Important Decision.

BERKS COUNTY VS. ISAAC BERTOLETTE. This case, involving a principle of great importance in the question of licensing or taxing dealers in flour, was settled by the SUPREME COURT of this State, at its late session. The decision is as fol-

ROGERS, J .- With the laudable intention of reserving intact the plighted faith of the Common-wealth, the Legislature in the performance of an imperious duty, have been compelled from time to time, to search out new objects, and to enlarge the subjects of taxation. Hence a series of statutes. which now form a complete system to aid the Le-gislature in their commendable efforts, the Court as adopted an enlarged and liberal construction of their acts as in Shitz vs. Berks, 6 Barr 82, and Sav their acts as in Shitz vs. Jeaks, o bait os, and car-ings fund vs. Yard, 9 Bart 360. In furtherance of justice and to support the public credit, as is said in the preamble to the act 22 April, 1846, entitled an Act to provide for the reduction of the public debt, in the 11th section it is provided, "That here after all dealers in goods, wares and merchandize the growth, product and manufacture of the United States, and every person who shall keep a store or warehouse for the purpose of vending and dispos ing of goods, wares and merchandize, shall be clas sified" in the same manner and required to pay the same annual tax and license for, as is provided and required, in relation to dealers in foreign merchan ze, provided, That mechanics who keep a store warehouse at their own shop or manufactory for the purpose of vending their own manufacture shall not be required to take out any license. Thus the distinction before made, between Foreign and Domestic manufactures is abolished and in all respects those acts must receive the sam never had charge of this important road. The act of the 4th May, 1841, see Dunlop, 833, extends to all persons engaged in sel-ling or vending goods, wares and merchandize, commodities or effects of whatsoever kind or nature, of the several acts in pari materia are to be construed together which is the unquestioned rule there is no difficulty whatever in bringing the manf flour within the general s and in Flour is certainly a commodity, in effect within the spirit and meaning of the several acts. But be this as it may, it may be embraced without doing violence to the language in the words, goods wares and merchandize. For not to insist on the two first, merchandize is defined to be goods or commodities, sold and for sale. Nor do I understand this to be contested by the defendant in error. The defendant, Bertolette, a citizen of Berks county, was the owner of a flour and grist mill, with a hereto attached. He raised grain on his farm, and also bought grain. He took tolls for grain ground, for customers at his mill. He manufactu into flour the grain raised as well as bought. Sold the flour so manufactured to his customer only at his mill. but he sent it to the city of ding and other places by his team from week to week through the year, and sold it by the hundred weight to his customers. Is the defendant within the spirit of the 11th section, so as to be compelled to take out a license, is the

The act clearly contemplates ten classes of persons, dealers in goods, wares and merchandize, and persons who keep a store or warehouse for the purpose of vending and disposing of goods, wares and erchandize. Each of those persons are subject assessment according to the classification in the A dealer is one who trades, buys or sells. If so, Bertolette is a dealer, for according to the case stated, he both buys and sells. He buys the grain, and when manufactured, sells the flour, but he buys the materials of which it is comp brings him within the spirit of the act. He is

a dealer to all intents and purposes. According to the opinion of the Court of Com-mon Pleas, as I understand it, if he had bought the Gazette. grain and sold it, or the flour and sold it, he would be included, but inasmuch as both are not conjoin-ed, he is permitted to escape taxation. If we were construing a penal statute, perhaps such niceties as these would be allowable; but in my judgment. they are misplaced when applied to acts intended to support the credit of the Commonwealth. But g he is not a dealer, may not his mill be regarded as a store or warehouse, and as such used (as the case shows) for the purpose of manufactu-ring grain raised and bought by himself; also, as a place of deposit, store or warehouse, for vending e flour when manufactured, by retail. If so there s no escape for him. The Court of Common Pleas concede, he may be so regarded, but they came to the conclusion he is saved by the provise this I cannot agree. The proviso exempts mechanics, under certain circumstances from taxation. But is Bertolette-a mechanic, as the Court supposed? A mechanic is an artisan or artist, which certainly does not in the ordinary acceptation of language, import either a farmer, or the manufacturer of flour, nor do they come within the legal definition of that term. I am aware a me chanic may be, and usually, and perhaps always in sually, and perhaps always is a manufacturer, but a manufacturer is not always a mechanic. But granting the defendant to be a mechanic, is he entitled to the benefit of the proviso? He does not confine himself to sales at his mill, but as is conceded, he sells his wares and odities elsewhere; at the city of Reading, and the adjoining counties. The proviso as is unquestionable, exempts such mechanics only, who keep ouse at their own shop, or manufactory for the purpose of vending their own manufactures . If, however, they choose not to con-lves within the bounds prescribed, they e**xc**lusively. fine themsel unds prescribed, they must be content to pay the taxes. Their being medianics merely, does not exempt them from taxation, unless they choose to comply with the conditions of the act. They have no right without license to sell their goods elsewhere, than at heir own shop. This is too clear to admit of doubt. The good citizens of this State are content at all times, to pay taxes, when they are satisfied with the objects of taxation, when the money raised is faithfully and honestly applied, and when the pre sent burthens are made to bear equally on all. When any one of these requisites is lost sight of, dissatisfaction will exist. That equality is equity, and a converso, is felt by every man in the com-munity, however humble, and I trust it may always be so. Apply the principle here. A ps a flour store in the city of Reading, and supplies his customers, by the quarter, the hundred weight or the pound. He is required to take out a license, and pay in proportion, to the amount of his business. A manufacturer from the country, in his immediate neighborhood, disposes of th material at his door, at an under price, and thereby materially interferes with his business perhaps enabled to do so, because he is exempt from the taxes, to which the other is subject. Has he not just right, and will he not complain of such The not just right, and will be locomplain of such partial legislation, and can it be believed the Lag-islature who always intended to do right, designed to produce such palpable injustice? Now will it lessen his sense of wrong that the article is sold from a wagon, cart or wheelbarrow, and not at a store or warehouse properly so called. It is said the principle contended for by the plaintiff in error, embraces every man who brings any agricultural product or manufactured article t market, including outchers, who may buy cattle and supply the market with beef, the iron master who takes from his furnace or forge his metal, iro or nails et it omne genus. Whether the principl now ruled will interfere with them, is not intended to decide. Sufficient unto the day, is the evil there-of; each case shall be decided when it arises. This is the only safe course, for each case may depen on a variety of circumstances regarding as well the nature of the employment as the object taxed. may, however, be permitted to remark, that if it should be forced to include a wider range, than has heretofore been supposed, that will be no insurmountable objection with me. It is my decide ppinion that no person with any pretext whatever should be permitted to escape from bearing his equal share of the present burthens of the State as the debts were contracted for the benefit of all each person must contribute in all fairness, his equal and just proportion. That equality is equi-ty, applies with overwhelming force to the equalization of taxation among all the citizens of the Commowealth. A motion was made to quash the writ of error on the ground that this was not a proceeding ac-cording to the course of the common law. And for this is cited 5 Bin. 24 Ruhlman vs. the Commonwealth, and Moore vs. Albright 4 Ser, and R. 332. We however consider the proceeding, in the nature of a case stated, it being obviously the intention to take the opinion of the Court, on a state of facts conceded and agreed upon by both

