengers will be taken up and put down at any point along the road. The Cars will pass the following places at the

ollowing times for Philadelphia : 8 | Midway 9 Downingtown 9 15 Oakland 9 20 Steamboat 9 30 Paoli Bird-in-Hand mon Place

New Store and New Goods. New Hat and Cap Store, Corner of North Queen Street and Centre quare, Lancaster, Penna. T & H. BAUMGARDNER, having recently fit-East King St., a few doors west of the Farmer's Bank LEVI SWITH respectfully informs his thiends is now opening at his new Store, a splendid assort-ment of new and fashiofable HATS and CAPS, for fall and winter wear, which have been selected with great care, and will be sold at the lowest cash prices. For banty and superiority of finish they cannot be surpassed. His stock consists, in part, of Sik, Beaver, Mutria, Brush, Moleskin; Russia, Cassimere, &c., of various sizes and shapes. Hats made to order at as short notice as desired. East King St., a few doors west of the Farmer's Bar a. ted up a building with a view to the comfort and convenience of customers, and purchased cheap or cash a very large assortment of *Try Goods*, Clothing, Carpetings, Oil Cloths, Look-ing Glasses, Paper Hangings, Groceries, China, Glass, Queensware, Blind and Coach Trumpings, to the test

Coach Trumnings, gatensware, Bina and Coach Trumnings, gc., gc., are prepared to serve the public, with all articles in their line as reasonable as can be purchased in this city, and they will warrant every article sold to be of the quality represented. By gaving the establish-ment their pargonal superintendence the feel sure notice as desired. notice as desired. CAPS, CAPS, CAPS, CAPS1 His stock of Caps are of various styles and prices. He has received a new style of HAT-C-PS, with a variety of other patterns, such as Velvet, Cloth Glazed, &c. Call and examine his stock, in East King street, between the Court House and the Farmers' Bank. N. B. Hats bought at this establishment will be ironed free of charge. nent their personal superintendence, they feel sure f satisfying their patrons, and will endeavor always

of satisfying their patrons, and will endeavor always to shew the greatest variety of goods in this county, thus giving purchasers the advantage of getting all the articles they may need without running about town picking up one thing here and another there, and get them too at reasonable prices. They have also made arrangements to get from the larger cities any articles which may be required in a very short time and without extra charge. Their stock shall at all times consist in part of LOW PRICED GOODS, which they will sell as cheap as they can be had any where, as well as the FINER QUALI-TIES, of which they will always keep a large supply. With them may always be found Plain Black, Changeable, Figured, Watered, Flowered, Striped and Plaid SILKS, M. DE LAINES and CACHMERES, from common to the richest and handsomest patterns. roned free of charge. Nov. 6, '49. Grand Centre of A ANCASTER TOWER H STORE.—Just received, atest Fall and Winter Fashio not splendid assortment of FA GOODS ever before exhibited in at M. T. Ford's Tower Hall Clo site Vankenan's (late Scholfield's The citizens of Lancaster cou who may be visiting the city, a vited to an examination of this comprising an unrivelled collect

FRENCH, ENGLISH AND AMERICAN PRINTS

FRENCH, ENGLISH AND AMERICAN PRINTS in the greatest variety, Alpacas, Merinoes, and Plain Cachmeres, in all colors, Canton Crape, Silk, Woolen and Thibet Shawls, Plaid and Brocha Long and Square Shawls, Mourning and Second Mourn-V ing Goods, selected with great care, I nen and Muslin Sheetings, and Shirtings, Table Cloths and Covers, Napkins and Diapers, Woolen Blankets, from common to super qualities, Erussels, English 3-ply, Ingrain and Venetian CARPETINGS, 3-4, 4-4, 5-4, 6-4, 8-4, 10-4 FLOOR OIL CLOTHS, PAPER shall always be supplied with NEW STYLES OE FASHIONABLE GARMENTS, from the very low-est price to the most elegant and superior French Cloth Suits, full 25 per cent. lower than the same quality can be had elsewhere. This department also embraces the largest assortment or black and colored CLOTHS, CASSIMERES, SATTINETS, and VESTINGS, in this city, together with a full stock of French, English, and Italian Black and Guernsey Drawers, &c. Their stock of QUEENSWARE embraces nearly every article in that line, to which they have added a very large and varied assortment of Lard, Pine Hardie LAMPS, from the most approved patentees. The propietors respectfully invite the attention of patentees.

ing exclusively for cash he can

Vest, is just out, call and see.

The propietors respectfully invite the attention of the public to this complete collection of Goods, feeling confident that they are now enabled to satisfy the variousa tastes of men, women, and obliden

T. & H. also receive and fill with promptness all orders for COAL, and have it delivered in any part of the city at the very lowest prices. October 9, '49. 51-37

## Conestoga Foundry. STOVES! STOVES !! STOVES !!!

childre

11 00

11 45

No. 80

2000 STOVES on hand, comprising the best assortment ever kept in Pennsylvania. The following list includes a part of the most popular kind :--

