The Morning Post.

L. HARPER, EDITOR AND PROPRIETOR.

PITTSBURGH:

THURSDAY MORNING, JANUARY 9, 1851.

☞ "*No American citizen can ever cease to esteem the Union as the first of all blessings. [Disunion! God forbid.*—Nations yet unborn would rue the rashness of the deed."—BUCHANAN.

DEMOCRATIC NOMINATION

FOR MAYOR

JOHN B. GUTHRIE.

To Advertisers.

THE MORNING POST has a larger circulation than any subscription paper published in Pittsburgh. To business men it affords an excellent medium for Advertising; and being the only Democratic paper issued in Allegheny county, it goes into the hands of a class of readers reached by no other paper. Advertisers will be good enough to bear this in mind.

Democratic State Conventions.

AT READING,

For nominating candidates for GOVERNOR and CANAL COMMISSIONER, on the 4th of June, 1851, as fixed by the Williamsport Convention.

AT HARRISBURG,

For nominating candidates for SUPREME BENCH, on the 11th of June, 1851, as fixed by the regular action of the State Central Committee.

TICKETS.

The candidates for city offices, who may wish to have tickets printed at this office, will be good enough to leave their orders immediately.

The Governor's Message.

We have the pleasure of presenting to our numerous readers the Message of Governor JOHNSTON, read before both branches of the Legislature, at Harrisburg, yesterday.

Copies of the Message, in a sealed package, were sent to our Post Master, Mr. ROSENBURG, on Monday, with instructions to open the same the moment he obtained a telegraphic despatch from Harrisburg, informing him that the Message was made public in the Legislature. By this arrangement, which was strictly carried into execution, we are enabled to lay before our readers an accurate copy of the Message, at an early moment, without incurring the enormous expense attending the receipt of a copy by Magnetic Telegraph.

Our thanks are hereby tendered to Mr. ROSENBURG for his politeness in furnishing us with a copy of the Message simultaneously with the other city papers.

The Message presents a very flattering statement of the fiscal affairs of our good old Commonwealth. Not only have all our engagements been faithfully and honestly met, but the State debt has been reduced *one half a million of dollars* during the past year. This news will be gratifying to every true hearted Pennsylvanian.

The Governor gives an elaborate and highly satisfactory account of our various works of internal improvement.

He recommends the establishment of a Banking System, based upon State Stocks.

The Governor discusses at considerable length the subject of the Fugitive Slave Law of the last session of Congress. He believes the Law is constitutional, and should be obeyed. The Message concludes with some patriotic observations in regard to the Union of the States.

Taken altogether, the Message is a pretty fair State paper.

PENNSYLVANIA LEGISLATURE.

HARRISBURGH, January 8.

Mr. CESSNA is elected Speaker of the House, and Mr. Jack, Clerk.

SENATE.—Mr. Matthias, of Philadelphia, was elected Speaker of the Senate. At noon, the Governor's Message was delivered.

The Clerk of the Senate is not elected yet. All of the members are going to Philadelphia, on Saturday, to partake of a public dinner. It does not meet gain until Monday.

GOVERNOR'S MESSAGE.

To the Honorable the Senators and Members of the House of Representatives of the General Assembly:

FELLOW CITIZENS—A renewal of expressions of gratitude to the Almighty Father, for his manifold mercies and protecting influences during the past year, and the utterance of a prayer "in spirit, and in truth," for the continuance of these blessings, well become a people who habitually acknowledge the superintending care of a just and merciful God. The abundant harvests of the late season, the general exemption of the community from disease, the rapidly-improving condition of the country, in all things which confer happiness and rational contentment, increased facilities of education, and the enjoyment of religious privileges in its purest forms, admonish us anew, that the destiny of this people and government is directed by the power of a Supreme Ruler, whose kindly providencies are continually exerted for their welfare and its well being.

The melancholy duty devolves on me of formally announcing to the General Assembly the fact of the decease of the Chief Magistrate of the Nation, the venerable ZACHARY TAYLOR, who died at the City of Washington on the evening of the 9th of July last.

The Soldier whose brilliant achievements in arms added new lustre to the military fame of the country, and the Statesman whose policy, as shadowed forth in his recommendations to Congress, was that of the wisest and most generous patriotism, died in the full possession of his great mental faculties, surrounded by endeared relatives, cherished friends and patriotic members of government, with the calm resignation becoming a Christian soldier, and founded on the faith which teaches that death has no terrors for those who faithfully endeavor to do their duty. The American people paid the highest tribute to his memory by united and universal sorrow.