county he hails from." surer, paid, at the Bank of Pennsylvania, vesterday dollars. fabric of government. And

Intelligencer & Iournal. Lancaster, August 6, 1850. GEO. SANDERSON EDITOR. **DEMOCRATIC NOMINATIONS.** CANAL COMMISSIONER : WILLIAM T. MORISON. AUDITOR GENERAL:

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EPHRAIM BANKS. SURVEYOR GENERAL : J. PORTER BRAWLEY.

We have omitted many of our advertisements on the first page, this week, to make room for the Oration of Rev. Dr. Bowman, on the life and death of the late Gen. TAYLOB, delivered in the Lutheran Church, of this city, on the 27th ult.

Canal Commissioner.

The August Interest.

Yeas-Messrs. Atchison, Badger, Benton, Berrien 10-We learn that Col. WILLIAM ENGLISH has The section of September, —and that Gen. A.L. Rown roar, of Rhiladelphia, has been appointed in his stead. Col. E., in retiring from the station he has Nays-Messrs. Baldwin, Chase, Clarke, Davis of so ably filled for the last two years, carries with Mass Davton, Dodge, of Wisconsin, Ewing, Greene, him the best wishes of all who have had intercourse

Hale, Hamlin, Pearce, Seward, Smith, Upham, Walker, Whitcomb and Winthrop. with him. A more taithful and obliging officer Now, if we are correct in our impressions with

regard to the bill, we cannot perceive that the Sen-The Coming Struggle. ate is much farther forward than where it started. Since the nominations were made by the Wil-A territorial government is given to Utah, and that liamsport Convention, we have carefully watched is the sum and substance of all that has been done. the manner in which they have been received by atter an eight month's session of Congress! Can the Democracy of Pennsylvania; and there never it be that the present session will be suffered to was a ticket given to our glorious party for its pass round, and nothing be done to settle on a persupport, composed of better materials, or one that manent basis the Slavery question and give peace has been endorsed more enthusiastically by the true and quietness to the Union? Are the rights and hearted people in the towns and the country. As safety and happiness of twenty millions of people far as we can see, the horizon is without a speck to be put in jeopardy by a few factious spirits hailto mar its brilliancy, and all that is now needed to ing from the North and South? Is there not coolsecure a a substantial victory is thorough and com- ness, discretion and wisdom enough among the great plete ORGANIZATION. We must go to work at mass of the people's representatives to frame someonce-put our own shoulders to the wheels-and thing which will put an end to the perplexing be unceasing in our efforts to preserve party disci- question ? Surely if a proper spirit of conciliation pline. If this be done-triumph must follow !- | and patriotism prevailed, there would be but little WILLIAM T. MORISON, OUR Farmer-candidate for difficulty in adjusting the question satisfactorily to Canal Commissioner, is a gentleman, whose char- the masses of the people in all sections of the acter is beyond reproach-a citizen, esteemed and Union. intelligent-and a Democrat, as firm and unwav-

Well may it be said that the times are sadly ou ering in his faith, as the purest and best republican of joint, when a bill, framed with so much care by in the land. EPHRAIM BANKS, our candidate for the ablest and most experienced statesmen of the Auditor General, is the very man for the position age, and intended to harmonize the conflicting eleto which he will certainly be elevated; and J. POR- ments of strife, has failed to command a majority TER BRAWLEY, nominated for the Surveyor Gener- of the Senate-a body heretofore considered so alship, is distinguished for his indomitable energy strongly conservative in its character and deliberaand persevering habits. They are all honest, pop- tions. It is one amongst the most portentous signs ular, and competent men. Our time-honored flag of the times, and cannot fail to have a deleterious was never flung to the breeze at a more propitious influence upon the other branch of Congress and moment, and its broad folds were never inscribed the country at large. with names more worthy of the support of the This is a dark day for the country. But as in

whole Democratic party of our Commonwealth .-- | the natural world, the darkest hour is just before We must organize, ORGANIZE, ORGANIZE!-York the break of day, may we not hope that the sombre clouds that now obscure our political firmament

will soon be dispersed, and the sun of peace and prosperity again illumine the heavens. To effect A correspondent in the Northern Pennsulvanian this, we sincerely hope that the wise and moderate writes as follows : "In this county, (Susquehanna,) of both the great parties in Congress-and we the Democratic party is united and firm. We like think they constitute a majority-will see the ne the Williamsport nominations very much-that of cessity of at once agreeing upon some plan of con-Mr. Morison, for Canal Commissioner, is peculiarcession and compromise which will calm the trou ly gratifying to us. His straight forward, radical bled elements, and give peace to a distracted coundemocracy in the Legislature has gained for him try. The great mass of the people desire this, and they will be satisfied with almost any plan of set-they will be satisfied with almost any plan of set-there is my father's house," pointing to a habitation some 5 or 6 miles from public confidence in this section of the State in an eminent degree, and I think, nay, I am confident, tlement that may be adopted. If Congress fail in that he will poll a heavier vote here than any effecting an adjustment, they fail in doing that other candidate could possibly obtain. Montgom which their constituents expect, and which, as the admiration, he hailed some members of his family erv county is highly honored in having the candisworn guardians of the Republic, they must do, if standing in his yard--when lo and behold, his liege date taken from her midst, whilst Judge Longstreth they would avoid the fearful consequences to themstill holds his seat in the Board. But she deserves selves and the country of an opposite course. the honor for her steadfast devotion to principles, and the candidate she presents is as sterling as the