ular kind:—
Hathaway's Improved Cook Stoves. Buck's Superior Cook do.
The very celebrated "Victory"do. The "Paragon" Cook do.
Also, a new Cooking Stove, called the "Farmer." Application has been made by the proprietor for Letters Patent for this stove, which he has desig-nated "THE FARMER," in view of its complete adaption to the wants and uses of this class of the community. It has been constructed with great care, upon the most scientific and approved princi-ples, and bids fair to become the most celebrated Cooking Stove in the country.
In addition to the above, the subscriber has an assortment of other COOKING STOVES adapted to heartily recommend to the people of Lancaster Lateratury recommend to the people of Laterater, all others to whom this may come, Dr. Waylan, Grndute of the Baltimore College of Dental Surgery, as a gentleman eminently qualified to practice his profession in a skillful and scientific manner, and profession in a skillful and scientific manner, and of moral character that entitles him to all confidence. I do also certify, that Dr. Waylan did obtain, a I do also certify that Dr. Wayian did obtain, as the award of a Committee, consisting of Dr. Parnily of New York, Dr. Roper of Philadelphia, and Dr. Noyes of Baltimore, a Case of Instruments, offered by the College as a prize for the greatest proficiency in the study and art of Dentistry as taught in the Institution assortment of other COOKING STOVES adapted to the use of coal or wood, such as the "Complete Cook," the "Parlour Cook," &c., &c., with all sizes of NINE PLATE WOOD STOVES, and a large variety of COAL STOVES for parlours, dining ms and offices. the same onces. Sor The proprietor of the Conestoga Foundry has purchased the right for manufacturing and selling the Hathaway and Buck's Patent Cook Stove for Lancaster country. neaster county. The castings at this foundry are made of the best No. 1 Codorus and Conowingo Iron, long celebra All todorus and Conowingo Iron, long celebra-ted for strength.
 Car All kinds of CASTINGS made to order.
 Castings received either at the Foundry or at the store of the subscriber in East King Street, a few doors from the Court House in the eity of Lancaster. June, 13, '48-20-tf.]

Groceries and Queensware,

Tea, Coffee, Sugar, Molasses, with every article in the grocery line. Oranges, Lemons, Figs, Rai-sins, Candies, Almonds, Filberts, Cream and

Baskets-French and other travelling, also mar-

MACKEREL

SHENK & LONGS'

Coaland Lumber Yard.

arriages, Chairs, &c.

October 9, '49

THE

argains !

Baskets, with or without covers, Baske

TERMS: TERMS: UBSCRIPTION.---Two dollars oper annum, payable in advance; two twenty-five, if not paid within six months; and two fifty, if not paid within the year. No subscription discontinued until all arrearages are paid, unless at the option of the Editor.

DURETISEMENTS.—Accompanied by the CASH, and not exceeding one square, will be inserted three times for one dollar, and twenty-five cents for each additional insertion. Those of a greater length in proportion.

	Ironed free of charge. L. S. Nov. 6, '49. 41 1y	Miscellaneous.	tions of
	Grand Centre of Attraction.		ne such thority,
1	T ANCASTER TOWER HALL CLOTHING	From Grabam's Magazine for February.	sation to
	I STORE Just received, together with the	NIGHT THOUGHTS.	With a
1	iatest Fall and Winter Fashions, the largest and	MOLT HIGHINS	treaty, a
	most splendid assortment of FALL and WINTER		utives a
1	GOODS ever before exhibited in Lancaster county, at M. T. Ford's Tower Hall Clothing Store, oppo-	BY GIFTIE.	present
	site Vankenan's (late Scholfield's) Hotel.		little dif
	The citizens of Lancaster county, and strangers	Darkness is on the wave,	terest in
	who may be visiting the city, are respect ully in-	The night wind hummeth low,	Thomas to Califo
	vited to an examination of this magnificent stock.	And through the soft bright air the gleams Of moonlight come and go,	and New
	comprising an unrivalled collection of uncut Cloths.	And all is hushed to rest	defined i
	Cassimeres, and Vestings; with Overcoats, Sack	Upon S'eep's quiet breast,	tion add
ļ	Dress and Frock Coats, Monkey Jackets, Pants,	All save the human heart, that sighing waketh still-	departm
	Vests, Shirts, Stocks, Shams, Cravats of all des-	The heart, that never sleeping-	l'did r
ļ	criptions, Hosiery, Suspenders, Gloves, and in fact	Its lonely vigil keeping-	those ter
	everything necessary to complete a gentleman's wardrobe, and at prices that no others in the trade	Findeth still naught on earth its depths to fill.	should, i
	attempt to compete with.	Thou art like Sleep, oh, Night!	sitions of
	Remember, gentlemen, that this is no trade	Thou hast a thrilling power,	form a p
1	clothing shop, as the proprietor has from the start	To awe, e'en with thy loveliest things,	the same
	set his face against orders of all kinds, and conse-	The heart in this still hour;	sion into
ł	quently does not put a high tariff on his customers	Thou bringest up the past-	ticipate,
1	for fear they may have a builder's order, but sell-	All bright things we have lost- [skies,	of any s
Ì	ing exclusively for cash he can and does sell his	The dead whom we have loved look on us from the	congress
ł	goods for less than it costs most of the Tailors to	Yet naught of fear or wo,	agent or
Ì	manufacture them. So you see your true interest lies in patronizing the Tower Hall of M. T. FORD,	That cloud man's life below,	any infl
	North Queen street, opposite the Franklin Hotel.	Is in the gaze of their calm spiritual eyes.	delegate or modif
1	N. B.—The new style Kossuth Woolen Plaid	Ay-faces of the dead	of the p
ł	Vest, is just out, call and see. [sept 25-1y-35t	Look downward from the sky.	tion; on
l		They wear the same loved look and mien	by my
I	<b>General Agency and Intelligence</b>	They wore in days gone by,	mestic po
1	Office.	Yet something dimly there,	selves-t
I	HE subscriber, late Collector of Tolls at the	Though cheek and brow be fair,	to protec
ł	city of Lancaster, on the Col. & Phila. Rail-	Says chillingly that human love hath passed away.	any gove
I	road, having taken a room on the second floor of the house next door south of the Examiner and	They care for us no more— Those dwellers on the shore	be at the
I	H-rald office, in North Queen streets, offers his	Where night is lost in heaven's effulgent day.	yet it wa
ļ	services to his friends and the public generally in		plan of s
ł	procuring money on loan and lending out money on	Still-all is still around;	time, be
ļ	interest; the purchase and sale of stocks of all kinds;	I hear the sound of streams,	choice, a
ł	houses rented, and tenants furnished ; in the nur-	That through the long grass singing flow,	the inter
I	chase and sale of real and personal property; and	Beneath the starlight beams.	I am u

Thus let my soul repose, Serene 'mid earthly woes, Till death shall come and bid its longings cease, Till 1 quench this weary thirst, Where immortal fountains burst, And heavenly woice we have me to reason and heavenly voices welcome me to peace.