In the purity and disinterestedness of his motives, the patriotism of every impulse as affecting his public conduct, the perfect sincerity of his desire to act justly to all men, his winning gentleness of temper as manifested in his personal deportment, were to be found traits of character which bound closely to him his confidential friends, and gave to their sorrow for his demise a bitterness which no lapse of time or change of circumstance can alleviate.

It is recommended that a suitable expression of respect for the memory of the deceased, and of regret for our bereavement, be made by the present Legislature.

On the death of Gen. Taylor, by the provisions of the Constitution, the powers and duties of the Chief Magistracy were vested, without the least interruption of the public business, in Vice President Millard Fillmore, whose virtue and patriotism, as manifested in the discharge of former trusts, as well as in the administration thus far of his new functions, justify the confident expectation that the policy of the National Administration will eminently promote the best interests of the country. In its avowal of the great principle of protection to American Industry, it has an especial claim on the confidence of Pennsylvania.

Resolutions expressive of the feelings of the last Legislature on the death of the late John C. Calhoun, were communicated to his family. I herewith transmit the correspondence.

The amendment to the State Constitution, providing for the election by the citizens of the judicial officers of the Commonwealth, having received the sanction of a majority of the people, is now part of the organic law. Your attention is invited to such legislation as may be necessary to carry into complete effect this expression of the popular will. By the terms of the Constitution, the commissions of the Judges will expire on the first Monday of December, in the year one thousand eight hundred and fifty one. It is suggested that this will afford a favorable opportunity to remodel and greatly lessen the number of Judicial Districts. At present there are no less than twenty-four judicial districts, with District Courts in Philadelphia and Allegheny counties. A reference to the vast amount of business transacted in these last-named Courts, affords conclusive evidence that the interests of the community demand their continuance. Should a reduction be made in the number of the Common Pleas Districts, the salaries now paid to the Judges ought to be increased to such extent as would be a fair remuneration for the labor performed and the responsibility incurred in the execution of the duties of their high offices. It is no part of the character of our citizens to require the labors of others without adequate compensation. Fair salaries will best secure the services of honest, intelligent and competent men, in that department of government in the faithful administration of which every citizen is so deeply interested. An increase of the salaries of the Judges of the Courts of Common Pleas and District Courts, would demand the extension of the same liberality to such gentlemen as may be selected to discharge the higher and more responsible duties of Judges of the Court of last resort.

Two annual elections appear to impose unnecessary burthens upon the citizens. Expense to the general treasury, and loss of time to the voter, could be well saved by authorizing the elections now held in the Spring to be holden at the general election in October. To such counties as desire to try the experiment, the right might be granted. I have been furnished with a statement of the expense incurred by holding Spring elections in Dauphin County, and if the amount is a fair average of the expense to the other counties, the change indicated will save to the people of the Commonwealth annually, upwards of thirty thousand dollars.

The project of creating an Agricultural Department connected with the State Government, demands the favorable consideration of the Legislature. In such department might be collected much valuable information for the use of the practical farmer. The recent improvements in the construction of implements of husbandry, the analysis of earth, improved modes of tillage, and adaption of manures and seeds to various kinds of soil, are subjects of absorbing interest to the agricultural classes. Diffusion of knowledge respecting the best breeds of horses, cattle and other stock, with suggestions in an authorized and reliable form, and experimental expositions of the proper modes of rearing and training live stock of all kinds, could not fail to act beneficially on this great interest of the Commonwealth. Should the National Government create an Agricultural Bureau, in conformity with the suggestion of the President, the State institution would be an efficient auxiliary in the collection of local information, and for the distribution here at home, of knowledge amassed in that department from other sources. In this establishment, the claims of the mining, mechanical, and manufacturing interests on the fostering care of the Government, might be equally regarded. A private society in our metropolitan city by its liberality, activity and learning, has done much to develope and encourage the arts and sciences, useful in every-day life, and has largely aided our mechanics and manufacturers to gain a reputation throughout the world. By the measure proposed, I desire to accomplish for the advancement of those agricultural, mechanical, and mining industry of the whole Commonwealth, what the Franklin Institute has done for those interests, which have enjoyed the benefit of its discriminating care. County and township institutions would speedily follow the creation of a State department, and by mutual action and counsels, results would ensue, highly gratifying to the patriot, and beneficial to the country.

Should the returns of the seventh census of the United States be transmitted in time, the apportionment of the State into Congressional Districts, may become part of your duty. In such event, it is hoped the custom heretofore pursued of postponing action on important bills of this description to the last hours of the session, will be changed. It is a practice utterly inconsistent with careful and correct legislation, and destructive of the rights of a co-ordinate branch of the Government.