IT Since the defeat of the Compromise Bill, in the Senate every thing is at sea again. Mr. Doug-Gen. J. M. BICKEL, the Democratic State Trea-

The Ascension-That was to Be! The Compromise Bill. This incoortant bill which has been the subject The grand Balloon Ascension, that was to have taken place from this city, on Saturday last, and handed to us by our friend Mr. Parke, and we give f discussion in the Senate for more than five months, and which, had it become a law as origwhich drew together an immense crowd of people them a place in our columns with pleasure, hoping inally drafted by the Committee, would have setto witness the scene, did not take place, owing to that our cotemporaries of the city and county will tled the slavery question and given peace to the an accident which happened the Balloon. The arcountry, has at length been decided, but in such a rangements were all complete by 12 o'clock, the way as to amount to just nothing at all. If we Balloon was inflated, and every thing being in perrightly understand the proceedings of Wednesday fect order, some ten or twelve topical ascensions last, and the effect of the different amnedments were made, with four persons each time, to the adopted prior to the engrossment of the bill, by heighth of several hundred feet-the ascent and dewhich all relating to Texas, New Mexico and Calscent being regulated by a rope and windlass. But ifornia was stricken out, there is only that portion about 21 o'clock, a storm of wind and rain coming of it lett which has reference to a territorial gov- up, the Balloon was driven about with much force ernment for Utah. On the question of striking out | and finally, owing, perhaps, to the expansive power what related to Texas, the vote stood 29 to 28-to of the gas, and some mismanagement with the New Mexico by a vote of 30 to 28-and to Caliropes, a rent was made, the gas escaped, and the ornia 34 to 25. The southern boundary of Utah Balloon collapsed, thus putting an end, for the time was fixed at the parallel of 37 deg: north latitude. being, to Mr. WISE's contemplated ærial excursion The following is the vote on ordering the bill to This was a subject of great regret, as well to the e engrossed

ast multitude of spectators as to the intrepid eronaut, after all the time, labor and money he had expended in constructing the Balloon. The hour of 4 o'clock was fixed upon for the grand ascension but seeing the storm approaching, Mr. WISE was anxious to cut loose from terra firma and ascend above the region of the clouds before the rain would begin to fall-stating, as a reason, that in all probability, the Balloon would be endangered by keeping it confined to earth. This was prevented by the crowd, as they were anxious to have as many more tonical ascensions made as possible before the grand flight. The result justified his fears-and disappointed thousands who were anxious to witness

the scene. Those who embraced the opportunity of making topical ascensions, were greatly delighted with the magnificent view they had of the surrounding country from the elevation they attained, and several expressed a perfect willingness, if there had been room, to accompany Mr. Wisz on his voyage. The first party that ascended was Mr. and Mrs. WISE, their Niece, (a young Lady,) and little son.

We understand that as soon as the Balloon can e repaired and the arrangements again completed, Mr. Wisz intends making the ascension, when he hopes to be able to gratify all who were disappointed by the accident on Saturday.

Mr. WISE has kindly furnished us with the following account of his experiments on Saturday:

MR. SANDERSON :--- In order to satisfy the numerous inquiries made in regard to the experiment with the Balloon Hercules, on Saturday last, I deem it not obtrusive to address to you the following lines the subject. In the first place, however, permit me to say, that the Balloon realized the fullest exectations of the company of gentlemen for whom constructed it, as well as my own. The apparatus for inflation, being on a new plan, also proved tself far superior to the old method. This, I pre sume, is substantiated by the observations, and sat isfaction expressed, by the two thousand spectators who visited the arena on that day. The topical ascents, which were so doubtfully viewed and de the measures which there may be devised and de scanted upon by nine-tenths of the community ever

since it was announced that they would be attempt-ed, also proved to the utmost satisfaction of every one present, that they can be made with as much safety, as can a pleasure trip in an ornnibus to Kreider's spring. And what is of still more importance than the mere ride, is the magnificence of view in looking at God's creation from an isolated spot, and the entire absence of giddiness in any individual when so situated.

through whose popularity Mr. FILLMOBE owes his I had the pleasure of piloting up 25 persons, to a height of from 300 to 600 feet, of which number six were ladies, and I was highly amused in watching the effect produced upon them. A most intense degree of admiration was expressive in every coun ious to every patriot in the land by his infamous speeches in Congress, denouncing the war with tenance, and some gave vent to declamation over the city. A city gentleman espied his garden and fountain beneath him, and while viewing it with translated into the Spanish language, and scattered lady recognized his voice, as he conversed with me broad-cast over Mexico-inducing the poor deluded and then such salutations and gratulations as fol-Mexicans to believe that the American people were lowed between them were really amusing-he opposed to their own government in the difficulty wishing to have her along up with him, just as strongly as she wished him to be down in the solid