Duelling.

HISTORY AND PRACTICE OF DUELLING-DEBATE N THE KENTUCKY CONVENTION .- There is no nmunity which will better illustrate the practice

and extreme folly of duelling, than the State of Kentucky. In the debates of the Kentucky Convention

Message from the President, territory which lies eastward of the new state of California, and the reasons for my opinion that New Mexico will at no very distant period ask for admission into the Union, are founded To the House of Representatives of the United States - I transmit to the House of Re-presentatives, in answer to the resolution of that body, passed on the 21st of December last, the accompanying reports of heads of depart-ments, which contain all the official information on unofficial information, which, I suppose, is

on unofficial information, which, I suppose, is common to all who have cared to make inqui-ries on the subject. Seeing, then, that the question which now excites such painful sensations in the country will, in the end, certainly be settled by the si-lent effect of causes independent of the action of Congress, I again submit to your wisdom the policy recommended in my annual message, of policy recommended in my annual message, of awaiting the salutary operation of those causes - believing that we shall thus avoid the creation of geographical parties, and secure the harmony of feeling so necessary to the benefi-cial action of our political system. Connected, as the union is, with the remem-

predecessor, until congress should take some action on that subject. I therefore did not interfere with the powers of the military com-mindant, who continued to exercise the func-tions of civil governor as before; but I made brance of past happiness, the sense of present blessings, and the hope of future peace and prosperity, every dictate of wisdom, every feel-ing of duty and every emotion of patriotism tend to inspire fidelity and devotion to it, and admonish us cautiously to avoid any unneces-ary controversy which can either endanger it or impair it strength—the chief element of appointments, conferred no such au-and have allowed no increased compenthe commandant for his services. a view to the faithful execution of the or impair it strength—the chief element of which is to be found in the regard and affection to far as laid in the power of the exec-nd to enable Congress to act at the session, with as full knowledge and as of the people for each other. (Signed) ZACHARY TAYLOR. Washington, Jan. 21st, 1850.

a these territories, I sent the Hon. Butler King, as bearer of despatches rnia, and certain officers to California **Opinion of Judge Lewis**, the case of MICHAEL WEIDMAN against JACOB MARSH, et al., in the Court of Common Pleas of York County.

n the accompanying letters of instruc-ressed to them severally by the proper This is a case stated in the nature of a special ot hesitate to express to the people of verdict. Two questions are presented for decision. The first draws in question the validity of the will f prepared to comply with the requi-the constitution of the United States, of John Meyer, deceased, because it was made on Sunday; and the second calls upon the Court to decide whether the widow of the testator took, an of a state constitution, and submit to congress, with a prayer for admis-the union as a state; but I did not an-suggest, or authorize the establishment under the will, a life estate or a fee simple. With regard to the *first* question:—It is agreed, in the cuse stated that the 2nd day of September. in the cuse stated that the 2nd day of September, 1827, (the day of the date of the will) was Sunday. It is further agreed that the testator "did not die on Sunday." The bill was proved on the 15th of June, 1849; but the precise day on which the tes-tator died does not appear. The will has been duly proved before the proper officer of the probate court, without objection; and its validity does not appear to have been drawn in question, until this ejectment was brought; a period of nearly twenty ch government, without the assent of , nor did I authorize any government officer to interfere with nor exercise ence or control over the election of , or over any convention, in making ing their domestic institutions, or any the contrary, the instructions given rders were, that all measures of dothat while the executive was desirous that while the executive was desirous to and defend them in the formation of ernment, republican in its character, to the executive was desirous time submitted to Congress. God and man, this court will certainly presume, s to be distinctly inderstood that the such a government must, at the same the result of their own deliberate and originate with themselves, without the will was made; or would be sufficient to justify the use of the result of the act in the eye of the Law. Adopting this pre-sumption, the question remains whether the danger of immediate death, or the well grounded belief I am unable to give any information as to laws passed by any supposed government in California, or of any census taken in either of the territories mentioned in the resolution, as that such danger exists, is sufficient to justify the act of making a will on the Sabbath day. I have no information on these subjects, as al-ready stated. I have not disturbed the arrange-ments which I found had existed under my pre-Sunday is noted in all the books to be dies non juridicus; not made so by statute but by a canon of the church, incorporated into the Common Law. decessor. In endorsing an early application by the people of the territories for admission, as stated, I was actuated principally by an enr-nest desire to afford to the wisdom and patriot-Previous to the canon of A. D. 517 the Courts held by the ancient christians, transacted business on Sunday, for the purpose of distinguishing themism of Congress the opportunity of avoiding angry dissensions among the people of the Unit-ed States. selves from the Heathens who were superstitious in the observance of days and times. This canon was received and adopted by the Saxon Kings of Eng-