The Committee charged with the introduction of gas lights into the public buildings, has complied, so far as in their power, with the directions of the Legislature. An appropriation to meet these expenses, and to enclose and improve the public grounds, should be made at an early day.

A complete set of balances, furnished to the State by the General Government, have been deposited in the buildings of the Land Office. The Commissioners of the several counties ought to be required to have the weights and measures, under their care, again adjusted and regulated.

An arrangement of the Geological specimens belonging to the State, in some convenient place for general inspection, and the publication of the Geological reports, are demanded alike by the true interests of the State, and a just appreciation of her character for intelligent enterprise.

My attention has been called to the large body of original papers in the State department, connected with the Colonial and Revolutionary history of the State, and their extremely exposed and perishing condition. These records are worth preservation, as containing authentic information of the action of our fathers in the struggle for national independence. In the Capital of Pennsylvania, and with the sympathies of her patriotic people, was Independence matured and declared.—Her soldiers were most numerous around the standard of the nation, and there were more battle fields on her soil than in the same area elsewhere. Every memorial of those days of devotion and trial, should be faithfully preserved.—There exists a copy, in manuscript, of the minutes of the Revolutionary Executive Council, a document by far too valuable to remain longer within the reach of accident or mutilation. It would be gratifying to a large body of our constituents, if the Assembly would authorize the employment of a competent gentleman to select and arrange for publication these memorials of an interesting epoch in the history of the Commonwealth.

In the early spring the buildings of the Insane Asylum will be ready for the reception of patients. This work of charity, worthy of the best care of the philanthropist, from its admirable construction and healthful location, cannot fail to answer the ends of its benevolent founders. It deserves the fostering care of the Legislature.

In the performance of your duties, attention is most earnestly directed to the revision of the laws in relation to taverns, restaurants, beer houses, and ten pin alleys. It is alleged that in many instances they are made the common resort of the young, the idle, and the worthless, to the great detriment of the moral well-being of the rising generation.

The suggestions and recommendations of former messages in reference to the equalization of Tax laws, payment of portions of the public debt overdue, the currency, and public improvements, are again pressed on your attention. The loan authorized at the last session to redeem the over due public debt, has not been negotiated.

The financial condition of the Commonwealth is exhibited in the following statements:

Amount of funded debt, including amount in the hands of Commissioners of Sinking Fund, and also special loan to avoid Inclined Plane at the Schuylkill, on the 30th of November, 1850, was $39,662,914 78

Amount of unfunded debt, same date, 912,570 64

Total sum of debt, $40,775,485 42

In this gross sum is included the loan to avoid the Plane at the Schuylkill, as above stated—the avoidance of the plane authorized the sale of that portion of the Columbia Railroad and Viaducts over the Schuylkill, rendered useless by the construction of the new road. A part of the road and bridge was sold for $242,200, which amount is to be applied as directed by the 18th Sect. of the Act of 10th April, 1849, towards the permanent improvement of the Columbia railway. The actual cost of this great improvement, whereby the Plane has been avoided, the use of the public works much facilitated, and an annual saving of thirty-one thousand dollars, secured to the Treasury, in the disuse of the machinery and labor necessarily connected with the plane, is shown as follows:

Amount of cost of new road, say	$400,000 00
Deduct price of old road sold,	242,000 00
The Sinking Fund operation is exhibited thus:	
Amount of funds received during year,	$197,193 74
Amount of stocks purchased during year,	345,622 98
Amount in hands of Commissioners, on 30th Nov., 1850,	5,867 60
Whole amount received since commencement of system,	424,832 75
Whole amount of stock purchased	459,122 98
Amount of money in hands on 30th November, 1850,	5,967 60

FURTHER EXPOSITIONS OF THE PUBLIC DEBT.

Amount of debt on 30 Nov., 1850		40,775,485 42
Amount of stocks and cash in hands of commissioners of Sinking Fund,	$465,090 58	
Deduct amount of special loan—the interest thereof saved in the discontinuance of the Plane,	400,000 00	865,090 58
		$39,910,394 84
Amount of debt on 30th Nov., 1848,		
Funded, $39,593,350 24		
Unfunded, 1,051,386 69		
Canal, Railroad, and Motive Power debts returned in 1849 and 1850, being debts contracted prior to 1st December, 1848, 373,861 48		
Total indebtedness		$40,848,598 41
Actual indebtedness, including Inclined plane Loan, on 30th November, 1850, and excluding amount in hands of sinking fund Commissioners,		$40,310,394 84
Actual decrease of public debt since 30th November, 1848,		$538,203 57

Within the same period, there has been paid from the treasury appropriations, that may be called extraordinary, as follows:

Towards completion of North Branch Canal,	$148,500 00
To avoid Inclined Plane,	309,446 02

If these sums, from the payment whereof the Treasury will be relieved by the completion of the improvements above stated, be added to the actual reduction of public debt above exhibited, the conclusion is clear, that at a very early date, an annual appropriation of nearly one million dollars may be made towards the reduction of the public debt.