between the two Nations, and in this way they were hamber from where she viewed him suspended induced to protract the war and cause the death of train of twenty-two cars, heavily loaded with live stock from the West, was crossing an iron bridge over a small stream, three miles west of the mouth of the Lackawaxen creek, the bridge gave way, lass has introduced a bill for the admission of Calbetween heaven and earth. After several car loads ifornia, and Mr. Foote has offered an amendment thousands of our own countrymen, and tens of thou. rom 4 to 5 each time, had made these topical as sands of the Mexicans. And this is the man that fixing its southern boundary at 35 deg. 30 min.cents, there ensued a perfect mania to go up.— Gentlemen were offering premiums to those in adhas been rewarded for his treason by President The bill was made the order of the day for yesterand although the locomotive got over safely, the tender and fiteen cars were precipitated into the 'ILLMORE! Verily, "whom the gods will to de prietors of a want of gallantry for not giving them a preference, inasmuch as they had led the van in mounting the atmosphere, and little girls and boys were filled with lamentations at being rejected passtroy they first make mad," and the appointment ravine, which was sixty feet wide and twenty-five It is said that an effort will be made to pass the feet deep. The ravine was completely filled up by the of Corwin will prove a mill-stone round the neck Compromise Bill in the House. of the present administration that will sink it yet What is to be the result of all these things til wrecks of the cars and animals. The sixteenth sengers-only such as were accompanied by the lower than even its Galphin predecessor. The Gal-phins, by their plunder of the Treasury, brought nly can determine. We hope for the best. parents were permitted to go up. The grappling iron, ballast, and valve rope were all the while in readiness in case something *might* have happened to require their use, and each party was accompa-"The Galled Jade Winces!" contained about 100 head of cattle, 250 hogs and discredit upon Gen. TAYLOB as a statesman-but 50 sheep; in all about 1100 animals. The cars It appears we have disturbed the equanimity the appointment of Corwin, is a bold attempt to which were going very rapidly, were completely nied by myself when so desired. Mr. J. J. Keller rob his fair fame of the laurels he acquired at the he Union & Tribune, by intimating, as we did, that shattered to pieces, killing or wounding hundred one of the proprietors, accompanied others, an ince the death of General Taylor, and the consef the animals: The conductor of the train, two brakemen and they were perfectly safe under his charge; Mr. Spangler, Editor of the *Gazette*, pioneered a party; and Mr. D. S. Laird, from the southern section of head of the American army in Mexico. The first uent depression of the Johnston and Stevens influby their conduct, did him unintentional injury while two drovers were buried in the ruins. nce at home and at Washington, that paper would The first living-the last have intentionaly insulted his was soon extricated alive, though badly wounded. the county, another. have to lower its pretensions of being the leading nemory, by the appointment of a man who stig-Two or three of the others could be seen among After these experiments had gone on for an hour and a half, I noticed a storm approaching organ of the Whigs of Lancaster county, and conmatised him and his brave soldiers as cut-throats the ruins and were able to converse for an hour or two. One of them was finally gored by an ox and sent to take a subordinate position under the lead and murderers! from the west, making its track directly for the another also appeared to be dead, when our informof the Examiner & Herald. The Union takes our Balloon. This was a magnificent sight, but looked threatening. I immediately stated to the proprie ant left on the cars at 4 P: M. Next U. S. Senator. remarks in high dudgeon, and with an air of assu-Another was still alive and calling for assistance. tors that it was my opinion the Balloon would be med dignity, says—"We shall now, as we have here We observe that the Bedford Gazette strongly Drink was handed down to him, but he was buried wrecked under the storm, if not permitted to go free in the air. Although a number of topical passen so deep that there was little chance of his being ofore done, treat with proper contempt (!) all inurges the claims of Col. McCANDLESS, of this city, gers had engaged and paid for their ascents, Mr. Brubaker immediately refunded them their passage got out alive. sidious attempts on the part of the Intelligencer and for the office of United States Senator. Other gen-Some of the animals were unhurt, but the great others to set at loggerheads the Whig press," &c. tlemen have been named who would do honor to mass of them was killed or horribly mangled, havnoney, and put the Hercules under my discretion Astonishing independence ! Who would have exthe party and service to the people of the State and ing their horns and legs broken, and being wounded Seeing that no time was to be lost, ary power. Seeing that no time was to be lost, I handed into the car my wife, son, and Miss Denton, my niece, and called on Mr. E. W. Rauch, who n various ways by their struggling among them. pected it? Why, neighbor, we never intended to country. But we presume no one will question the set you and the Examiner by the ears. Our sole eminent fitness of Col. McCandless for the post: The trains from the east and west, which met at was to accompany us, who was also immediately at his post, and in five minutes time all was ready ntention was to assign you the position in line, the place of the accident, exchanged passengers. About two hundred men were engaged yesterday and those who know him as intimately as we do. which a change of commanders had rendered inevwill never hesitate to trust him with the interests By this time the storm was close upon us, but no fternoon in clearing away the ruins, and endeav itable, and to advise you to submit to the new o danger could yet have possibly resulted to our bark from its effects, and the car was already clear of of the people, for on all subjects which immediately oring to extricate the men and animals .- News der of things like a true philosopher. concern his fellow citizens, he takes the broad the ground, when a portion of the audience threw But the best of the joke is contained in the fol ground upon which the democratic party now stands INFORMATION WANTED .---- Of D. V. Brickly, who hemselves upon their reserved rights, contendin hat as the final ascent was not to come off until owing extract from the same article in the Unior Should Col. McC. be elected, his speeches, votes 'We have not, nor have we had, any feeling of and personal influence will surely be thrown into P. M., and it was now only 2, and many wanted their chance at a topical ascent, while some pro-tested most loudly against Ladies going up in a the right scale. He is a Radical Democrat, not a It has been ascertained that he purchased a ticket ealousy towards our friend and neighbor of the Examiner." Now, who believes this declaration? Conservative. storm, not thinking at the time that Ladies can raise storms themselves. By the way, mine had told me that very day she would raise one about my ears if I did not take her along in the voyage Nobody, we are sure, who knows any thing of the The election day is a long way off, but it is no disposition of our neighbor. Why, is it not notonow too soon to present the claims of distinguished rious in this community, that the greatest jealousy hrough the "ether blue!" In the delay and con-usion of the Hercules pulling up, and the gravity Pennsylvanians for a station so high and important built, dark hair and rough swathy complexion. exists between the two establishments, and that for as United States Senator. We hope the press of He had on a full suit of light tweed goods when he much difficulty and loss of time he got to a place some time the Union has been laboring by night of a sympathetic audience pulling down, garnished the State wil with an occasional flash of electricity and peals of fair hearing. the State will give the friends of Col. McCandless a left. Any information respecting him will be and by day to supplant the old organ, the Examiner thankfully received