Under the constitution every state has the Under the constitution every state has the land. It was confirmed by William the Conquerer, right of establishing, and from time to time altering its municipal laws and domestic institutions, independently of every other state and the latter the practice of administering justice on Sunday. tucky. In the debates of the Kentucky Convention, we observe that some of the ablest men there have arrayed themselves against that foolish as well as wicked practice. Among them is the Hon. Bax, Handin, I have turned my attention some little to In the course of my readings as to the history of mankind, I have turned my attentions come little to this subject; and, sir, from the days of Nimrod, the inedful rules and regulations respecting the intervitories of the United States, every new nee-hundred years ago, I have not found a single in stance where a private, personal quarrel was settle in the question whether the system of involuntary is at a day for the transaction of business, either in payment of, notes. A note falling due on Sunday, in some the question whether the system of involuntary is the constitutionality of the legisla ion relative to the question whether the system of involuntary is the constitutionality of the legisla ion relative to the states, they were for public and not private combats before the weith as a fely passed; but during the interval of the same which have heretofore occured, have been safely passed; but during the interval of the states, it appears probable that similar extendent of the caracter of the case referred to by the gentle man, (Mr. Nutall.) between the three brothers of the three brothers of the three brothers of the three brothers of the three torters of the two full prevails to an undue extent. Under the sates, it appears probable that similar extendent to judicial acts. They were made the observance of the modern duel presented of Congress, by the admission of the territories and New Maxion as states, to previous as states, to previous as states, to preve of congress, by the admission of the territories and the admission of the territories and New Maxion as states, to previous as states, to previous as states, to preve of congress, by the admission of the territories and New Maxion as states, to preve of congress, by the admission of the territories and New Maxion as states, to preve of congress, by the admission of the territories and New Maxion as states, to preve of congress, by the admission of the territories and the subshift day. They can neither prevent the government of the United States has also a thin the power of Congress, by the admission of California and New Mexico as states, to re-more all occasion for the unnecessary agitation of the public mind. It is understood that the proceed of the wastern part of California have Intere is no instance of the modern duel presented until we come down to the time when Francis I., of France, gave the challenge to Charles V., King of Spain and Emperor of Germany. There the prac-tice took its origin, and it has been in existence ever since. And why is it? Because there is a notion, a ridiculous kind of opinion going abroad, invisible, intangible, and which no man can touch. gress, and apply for admission as a state. This course on their part, though in accordance with my wish, was not adopted exclusively in That the observance of the Sabbath was one of insurance of any expression of my wishes, insurance as measures tending to this end had part of the common law, independent of legislative bein promoted by the officers sent there by my predecessor, and were already in active progress of execution before any communication from me reiched California. If the proposed constitu-tion shall, when submitted to Congress, be found to be in compliance with the requisitions found to be in compliance with the requisitions of the constitution of the United States, I ear-tion of Congress. "The part of California not included in the tion of Congress. "he part of California not included in the them with the reins of Government pr posed state of that name, is believed to be uninhabited, except in a settlement of our coun-trymen in the vicinity of Salt Lake. A claim has been advanced by the state of permitted to participate in the making, expounding or execution of the laws of the newly established Commonwealth. In the "Preface" to the "Frame of Government" adopted on the 25th April, 1682, Texas to a very large portion of the most popu-lous district of the territory, commonly desig-na. ed by the name of New Mexico. If the peo-ple of New Mexico had formed a plan of State the authority of the government about to be estabthe authority of the government about to be stat-lished is distinctly placed upon the law of God, as taught by "the *Apostle*" of our Saviour, "in dirers of his Episites." In the "Frame of Government" adopgovernment for that territory, as ceded by the treaty of Guadaloupe Hidalgo, and had been aduaited by Congress as a State, our constitu-tion would have afforded the means of obtainted on the 5th May, 1682, all officers of government adop-from the highest to the lowest were required to " pro-less faith in Jesus Christ." 1 Colonial Records 33 ang an adjustment of the question of boundary with Texas to a judicial decision. At present, however, no judicial tribunal has the power of deciding that question, and it remains for Consec. 24. In the "charter of Privileges," agreed to in Assembly on the 28th October, 1701, while free dom of conscience was amply provided for, so that no one could be punished or persecuted for his regress to devise some mode for its adjustment gress to derise some mode for its adjustment. Meanwhile, I submit to Congress the question whether it would be expedient, before such ad-justment, to establish a territorial government, which, by including the district so claimed, would practically decide the question adverse-ly to the state of Texas—excluding it, would decide it in her favor. In my opinion, such a course would not be expedient, especially as the neonle of this territory will acide the bar ligious opinions, care was, at the same time, taken o'preserve to the *Christians* the power which they and rightfully acquired in the government established by themselves. With this end in view, in was declared, in that char er, that only those who "preferred to believe in Jesus Christ, the Saviour of the world," were "capable" to serve the government "in any capacity." The constitution of 1776, notwithany capacity." The constitution of 1776, notwith-standing its strong guarantees of religious liberty, the people of this territory still enjoy the ben efit and protection of their municipal laws originally derived from Mexico, and have a military force stationed there to protect then consisted to Indiana recognised the government as one founded by a Christian people, and required the law makers, under that government, to believe, not only in "one God" against the Indians. It is undoubtedly true that the property, lives, liberty and religion of the people of New Mexico are better protected and in the "Old Testament;" but also that " the scriptures of the New Testament" were "given by Divine Inspiration." than they ever were before the treaty of ces-sion. Should Congress, when California shall present herself for incorporation into the Union, annex à condition to her admission as a state affecting her domestic institutions, contrary to It was to be expected that a government estab lished by a *Christian community* would exhibit some traits of their observance of Sunday, as a day of rest and worship. And accordingly it was prov. affecting her domestic institutions, contrary to the wishes of her people, and even compel her iemporarily to comply with it, yet the state could ohange her constitution at any time after admission, when to her it should seem expedi-ent. It is to be expected any attempt to deny to the people of the state the right of self-gov-ernment, in a matter which peculiarly affects themselves, will infallibly be regarded by them as an invasion of their rights; and upon the principle laid down in our own Declaration of Independence, they will certainly be sustained in their resistance against it by the great mass of the American people. To assert that they are a conquered people, and must submit to the will of their conquerors in this regard, will meet with no cordial response among American freemen. in the frame of Government of 25th April, 1682 an ine name of Government of 25th April, 1682, sec. 22, "that as often as any day of the month "mentioned in this charter shall fall upon the first "Day of the week, commonly called The Lord's Day, "the business appointed for that day, shall be de "ferred till the next day, unless in cases of emergen-tric". cy."-In the "Frame of Government" adopted on the 2d April, 1683, a section precisely similar to that of 1682 was agreed upon. In the Constitution of 1776 the observance of the Sabbath was sufficiently secured by the provision that the law makers should "believe in the *New* Testament" as "given by Di-vine Inspiration." In the Constitution of 1790, Vine inspiration.<sup>3</sup> In the Constitution of 1790, although the qualification for office was carried the Sabbath was not abolished. The usage to observe it had been so firmly established that no direct pro-vision on the subject was deemed necessary. But that its constant observance as a day of cessation reemen. Great numbers of them are our own country from business, "unless in cases of emergency" was known and acknowledged, is apparent from the provision that Sunday shall not be regarded as one of the ten days allowed to the Governor for the insideration of bills passed by the Legislature.-That this usage with regard to the Sabbath still exists, and is recognized in our fundamental law, is apparent from the fact that the same provision, on this subject which was inserted in the Constit tion of 1790, was continued in the amended Const Constitu went out and fought eight feet, apart-about noti-ing. McCarty has told me that the duel was forced policy to suit themselves. The burne of Mason's seconds. Such are the No material inconvenience will result from tution of 1838, and still is in force as a part of the undamental law. In the "Laws agreed upon it. England" and adopted by our foretathers in this the want, for a short period, of a government England" and adopted by our foretathers in inis established by congress over that pert of the Province on the 5th May, 1682, the observance of