A comparison of the receipts and expenditures of the present, with the estimate of last year, and the actual receipts at the Treasury.

	Estimate for 1850.	Receipts for 1850.	Estimate for 1851.
Lands	$20,000	$16,278,53	$10,000
Auction Com.	20,000	18,673,75	20,000
Auction duties	50,000	44,838,22	45,000
Tax on bank dividends	130,000	153,877,14	160,000
" on Corp'n stocks	160,000	136,510,14	160,000
" on Real and personal estate	1,330,000	1,317,921,55	1,330,000
Licenses, Taverns	80,000	107,427,49	100,000
" Retailers	160,000	171,002,20	170,000
" Pedlers	3,000	2,925,05	3,000
" Brokers	12,000	10,225,73	11,000
" Theatres, &c.	2,000	2,384,20	2,500
" Billiard rooms, &c.	5,000	3,948,81	4,000
" Distillery, &c.	1,500	4,953,91	5,000
" Eating houses, &c.	15,000	6,539,97	10,000
" Patent medicines,	3,000	2,623,04	3,000
Collateral inheritance tax	500	34,55	500
Militia fines	2,000	12,953,73	10,000
Tax on writs	40,000	45,409,47	45,000
" on offices	12,000	14,049,26	12,000
On Col. Inheritance	200,000	102,295,07	150,000
Canal and Road tolls	1,825,000	1,713,818,16	1,800,000
Sale of old materials	5,000	6,035,64	5,000
Enrolment of Laws	11,000	10,270,00	12,000
Premium on Charters,	40,000	89,002,21	40,000
Tax on loans	122,000	119,342,44	120,000
Inclined Plane loan	270,000	270,000,00	
Dividends of Turnpike stocks	2,000	2,460,00	2,000
Nicholson lands	300		
Accrued interest	5,000	3,674,22	5,000
Refunded cash	5,000	13,278,61	5,000
Escheats	2,000		1,000
Fees of Public officers,	5,000	3,637,29	4,000
Miscellaneous	2,000	1,740,33	5,000
Interest on stocks purchased	15,000	13,721,27	50,000
Foreign Insurance Agencies		2,750,83	3,000
	$4,566,300 00	4,433,131,51	4,290,000 00

PAYMENTS.

	Estimate for 1850.	Payments for 1850.	Estimate for 1851.
Public Improvements,	$640,000	$1,488,799 74	$800,000
Dept of Government,	235,000	262,929 71	250,000
Militia,	4,000	16,782 25	15,000
Pensions,	20,000	17,257 91	15,000
Contingent fund,	80,000	62,257 83	60,000
Com. Schools	260,000	213,723 49	220,000
Interest on loans,	2,035,000	2,004,714 41	2,005,000
Contingent fund,	20,000	26,504 00	25,000
Domestic creditors,	10,000	6,387 41	10,000
Damages on pub. works,	20,000	22,054 36	22,000
Special Commrs,	2,000	1,534 03	2,000
State Library,	2,000	1,000 00	2,000
Public Buildings,	10,000	4,009 72	10,000
Penitentiaries,	15,000	19,953 79	15,000
House of Refuge,	5,000	6,003 69	5,000
Nicholson Lands,	300	192 72	300
Escheats,	2,000	1,749 53	2,000
Abate'n of State Tax,	40,000	43,525 04	40,000
Counsel fees and Commissioners,	2,000	5,984 15	5,000
Miscellaneous	5,000	8,180 41	5,000
Sinking fund Commissioners,	292,000	318,864 03	250,000
Interest on Loans,	60,000		250,000
N. B. Canal,	150,000		250,000
Bene'l of Relief Notes,			10,000
Expenses of Revenue Commissioners,			2,500
	$4,604,800	4,553,193 75	4,101,300

In the item of expenditures for Public improvements is included $148,500 paid to North Branch Canal and $255,446 02 to avoid inclined Plane.