by the undersigned residing in n the affections of the Whig party of this county hunder, the storm was upon us; my lady passenger The following is the article from the Bedford Ga Mifflintown, Juniata co. Pa. were then handed out, I got out myself-the audience n part made for shelter-the Hercules began to plunge Its course in this respect has been so constant and Pittsburg Post. July 15, 1850. MILLER & PATTERSON. zette : its efforts so unremitting, that the wonder is so little & chafe like a maddened steed trammelled in harne "For United States Senator, we are for Col. WII success has hitherto crowned its efforts. The Exexcited men held on to the car, some were insid SON MCCANDLESS, of Pittsburg, and we have no concealment on the subject. The West is entitled to the man-all admit this-and Pennsylvania has no one within her borders who would reflect more "Death has been Busy." miner, it appears from its rival's own acknowledg-, when another heavy squall rent her in twain When the year 1849 closed, remarks the Philand she fell a shapeless wreck upon the ground ment, is in a prosperous and flourishing condition, out, I trust, for only a brief period, when delphia Bulletin, it was thought to have been partiand we apprehend it is likely to remain so for a credit upon the Commonwealth than Col. Wilson McCandless. His eloquence as a speaker—his unbe regenerated. - Pardon me for calling a Hercule cularly fatal to great men; but 1850 threatens to long time to come. The accession of Mr. Fillmore she. Balloons, like ships, are feminine genders. be even more so. Already we have chronicled the to the Presidency has certainly placed it far beyond tiring and persevering energy in the cause of De-mocracy—his deportment as a gentlemen, neighbor, and friend, all conspire to make him *the man* that Some persons think it was well that the final demise of Calhoun, of Wordsworth, of Jeffrey, of scent was not made, from the fact that the Balthe petty jealousy of its rival. Taylor and Peel, each, in his different sphere, a man oon exploded under the storm. This is an errone The Union, however, notwithstanding all its pro ught to be chosen. The election of such a noble us notion. A Balloon free in the air, if who "leaves no parallel behind;" and now, as the ssions of triendship and kind feeling for the Exampion to the U.S. Senate, would give th matically constructed, has all it foreign papers inform us, Louis Phillippe probably niner, shows the cloven foot most effectually at the Keystone State her proper position as the arch that unites this glorious Union. Let the Democratic party at once concentrate upon Wilson McCandless ularly distributed over its whole surface, and is lies on his death-bed, a victim like Napoleon, to no danger of bursting after having stood the infla-tion. But in the case of a Balloon being restrained close of its article. It says:-"Certainly, as regards cancer in his stomach. The past few years have this press, [the Union,] it will never play second near the earth, every squall of wind produces an irregular strain, and in the case of the Hercules the made sad havoc indeed with those great names -let them instruct their Representatives to suppor fiddle to any other press; nor is there any thing him-let us harmonize all differences of opin which, from our childhood, we have been accus secure a majority in the next Legislature-gaining politicians will meet the fate they either in its present condition or its future prospects, and h net-work was drawn into one side of her nearly tomed to reverence. The giants in intellect-poets two feet before she gave way. Even this would not have happened could she have been moored to render it necessary to make any sacrifice of ins will meet the fate they so just! Who will back us in a concentrated effor philosophers, statesmen, military men-who formed opinion-to forego its political consistency-to un to throw the vote of the State upon a true Democrat close to the ground by the net-work. and led the age have disappeared one after another say ought that it has said-to forsake old friends ground by the Very respectfully, your friend and fellow-citizen, JOHN WISE. in the West, and thus save the party from odium until few, or none are left. With Wordsworth de r new ones. Nor will it do any of these things. and disgrace? parted the last of the great British poets of the This last quotation, is evidence sufficient that the nineteenth century. With Jeffrey went out the last LANCASTER, August 5, 1850. August Elections. lash was applied in the right quarter-and notwithlight of that brilliant constellation of wits and poets tanding the air of self-consequence and indepen-MISSOURI-election took place on yesterday for who revived or rather founded criticism in this age Awful Fatality. lence assumed by that paper, it nevertheless feels nembers of Congress and of the State Legislature And now Taylor and Peel and Calhoun are no more that it occupies an inferior position to what it did, We copy the following from the Rising Sun (Is INDIANA-election held yesterday for member and the old intriguer, Louis Phillippe, threatens to t least in its own estimation, a few weeks ago, and True Whig, of the 20th ult .:--f the Legislature, and delegates to revise the Cor follow them. How forcibly all this reminds us hat, willing or unwilling, it must from hencefort A man from Pennsylvania, (name unknown,) with a wife and six children, left Cincinnati one day last week, in a skiff, intending to go to Madi-son—and when arriving at North Bend, his wife was taken with the cholera and died in a few hours, itution of the State. that we stand on the threshold of a new age, with olay a subordinate part to the Examiner & Herald NORTH CAROLINA-in this State the election took new men all around us. Especially, as Americans, may keep up appearances during the balance o lace on Thursday last. The returns received, indo we feel this. Calhoun has gone, and, in th overnor Johnston's administration, inasmuch as lictate he election of RIED, the Democratic candiorder of Nature, Clay and Webster must soon fol the Union seems to be his special favorite; but late for Governor. low. Taylor has gone, and Worth and Kearney her husband nailing a rough box together and emwhen the term of that arch demagogue is at an bedding it in the sand where he left her. On arr and others of the heroes of the Mexican war: and end, the military Aid to his Excellency must neces ving at Millersburg, a few miles below this place, all of the children died but one, and were buried in IT The damage by the late flood, to the public Scott, more aged than all, cannot be long behind orks, seems not to have been very serious in any sarily be reduced to the ranks, and content himself indeed, as he followed the corpse of the President a like manner. The next day the father died and was buried on a sand bar, by a fisherman. This quarter. There was scarce a day's interruption to with following in the wake of his more fortunat to the business upon the main line. Severa breaches were made upon the North Branch, thoug Severa rival. Sic transit gloria mundi ! completed the whole family, with the exception of a girl three or four years old, who is now living speak of, must have possessed him. With melan We shall have a word or two more on this su one so serious but that they will be repaire holy emotions we see the past take the place of the for with the fisherman who buried her father. This vilhin the present week. We hear of but one no ect hereafter. present; and the reflection arises "who are to take table injury upon the West Branch, which is at the mouth of the Royal Sock creek, and will pro-bably require two or three weeks to repair.—The is certainly one of the most remarkable cases of fatality on record. The surviving girl is not suffihe place of those that are gone?" Alas! who? KILLED .- During the storm of Sanday nigh ciently advanced in years to give an accurate ac-count of their origin or destination, the above being week. a man named Hiram H. Baughman, of Bar whole amount of injury to the Delaware division has been estimated at \$14,000, and the line is ex Commodore JACOB JONES, of the Navy, died at township, was killed by the lightning. He was in the history furnished our informant by the old man Philadelphia, on Saturday night, aged 83 years. pected to be in order early next week .-- Keystone. bed at the time. previous to his death.