asbword of star haar

Cast Sec. 2. Les

real conductions of the

the Sabbath is enjoined, " according to the good exmple of the primitive Christians, and for the ease of ample of the primitize Christians, and for the ease of creation" that the people may "better dispose them-selves to worship God according to their understand-ings" The Convention, while forming the Consti-tution of 1776 observed "the good example of the rimitive Christians," and, without any statute, o primitive Unistians," and, without any statute, or other authority, except that example as adopted and forming part of the common law, heldino ses-sions on Sunday. The same practice, tounded upon the same authority, has ever since prevailed with all the authorities of sevene are hericitation or the all the authorities of government, legislative, exective and judicial.

NO. 1.

But it is part of the common law, in regard to the observance of the Sabbath, that a rigid adhe-rance to the rule is dispensed with "in cases of emergency" or as expressed by the statute of 1794

in "works of necessity and charity." When the Provincial Conference of committees of the Prov-ince of Pennsylvania assembled on the 18th June, 1776, for the purpose of taking measures to form an independent government, and to terminate the authority of the British Crown, in pursuance of the recommendation of the Continental Congress, the "emergency" was considered sufficient to justify a suspension of the rigid observance of the Sabbatb; and the Report of the Committee neuroiding for the suspension of the rigid observance of the Sabbatb; and the Report of the Committee providing for the election of Delegates to form the Constitution of 1770, and tl e address to the People of Pennsylvania on the subject, were presented to the conference and adopted on Sunday. When the Judges of the courts find it necessary to receive a verdict on Sun-day, in acdar that the invery may be discharged it day, in order that the jury may be discharged, it has always been their practice to do so, and the propriety of the practice is not doubted. 15 John 119. A former Governor of Pennsylvania, whose veneration for the Sabbath and Religion will be acknowledged by all, perceiving the approach of death believed that the public interest would be promoted by the resignation of his office; the resig-nation was made and filed on Sunday, and all the necessary proceedings for supplying the vacancy necessary proceedings for supplying the vacancy were thereupon taken, without any gerious question in relation to the validity of the resignation. Al-though we may adopt the doctrine that a promise of marriage made on Sunday creates a legal obli-gation on which an action may be maintained, yet the actual consummation of such promise by marriage, is universally regarded as valid, although it takes place on Sunday. Even the act of 22d April, 1794, prohibiting "all worldly employment or bus-iness whatever on the Lord's Day commonly called Sunday," not only excepts "works of necessity and charity" in general terms, but enumerates as within charity" in general terms, but enumerates as within the exception "the dressing of victuals in private families, bake houses, lodging houses, inns, and other houses of entertainment, for the use of so journers, travellers or strangers, the landing of pas-sengers by watermen, carrying travellers over the water by ferrymen, and the delivery of milk or the necessaries of life," within certain hours of the day. And it has been held that travelling does not in a legal sense tall within the description of "wordly employment or business," although a Carrier, driving his team, in the exercise of his worldly employ-ment, would be within the prohibition, Jones vs. Hughes, 5, S. and R. 302. Notwithstanding that

the service of process on the first day of the week is prohibited by the act of 1705, yet the exigencies of "treason, felony and breach of the peace" are stated in the act itself as exceptions; and the courts have held that an arrest of the principal by the bail s also among the exceptions. The observance of the Sabbath is a reasonable