In the estimates of the receipts of Railroad tolls and collateral inheritance taxes, the actual receipts of the last year fall short of the estimates. In making these estimates it was supposed the suggestion of a former message in relation to the conveyance of passengers on the Columbia Railway would have been favorably regarded. It is still believed that a largely increased revenue would attend the adoption of the changes heretofore recommended, that the collateral inheritance tax is inefficiently and carelessly collected in some of the counties, and even when collected frequently retained in the hands of the officers longer than necessary, is demonstrably the fact of the great disproportion received at the Treasury from counties of equal population, business, and wealth. A statement of the amounts received from the several counties during the last four years, will exhibit much valuable information on the subject. In the Capital of Pennsylvania, and with the sympathies of her patriotic people, was Independence matured and declared.—Her soldiers were most numerous around the standard of the nation, and there were more battle fields on her soil than in the same area elsewhere. Every memorial of those days of devotion and trial, should be faithfully preserved.—There exists a copy, in manuscript, of the minutes of the Revolutionary Executive Council, a document by far too valuable to remain longer within the reach of accident or mutilation. It would be gratifying to a large body of our constituents, if the Assembly would authorize the employment of a competent gentleman to select and arrange for publication these memorials of an interesting epoch in the history of the Commonwealth.

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judicial tribunal which has cognizance of the case under the Constitution.

In the various Railway projects now severally terminating at Philadelphia, Harrisburgh, and Pittsburgh, the people of the Commonwealth ought never to lose sight of that other great enterprise which, known as the Sunbury and Erie Railroad, was meant to connect the Susquehanna, the Delaware, and the Lakes. Besides the command of the trade of the Northern Seas secured by its construction, it would bring into market for sale and settlement vast bodies of untenanted and unimproved lands, and develop treasures of inexhaustible mineral wealth now wholly inaccessible.

The large indebtedness of the State, and the necessity for its reduction, forbid the policy on her part, of embarking in these various improvements.

The debt of the Commonwealth was incurred in the erection of works which were largely conducive to the settlement and sale of the domain of the United States, and while she has secured no part of this common inheritance, other States have been liberally aided in the construction of their internal improvements by donations of public lands. It is a right on her part to demand a portion of those lands to aid in the completion of the important works partially completed and in contemplation.

A system of banking, based upon State stocks, under proper restrictions, is recommended to the attention of the Legislature. It is thought that the present banking facilities are unequal to the wants of the business community. The large amount of notes of banks of other States found in circulation among our people, the inability of the banks, with safety to their credit, to accommodate at all times the active bona fide business demands of the country, and the large operations in the nature of private banking daily transacted on severe terms to the borrower, demonstrate that increased facilities are demanded to secure a healthy development of our resources. Any considerable extension of the present system is hardly to be anticipated, nor is it desirable, if a more permanent basis for such operations can be devised. Free banking upon a deposit and pledge of public stocks, early recommended itself to favor. It is not liable to sudden expansions and contractions—more secure from failure—less obnoxious to counterfeiting and fraud, and offers undoubted security to the note holder. Should the stock required be the loans of the Commonwealth, it would appreciate their value, and also have a tendency to withdraw them from foreign countries, to which we annually sent millions of the public money to pay interest. A recall of these stocks and a discharge of the interest to the resident citizens, would lead to the expenditure of an equal amount at home, thereby affording employment to the people in the improvements of the State, in the erection of industrial institutions, and in various works of beauty and taste. If this system is favorably regarded, a relinquishment of a portion of the interest on the stocks pledged would be directly advantageous to the Treasury. The confidence felt in their security, and the desire to use the relief notes, when kept in good condition, justify the belief that an issue of small notes from State stocks, deposited as a deposit of stocks, would be highly acceptable to the people.

A reference to subjects, under the control of the National Government, has long formed part of the annual messages of the State Executive. I do not mean to be found favor not only by its consonance with the peculiar relations of the States to the General Government, but in the deep solicitude felt by individual citizens in the action of the latter on questions of pervading and direct interest to the States. The recent action of their Representatives in the councils of the States, the opinions and wishes of the people are often well collected, and hence your action is frequently of great moment. In obedience, therefore, to custom, and in order that the sentiments of our common constituency may have expression either through the Executive Message, or the action of their Representatives, it is proper to refer to some of those questions of National policy the disposal of which more especially belongs to the National Government.