Execution of Pearson. Bosros, Friday, July 26.

The following communication and letter were PEARSON was hung at half-past 10 o'clock this orning, fully prepared and making a full confession of his guilt. He died almost without a strugdo the same :- Am. Press and Republican. MR. EDITOR-The following letter post marked those who heard him to seek their own salvation.

Secret Plotting.

and determined on."

re the general election

issues, publish them also.

GARRICK MALLERY, C. INGERSOLL.

Adding Insult to Injury.

ounty "Whi

July 25, 1850.

Phila., the 22d inst., is the first com The following was Pearson's speech on the nunicatio eccived on the subject. It discloses a private or gallows anized opposition to making the Judiciary elective. The respectable gentlemen whose names are sign "I should like to say a few words-be prepared die, my friends; seek salvation. This is the

ed to the letter, which seems to be a manuscript circular, in furtherance of this organization, request " a private meeting." of two from each judicial dis irrict in the state " one Whig and one Democrat." of h him in Heaven. I recommend you all to the Holy Word of God, and pray that we may all meet their own legal profession it is probable. "quietl to consult upon, and arrange a plan of action for the different counties;" and afterwards, aid in giving in Heaven.'

The following is his own confession : effect to the "measures which there may be devise

The ability with which this plan is conceive by these gentlemen, and others no doubt of the le-gal and judicial calling interested, is eonceded. But it is doubted whether, in fairness to those of the eople who are in favor of the amendment to the constitution, of whom I am one, the public ough April, 1849, between the hours of 2 and 4 o'clock names. Terms \$3 per annum. f whom I am one, the public ought not at once to be made acquainted with the project of this opposition organizing under a secret caucus. Particularly, as otherwise the citizens of this state, -this is the time as near as I can recoll these are the principal circumstances. On 10th of whom it is supposed three fourths are in favor of electing their Judges, might think that possibly they were mistaken in their views approving, and

not vote at all on the question, since persons of in-fluence in every county, equally of both parties, Whig and Democrat, apparently without any con-cert or individual interest, had turned out so earnest and importungto except the merch every light. I went to Boyleston st. and obtained the shoe and importunate against " the amendment." just be Please therefore, as the Editor of the paper issue first after the reception of the letter, to publish it to the Lowell depot and left in the cars for Wil-mington, I think about six o'clock; when arriving at Wilmington, I asked when the cars left for Bosand this communication. It seems right too, and I therefore request that the other Editors of this ig and Democrat," will, as each paper Your, &c. SAMUEL PARKE. my wile and two childran were living; I went over through the woods, and stupified with liquor got lost. It was a kind Providence to hold me back,

PRILADELPEIA, July 19th, 1850. ot knowing where I was. When I got through I Samuel Parke, Esq.-Dear Sir.-An opposition s now being organized in various parts of the State looked round for some time and saw my barn. I saw a light in my house; I rapped at the window; Martha came and said, "Who's there?" "Daniel," o the proposed Amendment of the Constitution, by which the Judges are made elective; and it is I answered. She came to the door and let me in; intended to hold in the course of next month, at sat down and she got me a cup of tea; I took some designated place, a small private meeting to consist of two indivduals only, one Whig and one Democrat, from each judicial district, quietly to wife y the stove and then went to bed with my wife; I got up, went out, and returned again to bed wife; I got up, went out, and returned again to bed between 2 and 4 o'clock; I did the fatal deed after consult upon, and arrange a plan of action for the different counties. Owing to the circumstances of the first thrust, which I think did not wound her; this movement being entirely unconnected with party politics, and to the natural indisposition of Martha got the knife away from me, I know not

how, and held it by the handle; it was hard to get it again, and in the dark I seized the blade in my nost people to give themselves trouble about what have in some instances, no easy or certain means of ascertaining to whom we ought to address our the deed might not have here been broken the deed might not have been done; on doing this I selves in order to the procuring in the several discut my hands badly; I then overcame her and in the struggle she cried out, "Oh ! Daniel, Daniel, ricts, persons to meet at the consultation about to be held. Among the districts in which we are don't murder me-murder! murder!" I pierced

be need. Allow us therefore to be ner in the need, "Oh, my God!" fell on the floor and that you will do us the favor to send, or if you pre-bed; she cried, "Oh, my God!" fell on the floor and that course, to put this letter into the hands of died. I do not know how the pillow came under her; Sarah slept on the bed with my wife; she awoke and cried; I pierced her also in the neck awoke and cried; Lydia awoke and crawled on the bed, and she died. Lydia awoke and crawled on the bed, and she died. sultation, and alterwards, to aid in giving effect to the measures which there may be devised and de-hand on her head and pierced her in the neck; after this lamentable deed was finished I said. "How

race, and advising that every one who participated in it should be welcomed to Mexico "with bloody and sunk it in the water just below the hands and hospitable graves?" His speeches were Translated into the Series?

Terrible Accident on the N.Y. and Erie Railroad.