and not a superstitious usage. The acts of assembly designed to punish its violation are constitution because the power to pass them is clearly implied from the character and usages of those who formed United States has also a Christian foundation. The avy, for its Academy at West Point, and for its longress; while it places on record in its treaty with Tripoli, the solemn assurance that "the gov ernment of the United States is not in an unded on the Christian Religion." 8 U. S. Stat. 155. It is far from our intention to treat this as a the ological question. It is simply a question of law, and as such to be decided upon principle and auth-ority. No preference ought ever to be given by the State-to any particular form of christian wor ship. The unholy connexion of Church and State meets with just condemnation throughout the land. But we must not lose sight of the fact that we and our ancestors "time whereof the memory of man runneth not to the contrary," have been governed by "a rule of civil conduct" whose home book teachings are that "all human laws depend upon the law of nature and the law of revelation." I Bl. 42. If the common law should cast out Revelation he inevitable résult would be the surrender to Pries craft and Bigotry of one of the nurest fountains of jurisprudence. And the error would be more mis-chievous, if possible, than the surrender in excess of zeal, of the Drama, one of the most powerful engines for good or for evil, almost exclusively into the hands of those who direct it to the injury of the public morals. By preserving this fountain as one of the sources of our common law we are enabled to guard the streams from impurity, and to guide their channels in their proper direction for the public good. It is thus that the Sabbath is preserved from intoler-ant bigotry on the one side and from infidel dese-cration on the other. It is thus that its observance is secured within reasonable limits. And when we onsider the numerous exceptions, already stated, from the rule requiring its observance, it is fair to infer that the making of a will, under the circum-stances threatening dissolution, is among the excep-tions to the rule. It is quite as necessary as many of the acts which are allowed without objection. would be a monstrous perversion of religion, and of the law which is founded upon it, to hold that a dying man should not be permitted, for the ease of his conscience, to secure the fulfilment of those obligations of justice which may have been withheld or postponed. So far from this being the case, the making of a will where justice required it has long been regarded as a duty of religious obligation.— This is apparent from the rubric of the Church of England expressly directing the Priest, where he isits the sick, to "admonish the sufferer," if he hath not before disposed of his goods, "to make his will," and "to declare his debts, what he oweth and what is owing unto him, for the better discharging of his con-science, and the quietness of his Executors." We have already remarked that a presumption exists that the will was made unde circumstances of urgent necessity, arising from a belief in approach-ing dissolution. This renders it unnecessary to decide whether a will, made on Sunday without such necessity, is valid. It is sufficient to say that there s nothing upon this record to justify a decision against the will of John Meyer, deceased ort, that "Judgment be It was ordered by the Coust, that " entered for the Defendants for Costs."

General Agency and Office. THE subscriber, late Collect city of Lancaster, on the road, having taken a room or the house next door south of H-rald office, in North Queen services to his friends and the procuring money on loan and the p interest; the purchase and sale of houses rented, and tenants furni-chase and sale of real and perso also in giving information to Managers, Clerks, Mechanics and Laborers, or any other situations; of all such a regular Register will be kept by him. He hopes by close attention to business to meet with encouragement in his undertaking, and assures the public, that all matters of any nature whatever, entrusted to him, will be steined accordential

atrusted to him, will be strictly confidential. He can be found at all times at his office, or a

Mrs. Kauffman's Hotel, immediately opposite. Oct 16,'49-6m-38] GEO. B. HAMILTON. Oct 16,'49-6m-38] DR. J. WAYLAN, 

Opposite Vankanan's (formerly Scholfield's) Hotel, North Queen St., Lancaster, Pa.

Int elligencer & Iournal. PUBLISHED EVERY TUESDAY MORNING, BY GEO. SANDERSON.

in the possession of the executive asked for by the resolution. On coming into office, I found the military

Commandant of the department of California exercising the functions of a civil governor in that territory; and left as I was, to act under the treaty of Gaudaloupe. Hidalgo, without the aid of any legislative provision establishing a government in that territory, I thought it best not to disturb the arragement made under my predecessor, until compress should take some

In relation to California.

iculty as possible on all matters of in

Mexico, whose duties are particularly

OB PRINTING.-Such as Hand Bills, Posting Bills, Pamphlets, Blanks, Labels, &c., &c., executed with accuracy and at the shortest notice.

p-Buvers' Eagle 11 45 Penningtonville 950 Morgan's Corner 1200 Parkesburg 1000 Philadelphia 100 The undersigned have purchased the entire stock of the above Line, which will be run in future under the control or management of DAVID MILLER, will spare no pains or expense to make this Line the most comfortable and accommodating on the road. PROPRIETOR

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OFFICES-At Philadelphia, 272 Market Stree					
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P. SIn returning my most sincere thanks to					
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	stowed on this line under the former Proprietors.				

beg leave most respectfully to ask a continuance of May 29,'49-18] D. MILLER.

HORACE F. ASH. ISAAC B. DILLE Land and General Agency Office.

\*AT THE CAPITAL OF ILLINOIS.

CITY OF SPRINGFIELD. To non-residents owners of Illinois Lands-Holders of Illinois Indebtedness, and all persons desirous of purchasing State lands with Illinois scrip or

The undersigned would respectfully inform the public, that they have established in this City in a DRY. GOODS STORE. To which we would expressly invite our friends and the public in general, as we will spare no pains a state. All transactions relative to the purchase and sale for the transaction of the State. All transactions relative to the purchase and sale for the transaction of the state of light and the public in general, as we will spare no pains to please all who may call. Our Stock of Goods is to please all who may call. Our Stock of Goods is to please all who may call. Our Stock of Goods is to please all who may call solve as any other established we will sell goods as low as any other established we will show the the tity. THE undersigned would respectfully inform the

All transactions relative to the purchase and sale of lands, examining lands and reporting their loca-tion, anvantages and value, paying taxes, redeem-Our friends from the country who wish to puring land sold for tares, investigating titles, redeem-ing land sold for tares, investigating titles, &c., baying and selling all descriptions of state indebt-edness, this and every other description of business attached to a General Land Agency on the most extended scale, will be promptly and faithfully attended to. chase materials for a suit of clothes, would do well by calling to examine our stock of CLoths, CASSI-MERES, &c.; in this they will realize a great saving, as well as in any other article we offer for sale. ended to.

ASH & DILLER. SPRINGFIELD, March 14, '49. REFERENCES. Hon. James Buchanan, Lancaster, Penn'a. 6 Benj. Champneys, Reah Frazer, Esq., Wm. Vathiot, Esq., Roland Diller, Esq., New Holland, Penn'a Gabriel Davis, Esq. Hon. Daniel Sturgeon U. S. Senate. Gan. Coper,
Gan. Coper,
James Fox, Esq.,
Gen. Robert Patterson,
Gam Diller,
Jos. L. Chester, Esq.,
Col. S. W. Black,
His Fril A. C. French. Harrisburg, Penn'a. Philadelphia, Pittsburg, " Governor Illinois. Auditor Col. S. W. Black,
His Ex'l A. C. French,
Hon. Thos. H. Campbell
Gonda John Moore,
John Moore,
J. M. Treat,
J. Dean Caton,
April J. 1849. Treasurer Judge Supreme Cour

April 17, 1849. DB. S. WELGHANS,

SURGEON ID IZINI 'IC'I SD'IC'9 OFFICE-In Kramph's Building,

NORTHEAST CORNER OF

Orange and North Queen Streets, LANCASTER, PA.