A revision and alteration of the Revenue laws, so as to give adequate and permanent protection to the industry of the country, is demanded by the prostrate condition of the mining and manufacturing interests. The propriety of affording full protection to domestic industry, in the enactment of Tariff laws, has been so fully discussed, that a mere reference to former views, is all that is deemed necessary at this time. In a late effort to amend the present Tariff, its failure may be fairly attributed to the omission of the last Legislature to give expression to the perfectly well understood views and expectations of the people. It is confidently hoped no such omission will mark the conduct of the present assembly.

A reduction in the rates of postage, and the construction of railway communications to the Pacific, were urged heretofore as worthy of friendly regard. Repetition of the views then presented is unnecessary, as time has only strengthened the conviction of the propriety and usefulness of the proposed measures.

In relation to the extension of Slavery and the duty of faithful observance of the Federal obligations by the Commonwealth, the views expressed in former messages remain unchanged. There is nothing, in my judgment, in the history of the past, nor in the warnings of the future, to justify the abandonment of the principles, earnestly regarded from the foundation of the State, of non-intervention in the domestic policy of other communities, and of resolute determination of permitting no interference with our own. Fidelity in the discharge of Constitutional duty has distinguished our government and people, and if an opinion exists within, or has been mischievously propagated beyond our borders, that such is not the fact, it is conceived in error of our true history. Pennsylvania has been and her authorities, always have been loyal to the Constitution. They wish it neither to be evaded nor amended. They will not permit it to be resisted.

It has been intimated that on questions connected with the institution of Slavery, and the restoration of fugitives from labor, there have been indications of a disregard of her Constitutional obligations. To the clause of the Constitution relative to fugitives from labor, and the legislation under it, there ever has been in Pennsylvania, with all her avowed aversion to domestic slavery, implicit obedience. With an earnest desire that, by a free interchange of moderate and rational opinions, obedience to the law may be made, not only implicit, but cheerful, it is proper to refer to some of the difficulties in relation to the subject now existing in the public mind.

The clause of the Federal Constitution relative to fugitives from labor involves three propositions: 1. That involuntary service or slavery may exist in the States of the Union by constitutional recognition. 2. That the escape of the person so held shall not operate as a discharge from such service or labor. 3. That on the claim of the party to whom such service is due, there must be a rendition of the fugitive.

To interfere by Legislative enactment, or otherwise, to destroy or in any way affect the right of property recognized in the first proposition, would be a daring violation of the clear obligations of the Constitution. No human being can pretend that by this Commonwealth such an interference has ever been attempted. Whatever may be the feelings of the people in opposition to the further extension of Slavery, and the consequent increase of anti-republican and sectional representation in the National Legislature, no effort has ever been made to disturb or destroy the vested rights of citizens of other States; and when those rights may be endangered by the escape of a slave beyond the limits of the State where the relation is acknowledged, our citizens have acted on the principle that no sympathy with individual suffering ought ever to weaken their sense of duty to the plain requirements of the organic law.

In the adjustment of rights and official duties under the last proposition, more difficulty has been found to exist. By whose agency is the fugitive to be given up? What force is to be given to the word "*claim*" as used in the Constitution? Is not the delivery of the fugitive to be made only through the agency of the National government? These have been vexed and mooted questions. The final decision of the Supreme Court of the United States in a case to which Pennsylvania was made a party, and the recent Fugitive Slave law, gave a judicial and legislative interpretation to this clause of the Constitution which cannot be misapprehended. The power and duty of enacting laws to carry into effect the constitutional direction being ruled to be in Congress and in Congress only, any interference on the part of the State authorities is unauthorized and without binding force.

If the Constitution implies a duty to be performed by both National and State Governments, and vests each with power over the subject, the framers of that instrument failed to express in clear terms, as in other cases, the obligations of the parties. The latitude of construction required to give such powers to the State legislatures, would authorize the passage of laws, and the enactment of regulations, upon every delegated power, of the National Government, without regard to the action or non action of Congress. The General Government is admitted to be one of ascertained powers, but it ceases to be so the moment concurrent jurisdiction vests in State Sovereignties. In the practical workings of the system of concurrent jurisdiction much evil would arise. Thirty-one Sovereignties might prescribe different rules of action—each meant to make effective national legislation, and the dangers resulting from conflicting enactments, and the consequent destruction of harmony and order, could not fail to alarm the patriot. Whenever power over a subject matter is vested by the Constitution in Congress, and the power has been exercised, the authority of the States has been judicially declared, as above stated, merged and abolished. This is the rule of law as well as that of common sense.