We learn from New York, that a terrible disas occurred on the N. York and Erie Railroad on Wednesday afternoon, about 1 o'clock. As a freight

New Books. The IRON MASK; or the Feats and Adventures Raoul de Bragelonne, is the title of a new novel

by Alexander Dumas, being the final conclusion of the "Three Guardsmen;" "Twenty Years After;' gle. In his speech upon the gallows he adjured and "Bragelonne, the son of Athos." It is a book of 200 pages, translated from the French by T. Williams, and is one of the very best productions of that celebrated French Novelist. It will doubtless meet with a very ready sale. It is to be had

at SPANGLER'S Bookstore-price 50 cents. We received by mail, from the office of Little's happiest death of any, if only prepared to die. I hope and trust in God, and that I am going to be Living Age, a neat volume of some 80 pages, containing two beautiful and interesting stories, entitled LETTICE ABNOLD, and LIZZIE WILSON.

I wish to unburden my soul and free my con-science of whatever lought with all my heart, and under the eye of my Maker who will judge me soon. I declare as iollows--truly of the death ot my wife Martha B. Pearson, and of my two twin children Sarah and Lydia. I confess that I myself opportunity to new subscribers to hand in their BLACKWOOD'S EDINBURG MAGAZINE. for July.

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The AMERICAN LAW JOURNAL has made April I drank to excess; I went to my brother Henry's in Broomfield st.; took an umbrella, kissed is the commencement, of a new volume. The my daughter Melissa, told her I was going to Prodence, and then parted. I went down to Tremont (printing and paper are excellent-the type are st. and Temple place to a Club house and got a pack of cards, then I struck over to the Providence the lines, (the leading) is discontinued, and the left. journal contains a much greater quantity of matand knife at a shoemaker's; then obtained the shoe and knife at a shoemaker's; then obtained a hat of Landman, at an apothecary's; then I went to before us are highly interesting. Among them Merryman st. and got a bottle of gin; I then went to the Lowell denot and let in the account of the supreme Court of the twell denot and let in the account of the supreme Court of the supreme Cour the United States-and of the Supreme Court of Pennsylvania,-remarks upon Professor Webster's ton in the morning; some one answered and hand-ed me a Pathfinder; I then left for my house, where The Review of the 5th volume of Howard's Reports of the Supreme Court of the United States, points out some extraordinary evidences of inst tention on the part of the Reporter; and the notice of Dean's Medical Jurisprudence, containing a seasonable word in favor of Medical witnesses using " language plain, simple and, if possible, devoid of all technical terms."

> IJTM. T. Fonn offers great inducements to those who wish to rig themselves out in a neat and cheap summer suit. He is selling his entire stock at cost, at his "Tower Hall" establishment, for the purpose of making room for a new and splendid fall and winter stock.

OAK HALL, BOSTON, Geo. W. Sim well known proprietor of the large clothing estab-lishment, sells splendid suits of clothing for a small amount of money. / Traders in this section would find it for their interest to make their purchases at this establishment.

CALCIUM LIGHT .- Professor Grant exhibited in Washington on Monday night his calcium light from the Capitol. The National Intelligencer says:

The lamps from 3d street to 14th street were not lighted, the Commissioner of Public Buildings (Mr. Mudd,) desiring to observe the effect of this have often and repeatedly, that Martha gave me no The result of this experiment was most satisfactory. cause, neither in any manner or any time to do and elicited the highest encomiums from numerous this greed. I was not jealous of my wife; all her groups of ladies and gentlemen who thronged, the Adding Insult to Injury. The selection of Corwin to fill one of the most important stations in the new Administration, is a direct insult to the memory of Gen. TATLOR, through whose nonularity Mr. FULLWORE owes his why and the balance of the most is and the stores closed, before leaving the house; I kindled a light to dress; in the hand; the children on the bed, the laudanum is the house of the house of the balance of the stores closed. The right was quite dark, and the stores closed, before leaving the house; I kindled a light to dress; in her hand; the children on the bed, the laudanum is the balance of the memory of Gen. TATLOR, her hand; the children on the bed, the laudanum is the table with the action cod action of the memory of the table with the action of the balance of the table with the action of the table with table with the action of the table with table table with table with table table with table table by her on the table with the cards aad notes, one sion. Persons in any portion of this extensive st. present distinguished position. What! to appoint of which I signed, intending to make the impression of which I signed, intending to make the impression of a watch. The light was kept burning for one committed suicide. Upon going out the back door, I crossed the woods to a brook and there washed my person of my wife and children's blood. I then

> Hon. JAMES BUCHANAN was on a visit last week Bedford Springs.

Hon. D. P. KING, a member of Congress from assachusetts, died on Friday week.

The Monument at Nashville over the reains of the late President Polk, is described as very elegant and imposing. The design is of the Doric order. Part of the inscription is as follows "By his public policy, he defined, established and extended the boundaries of his country. He plan-

parties. We are of opinion that judgment be reversed and judgment entered for the County, for seven dollars.

An Important Fact.

In the year 1845, when the tariff of 1842 was in operation, the exports from this country of breadstuffs and provisions, were \$16,743 421. In 1849, when the tariff of 1846 was in operation, they were \$38,795 644, or upwards of \$22,000,000 more than in 1845. These exports are the products of agriculture in the Middle and Western States alone. They do not include the cotton and tobacco of the South, and other domestic articles, which amount to the additional sum of \$83,871 291. The year 1849 was not a year of famine. Is not the above fact a complete refutation of all the humbug

clap trap we hear, about the balance of trade and sending specie out of the country to pay for importations ?- Keystone. red from that disease.

–Pennsylvanian.

before, 9 o'clock, A. M., \$939,908 81, the whole amount of the interest on the funded debt of the Commonwealth due yesterday. By the energetic efforts of the State Treasurer, the whole amount had been converted into par funds, and will be paid to the State creditors in specie, or funds at par in the

city of Philadelphia. And this has been accomplished "without the necessity of resorting to a temporary joan," or selling at a discount the funds of the State to convert them into par. We are informed, that since Gen. B. entered upon the duties of State Treasurer, he has paid, at the Treasury, to the creditors of the Commonwealth, and the repairs of the public improvements, a very considerable sum more than was paid during the same time last year, and now has, at his command, to meet any demands upon the Treasury, over five hundred and fifty thousand

In singular contrast with the course of General BICKEL, in the payment of the interest in specie funds, reference may be made to the manner in which his immediate predecessor, GIDEON J. BALL, the Whig NECKAR, paid the interest during his administration of the Treasury Department. It will be recollected that a great excitement was created in consequence of his having liquidated the interest with specie funds; and GIDEON did not hesitate to boast of it himself in certain of his official papers. It now turns out that that modest lad got four thousand dollars just before he went out of office, for expenses in exchanging money below par for specie funds. General BICKEL, however, exchanged all his depre. ciated funds without a dollar's expense to the State, and paid the whole amount into the Pennsylvania Bank yesterday. The contrast is significant, and

may be useful.—Pennsylvanian, of Friday. A Truth to Remember.