Lancaster, July 3, 1849. #f-23 GETZ & HARBERGER, PRACTICAL GAS FITTERS, WEST KING ST., LANCASTER. TLAIN and Ornamental Gas Fitting, and general LAIN and Ornamental was riting, and general furnishing of Gas Firtures. Gas Pipes intro-ed into Churches, Stores, Dwelling Houses, and lic establishments, at the shortest notice. All work warranted. Old Fixtures repaired, and alterations made in the most improved and substantial manner. Orders

stristly attended to. [oct 2, '49-tf-36

Sign Painting. OHN L. KEFFER has commenced the above business, in A. N. Brenneman's Building, Cen-te Square, Lancaster, and will do the best he can, y strictstruction to business and moderate charges, bestify all who may be pleased to favor him with prime reustom. May 1848-cr15. ANDIS & BLACK, *ATTORNIES AT LAW: Office*—Three doors below the Lancaster Bank, South Queen Street, Lancaster, Penn'a. Useds, Mortgages, Accounts, &c., will be attended to with correctness and despatch. January 16, 1849 51 OHN L. KEFFER has commenced the above business, in A. N. Brenneman's Building, Cen-re Square, Lancaster, and will do the best he can,

EFFER. No. SO OOds. An and where. can sell cheaper than any other constraints in the invites the public to call and examine his stock of finished Mantels, Monuments, Tombs, Grave Stones, and also his collection of designs for Monuments, Tombs, &c., before purchasing else-where. can sell cheaper than any other constraints in the invites stock of finished Mantels, Monuments, Tombs, grave Stones, and sho his collection of designs for Monuments, Tombs, &c., before purchasing else-where. IMPORTANT Fall and Winter Dry Goods.

LOTHS, Cassimeres, Satinets, Vestings, and other goods for Men's and Boy's wearing Merinoes, Cashmeres, Alpaccas, Delaines, Ging-hams, &c., of various shades and styles. BLK. DRESS SILKS, Silk Cravats, Hdkfs., &c.

Calicoss, Hosiery, Gloves, bleach'd and unbl'd Muslins, Tickings, Checks, &c. LINENS, bleach'd and unbl'd, Cloth, Linen and BOSTON & S. WILLIAMS, (formerly of N E. BOSTON & S. WILLIAMS, (formerly of N. Queen street,) have taken the above shop where, by strict attention to business, and a deter-Cotton Table Covers, Flannels, Blankets, Shawls, with a general assortment of goods generally kept in a DRY GOODS STORE. mination to please their customers, they hope to

ATTORNEY AT LAW. FFICE-North Queen Street, first door to the right of John F. Long's Drug Store.

April 3, '49 1y-10 JOHN A. HIESTAND, ATTORNEY AT LAW, Office in West King Street, fourth door West of Peter Reed's Hotel, Lancaster. 6m-15\* Lancaster, May 15, 1849. WILLIAM S. AMWEG.

OFFERS his professional services to the public. He also attends to the collection of Pensions, and the prosecution of all manner of claims against the general government. His residence in the city of Washington for several years, the experience derived from the duties of the office, which he had filled during that time, and the mode in which claims of this art are most ensedly edjusted over 200 Bbls. 1 and 2 bbls. of the choicest brandsackerel warranted. TOBACCO AND SEGARS wholesale and retail. We would especially invite the attention of all who wish to purchase articles at the lowest possi-ble prices to call at No. 80 North Queen St., under the Museum, two squares from the Court House. PINKERTON & SMELTZ. October 9, 249 1v-10-37

the Lancaster Bank. THE subscribers have taken the Coal Yard o. Prince Street, in the city of Lancaster, latel and occupied by Messrs. B. & J. Reinhold Nov. 20, 1849. 43-1 y W. Whiteside, there they intend keeping a general assortment of COAL FOR FAMILY USE, ATTORNEYATLAW, ATTORNEYATLAW, AS removed to the office formerly occupied by E. C. Reigart, Esq., in West King street, 3d house below Mr. Reed's Tayern. April 10 April 10

will be kept constantly on hand. Having made ar-rangements with the Saw Mills, every kind of bill stuff will be furnished at the shortest notice. twy will be furnished at the shortest notice. It is the intention of the subscribers to give their bersonal attention to the business; and their object, will be at all times to please and accommodate all who may favor them with their custom, pledging themselves to sell as low as any others in the city of Lancaster or its vicinity. Now is the time for Bargains! B. F. SHENK. april 19 GEORGE W. M'ELROY, ATTORNEY AT LAW Offers his protes Offers his professional services to the public. Office in Centre Square, in the room formerly occupied by M. Carpenter, Mayor. [Mav 1,'49-14] B. F. SHENK.