An opinion has been expressed by men of eminent legal learning and patriotism, that legislative action on the part of the States is expedient to aid in the execution of the powers of the general government. In this opinion I cannot concur. To admit the position would imply an inability on the part of the national government to excite its powers, and would prove destructive of the theory so zealously maintained by our republican fathers, that the National and State governments are independent sovereignties, each acting within its proper constitutional sphere.

It was doubtless a conviction of the soundness of the foregoing views, which induced my predecessor, Governor Shunk, to sanction the act of the 3d March, 1847.

The power to act on the subject of the extradition of fugitive slaves being thus vested solely in the National Government, it is the plain duty of the citizen to submit to its enactments under the Constitution. To act differently would be clearly rebellion to Government.

If the word "claim" was intended to express an ascertained right of property to the person of the fugitive vested in the claimant, then much of the difficulty surrounding the question is settled, and the mere demand for the person of the fugitive fixes his destiny by the terms of the Constitution.—His extradition would be determined without proof of ownership on the part of the claimant, and without evidence of the identity or flight of the person claimed. If, however, the term used in the constitution signifies a challenge of the property belonging to the claimant, and withheld from him—and the enactments on the subject requiring proof of right to substantiate the claim, and the concurring decisions of the Supreme Court, affix this meaning to the term, then the question arises, how, and through whom, shall the claim be made, and by what evidence sustained?

In the adoption of the proper remedy to assert this clear right, patriotic citizens may differ, and the privilege to maintain and express that honest diversity of opinion, must not be impaired. To surrender it, under violent threats and denunciatory clamor, would be an abandonment of the deeply cherished privilege of liberty of thought and speech.—When the enactments of the National Congress fail to convince the people of their justice and propriety, it is their duty to seek their modification and amendment. The recently enacted fugitive slave law, while it remains a statute, demands the support of all the citizens, and unless our written constitutions are worthless parchments, until the judicial tribunals shall pronounce its enactments unconstitutional enactment. Are its defects of such nature as to warrant the public in urging its amendment?

That part of the law which authorizes the creation of a new and irreposable tribunal, under the name of Commissioners, is liable to exception.—Waiving the enquiry whether the Judicial power of the United States can be vested anywhere but in regularly organized Courts, with the records of Courts, there are objections of serious import to the institution of this tribunal. All history shows, that special tribunals, clothed with discretionary powers over person and property, are liable to abuse, and have been instruments of oppression. If in times of the early days of the Republic, when no reason of urgent State necessity can be invoked, powers of a high judicial nature over the liberty and property of an individual are to be vested by appointment of an inferior tribunal in any irresponsible person, the security of the life, reputation and liberty of the citizens in after-times, when new political or social emergencies may arise, will depend on a most precious inheritance. The Courts of the United States, whose Judges have a pride of character, and over whom a controlling influence is exerted by the impeachment clause of the Constitution, should alone be invested with these extraordinary powers. Rather than hazard the chances of illegal decisions, and the consequent irreparable injury of an individual, results so full of danger to the peace and good order of society, the Judicial power of the Nation might safely be invoked. If it be deemed expedient to deny a trial by jury, and lodge the adjudication of this right of property in the breast of a single Judge, the kind of proof required should be indicated, and a full record of the entire proceedings be made and preserved. Processes issued should be returned, and the extradition of any colored person, for whose arrest a warrant had issued without hearing had before the Judge, should be visited with the penalties of kidnapping. These modifications of the law, while they could not interfere with the rights of the owner of the fugitive, would greatly tend to satisfy the minds of citizens anxiously desirous to perform their constitutional duties.

One other matter, connected with our Federal Relations, claims your attention. It is the Union of the States, and the dangers which are supposed to threaten it in connection with the question of Slavery. Whether Slavery be the cause or pretext of infidelity to the Union, and to what precise extent disaffection exists, it is not my purpose to enquire. There was local disloyalty long before Slavery became the immediate source of excitement, and there will be local disloyalty long after Slavery and the questions connected with it are finally adjusted. But be the cause what it may, it is in vain to deny that the Union of the States is lightly and irreverently talked of in certain quarters, and made the subject of heated discussion by rash and unreflecting men. I cannot believe, however, that any serious design to disrupt and overthrow the Government exist, to any considerable extent, in any portion of the country. The American heart revolts at the idea.