Congress has now been in session eight months and but two trifling bills have been passed; one

granting the franking privilege to Mrs. Polk, another to Mrs. TAYLOR. Otherwise all business has stood still, and the house, which assembled in December, in the midst of a tempest of crimination has done nothing but struggle, like Laocoon amid the serpents, with its own dissensions. The records of Mythological history tell us that the introduction of the fatal wooden horse behind the walls o Troy, filled as it was with enemies of the Trojans was also the cause of the death of Laocoon by the serpents. The wooden horse introduced into Con gress is the Slavery question: introduced by those by those oo who profess to be true friends of the Union.-Already the dissensions that have resulted from this discussion of a question which a little more patri-otism would have forever removed from the Na-

tional Councils, like the serpents of Mythology are twining themselves around the Constitution, and nless speedily destroyed, may become the instru ments of the overthrow of the whole of our fair

This unhappy state of things could have been prevented, if only the Democratic party had tri-umphed in 1848—if then, instead of listening to the promises of Expediency, the masses had united upon the candidates of the great, national, and pop-ular party. A crisis which is deplored in all parts of the land, would never have occured hereanse the of the land, would never have occured, because the jeop adizing the peace of the country, by using all its its power to open a question, the settlemen of which, the public voice was imploring for. there would have been no contest against men. no war upon those who would not go for a particular plan; the entire energies of the Executive would plan; the entire energies of the Executive would have been directed to the establishment of such a feeling in Congress and the country, as would have easily led to the adjustment of the whole dispute. This is one of the losses which the Union has wit nessed in consequence of the result of the last Pres idential Election : a grave and commanding loss ir ll respects. Let us hope that the new state o hings will lead to the imitation of an example which Democratic administrations always prese

IF The Cholera prevails to some extent at Unontown, Pa., and at Harper's Ferry, Va., at both of which places several deaths have recently occur-

ted the laws of the American Illnion on the shor of the Pacific. His influence and his council tend-ed to organize the National Treasury, on the prin-ciples of the Constitution; and to apply the rule of Freedom to Navigation, Trade and Industry."

Dreadful Storm.

DESTRUCTION OF LIFE AND PROPERTY

We were again visited with a succession of thun-der storms on Sunday last, (28th ult.) accompanied by torrents of rain. The creeks and streams in dur eighborhood were so swollen as to overflow their panks for a considerable distance, and very great, injury has consequently resulted to fences, &c. Much damage has also been done to orchards and gardens. But the most melancholy result of the storm is in the loss of life and destruction of Barns with their

The house of Mr. Abraham Seavers, of Dickinson township, near Centreville, was struck by lightning, the fluid passing down the spouting on the corner of the house, and almost instantly killing his son, a young man who was sitting on the porch near the corner. The remainder of the family were inside of the house, and neither they nor the building were

at all injured. We hear a report of seven Barns being destroye

but the rumor is probably exaggerated as we can ascertain particulars of not more than three. These are the barns of Mr. Johnson Martin, Mr. Fleming and Samuel Clarke, all situated within the neigh borhood of Churchtown, where the storm have prevailed in its highest fury. On Mr. Clark's parn we learn there was an insurance of \$700.-Mr. Martin's loss is said to be at least \$2000. We learn that he was at his barn when the storm gath left Mifflintown about three weeks ago with a drove of sheep. Since then he has not been heard from. It has been ascertained that he purchased a ticket for Lancaster on the 5th inst., but whether he left the city or not there is no definite information...-Said Brickly is about 5 feet 9 inches high, stoutly built, dark hair and rough swathy complexion.

of safety where restoratives could be applied to them, and in due time they both recovered. Mean time the fire spread rapidly over the barn, and he was not able to save a single article in it but a team of horses. On Mr. Martin this unexpected calam ty falls with particular severity.-Carlisle Herald

Mad Freak of a Maniac.

A remarkable freak of a maniac occurred a Bordentown, N. J., on Tuesday. The locomotive which was bringing the morning train from Bordentown to Trenton, was missed, and the engineer procured another—when they reached Trenton they discovered the missing one fast in the switches blowing off steam at a great rate. The Trenton American säys :

"When they came to it they found a man try ing to rebuild the fire, and the water and cynder splashing over him and the engine.—It seems that a crazy man, hailing from New Hope, Pa., had come here from Bordentown on Monday evening, and returned in the same train. ' Some time during the night, or early in the morning, this madm the ingut, or early in the morning, this manman had gone to the engine, kindled a fire, put on one of the pumps which had been taken off, and not finding the oil; had melted tallow, with which he greased all the apparatus, and, putting on the steam, came up to this city like a streak of "greased lightning." The engine had been man-aged very well, as it was not at all injured; but it s supposed he did not know how to back it when it got in the switches here, which were locked e understand he must have passed one or two switches before reaching this station. He said he took the engine to see how fast it could be made to go. He was taken back to Bordentown, and sent thence to his friends. His escape from destruction was very lucky for him.

The favorite boast of the Whigs now, is that FILLMORE, we should put down parties, and should indeed, as he followed the corpse of the President in the solution, he have a party, including the people," and not of party. to the grave, gloomy thoughts, akin to this we streak of must have possessed him. With melan have a full blooded partizan President, who goes r 'making the Whig party stronger." partyism' of 1848, has not only resulted in a strictpartizan administration, but in a sectional array f parties which endangers the very existence of the Jnion. We are glad, even at this late day, to see the humbug trick of "no-party" repudiated by the