R. H. LONG By In retiring from business, our friends and the public generally have our thanks for the very libe-ral patronage they bestowed upon us while in busi-ness, and hope the same may be extended to our successors, Messrs. Shenk & Long, as we are confident they will merit the confidence of the public. B. & J. REINHOLD. JONAS D. BACHMAN, ATTORNEY AT LAW: Office in Market Square, in the room late by G. W. M'Elroy, Esq. april 24 '49 tf-13 OFFICE FOR THE Purchase and Sale of Real Estate, 15

> v 18-42-8m] 51

I do also certify that Dr. Waylan has operated Thos. E. BOND, JR., A. M., M. D. Professor of Special Pathology and Therapeutics in the Baltimore College of Dental Surgery. Lancaster, Dec. 11, '49. 46-tf **Ornamental Marble Works.** EAST King street, next door to John N. Lane's store. Charles M. Howell, Marble Mason, respectfully informs the citizens of Lancaster and the public in general, that he carries on the MAR-BLE BUSINESS, in all its various branches, and invites all to call on him, as he is satisfied that he can sell cheaper than any other establishment in the

Shaving, Hair-Dressing, & Shampooning Saloon, Centre Square, opposite the Court House, in the second story of the building occupied as a Grocery Store by Williams & Clarkson.

nothing. 47-1y

All kinds of Conveyancing, writing Wills, Deeds, Mortgages, Accounts, &c., will be attended to with correctness and despatch.

Attorney at Law,

of this sort are most speedly adjusted, give the most ample assurance that business placed in his hands will be attended to in such manner as can-not fail to afford satisfaction. Office in South Queen street, second house below

CUAL FUR FAMILY USE, such as Lykens' Valley, Baltimore Company, Pine-Grove, Shamokin, Pittston, &c., with a great variety of Coal for lime-burning and Sulphur Coal for smithing. Also, a general ASSORTMENT OF LUMBER, I1-tf Dr. M. M. Moore, Dentist. STILL continues to perform a operations on the TEETH upon terms to suit the times. Office North Queen street, opposite Kauffman's Hotel.

west king stribet, Langaster.

PENNSYLVANIA. D. W. PATTERSON. ALEXANDER L. HAYES, ATTORNEY AT LAW: Office-West King Stroet, next door below C. Hager & Son's Store.

January 9, 149 50 as it is styled.

notion, a ridiculous kind of opinion going abroad, invisible, intangible, and which no man can touch. called the code of honor, which compels a man to fight in certain cases. Thus: do you want to kill me? No. Do I want to kill you? No. But there is some imaginary insult—some supposed injury, and some sickly sensibility teels itself insulted, and asks for an explanation. The man who is asked feels a little too proud to give it, and the parties con respond a little, and finally fight-and all about

We know that duelling does not stop killing, i the streets, or assassination on the highways. No sir, this is a mistake, and nothing will stop it but a sense of certain, positive, and speedy punishment. And how are we to stop the practice of duelling? We are to furnish men who are in doubt as to a point of honor, with a competent apology for avoid-ing a duel. That is all we want. There is not a ng a duel. That is all we want. man in the world, enjoying health, and who has friends and connexions around him, that does not love life. Look at the man in the last agonies of death, and see how he clings to life. And why? Because he loves life. And yet a false notion of honor, or rather a false public opinion, will force the man in fine health to hazard his life to a false notion of honor. Frederick the Great of Prussia was one of the ablest and bravest men who even fought at the head of an army, and yet what did he say to the duellist? Why, that if a duel was ought, he would hang all concerned in it, and if he could find out where was the place of meeting would go there himself with his hangman, and hang up the survivor without a trial. Has not Great Britain lately hung up several men who killed others in duels. A Col. Campbell there, killed a man in a duel, not long since, and was hung. And other instances might be mentioned.

And Kentucky is the only country where no man has ever been punished for giving, accepting, carry-ing a challenge, or killing his antagouist in a duel. What inroads have been made in the family of Alex. Pope, my old friend with whom I practised law until he died, by the duelling propensities of those two young men. Henry and Fountain Pope. One was killed in Arkansas, and the other near Louisville, without any cause, if the parties had under-stood each other. The parties fought at a distance of thirty yards, with shot guns. Did I not know, while in Washington, Barron and Decatur, two of the first men at that period in America, come up in mortal array within sixteen feet of each other, be cause one was near-sighted, and the rule was that both should take deliberate sight before the word to fire was given? They both fired and fell with the heads not ten feet apart from each other. And be-fore they were taken from the ground each expected both to die; they spoke to each other, and a recon-ciliation took place. They blessed each other, and declared that there was nothing between them.— All that was required to have prevented the meeting was an explanation between them.

There was the case also of McCarty and Mason, ous duels on record, because microary, another man, Mason being a candidate, felt aggrieved, and challenged his vote on the ground of not being twenty-one. McCarty first proposed they should sit over a keeg of powder and set fire to it, but Ma-son declined. Next he proposed they should go to the top of the capitol and hand in hand jamp from the parapet wall to the ground, a distance of ninety the parapet wall to the ground, a distance of ninety the parapet wall to the ground, a distance of ninety the parapet wall to the ground, a distance of ninety the parapet wall to the ground, a distance of ninety the parapet wall to the ground, a distance of ninety the parapet wall to the ground, a distance of ninety the parapet wall to the ground, a distance of ninety the parapet wall to the ground, a distance of ninety the parapet wall to the ground with three with three declined. The mission of the territory ceded to the three declined. The mission of the territory ceded to the three declined three with three declined three with three declined three with three declined three with three declined three declined three with three declined three with three declined three own cousins, who fought one of the most murderson decineu. Aux in the service of the capitol and hand in hand jump from the parapet wall to the ground, a distance of ninety feet. This Mason also declined. Then McCarty proposed they should fight with muskets with three balls apiece, which Mason accepted, and then they halls apiece, which fush feet apart-about noth-ter and fought eight feet apart-about noth-

bloody scenes which illustrate this code of honor,

\_\_\_\_ POETIC .- One of the b'hoys indites the following

his fady love : And when the reverend sire shall say, " My son take thou this daughter ?". I'd answer him in a fearless tone, "I shan't do anything shorter! "Will you my son support any nourish This flower I give to thee !" I'd give my white kid gfoves a flourish. And answer, "Yes Sir-ee!"

. ID There is no religion like that of the heart, to charity like that which does not blow its own trumpet

- 15.7 V A. A and grader