What is the National Union? It is the basis of constitutional right, the guarantee of peace, the security of our Commerce and Canal and Railroad. It gives the surest pledge of protection to the oppressed children of other lands, who, coming from scenes of misery and discord, expect here harmony and peaceful refuge. It is literally "a beacon on the top of a mountain and an ensign on a hill" to the lovers of rational liberty throughout the world. It was an emanation of the same pure spirit of conservative freedom, of justice, and of truth, which conceived, matured and consummated our Revolutionary struggle. It is the perfect work of disciplined intelligence and rational patriotism. It is hallowed by the rich memories of the past, and by the consciousness that its founders were the fathers of the Republic. It is sacred, as the sole remaining monument of the enlightened labors of the best minds of an age, distinguished for its devotion to the cause of human rights, the elevation of man's social condition, and the establishment of a system of revolutionary action against the dogmas and fanaticism of tyrannies and tyrants.

The Union of the States is the outer and inner wall, which encircles and guards the temple of our independence. The Union alone secures to our commerce protection on every sea, defence to our citizens on every shore, gives us a proud name among the nations of the earth, and ensures to the Republic a separate and glorious destiny. Its preservation ratifies the assurance that man is capable of self-government, and that equal rights, equal laws, and equal privileges, are alone the results of democratic institutions. The dissolution of the National Union would be the beginning of a new era, the strife of sections, of scenes of fraternal discord. It would raise the arm of the bondman amidst the horrors of servile war; and the destruction of a race of men alone would terminate the fearful struggle. It would involve conterminous States, acting as jealous strangers, in vexatious disputes about rights of navigation, of tribute, of transit. It would sacrifice the faith of the nation. It would destroy the army and the navy, and with them the proud recollections of their early exploits. The trophies of the nation would be dispersed, and the great communion of thought, of sentiment, and of interest, in which, for more than seventy years, we have gloried, would be gone forever.

Deeply impressed by these considerations, and relying most confidently on the entire sympathies of the General Assembly of a State, which has never known an instant's disloyalty to the Union. I solemnly protest against the utterance of rash and ill-advised thoughts on a subject so dear to our constituency, and more earnestly against all deliberation by means of conventions, or other modes of action, unknown to the Constitution, and having for their object, either the dissolution of the Union, or the discussion of sectional and hazardous questions, for the decision of which, the Constitution has made ample provision. Pennsylvania venerates and cherishes the unimpaired institutions of our fathers.

With the fervent prayer that Almighty God will so direct the deliberations of the General Assembly, that "peace and happiness, truth and justice, religion and piety, may be established among us for all generations," the suggestions and recommendations contained in this annual message are respectfully submitted for your consideration and action.

WM. F. JOHNSTON.

EXECUTIVE CHAMBER, Harrisburg, Jan. 7, 1851.

A CARD.

WHO'S FOR THE HORN?—This is to inform the Pittsburgh Firemen and the public generally, that in the third week from this date, LEONARD'S benefit will take place, on which occasion he offers a massive SILVER HORN, now being wrought by Mr. Smith, to the Fire Company that will purchase the largest number of tickets.

Tickets may be had of him at the Exchange Hotel. ja3t

Selling off at less than Cost, to quit the Business.

SHIRTS! SHIRTS!! SHIRTS!!!—The Shirts and Gents. Furnishing, at No. 89 Fourth street, sign of the golden Bee Hive, MUST BE SOLD by the 20th of January. Call soon, as they are selling at 50 and 75 ¢ ct. less than the usual prices, and, far less than first cost. dec31 S. H. LAWMAN.

Wanted.

A SMART, active, German BOY—one who can speak English well—will hear of a good situation by applying at 197 Liberty street. ja6

Prime Black Tea, from England.

MORRIS & HAWORTH, in the Diamond, have this day received per "packet ship Devonshire," from London, about 1500 lbs. of Fine, Strong and Rough Flavored Black TEAS—the very best that could be purchased in the English market. Price, 60 and 75 cents ¢ lb. The Tea Market, in the Diamond, "east side." ja6

Special Notices.

☞ At the Annual meeting of the Niagara Fire Company, held at their Hall, on Tuesday evening, January 7th, 1851, the following persons were duly elected to serve as officers during the ensuing year, viz:—

President—Joseph Kaye.
Vice President—James Donald.
Secretary—S. M'Ilwaine.
Treasurer—James T. Shannon.
Captain—John Graham.
1st Lieutenant—Joseph Bell.
2nd do David Dalzell.
1st Engineer—S. M'Ilwaine.
2nd do Wm. Porter.
3rd do Daniel Cochran.
4th do Wm. Price.
1st Hose Director—N. M'Cauley.
2nd do H. Bakehouse.
3rd do George Smith.
4th do T. Linn.
Hose Engineers—C. Weaver, B. F. Hamilton.
Axemen—James Scott, Edward Kaye.
Delegates to Firemen's Association—Jose