



The Lehigh Register.

Allentown, Pa.

THURSDAY, OCTOBER 18, 1849.

Circulation near 2000.

V. B. PALMER, Esq., N. W. corner of Third and Chesnut streets, Philadelphia, and 169 Nassau street, (Tribune Buildings) New York, is our authorized Agent for receiving advertisements and subscriptions to the Lehigh Register and collecting and receiving for the same.

The Election.

The returns of the State come in very slow. Sufficient however is known, that John A. Gamble's majority will range between 12, and 15,000. In our next we will give the returns of the State in full.

Winter.

See winter come! The spring with her birds and blossoms passed lightly away. Summer with her pining beams, and loud-voiced thunder is gone, and autumn, with her sea and yellow leaf, is passing away, and foreign winter comes.

"To rule the varied year," surrounded by all the regalia of the ancient frost king of the north, accompanied by "Vapors, and clouds, and storms."

Thou wilt be welcome stem and leafy winter! with thy accompaniment of "Whirlwinds mad, and tempests dire," for thou teltest of a time when life's gay pleasures, its golden sunshine, and trembling shadows, shall pass away, and the hoar frost of old age shall settle on our brows, and chill the warm current of our hearts, and at last cease their pulsations to cease.

Thou art welcome with thy frosts and snows, for what thou revealest beyond; because we look through thy icy glass and discover bright hope, and beautiful flowers, fit emblems of the spring time of the resurrection.

Our Exports for 1849.

The exports of breadstuffs from the United States to Great Britain appear large, and to quantity they are so, but in value the gain is small. For the year ending June 30, 1848, we sent to Great Britain and Ireland, 957,741 lbs. Flour; 5,062,220 bushels Corn; 226,600 lbs. Meal; and 1,531,989 bushels Wheat, worth \$12,255,218. For the year ending August 31, 1849, we shipped 1,111,016 lbs. Flour; 17,721,626 bushels Corn; 88,213 lbs. Meal; 1,054,385 bushels Wheat, which have probably not produced over \$11,000,000, and some say a million less. It is seen, goes but a mile way towards paying for increased importations, though the difference in quantity makes quite a pleasing appearance—proving that we have always said, that under ordinary circumstances export of breadstuffs must be limited in value to a very moderate sum, however much we may increase it in quantity.

National Com. School Convention.

The National Convention of the friends of Common Schools assembled in Philadelphia yesterday, and the Hall of the Controllers of the Public Schools has been selected as the place of meeting. The object of the convention is one which challenges universal regard and sympathy, and we cannot doubt that, out of the conflict of opinion which necessarily arise, and the earnest and sincere investigation of the subject of popular education, much permanent good will arise. We shall watch its proceedings with interest.

North Branch Canal.

The chief Engineer of this work has given notice that contracts for the construction of 21 sections, and also for the timber to be used in the construction of Dams Nos. 2 and 3, respectively, will be given out at Tunkhannock, on the first of November next.

The Plough, Loom and Anvil.

The October number is before us. It contains to deserve the name of the most popular agricultural periodical now published in the country. Each number contains at least sixty four pages of reading matter, and through the year forms a complete Agricultural Library. Each number is embellished with various Agricultural, chemical and geological engravings, explanatory of the elementary substances found in the organic parts of plants, &c.

The subscription price is \$3 for one copy—if two unite, 2 copies will be sent for \$5. Direct J. S. Skinner & Son, No 81 Dock Street, Philadelphia.

Sartains Union Magazine.

We have received the October number of the above invaluable periodical, and we do not refuse to pronounce it one of the best numbers that the enterprising publishers have issued. It is embellished with a number of beautiful engravings which contribute greatly to enhance the beauty of the Magazine. Its contents, prose and poetical, emanate from the pens of the best writers in the country.

Holden's Dollar Magazine.

The October number of this very useful periodical is on our table, and truly a capital number. Its contents, both prose and poetical, are spicy and edifying. We have perused it with infinite satisfaction and have no doubt, whatever were our readers acquainted with the same, they would not be without it.

The Erie Bank.—This institution has resumed specie payments, the Erie (Pa.) Gazette says: We learn from those who are well informed, that its former liabilities have been honorably cancelled, and it is now placed upon a healthy and permanent basis. Its notes are redeemed in Philadelphia at one per cent.

ELECTION RETURNS OF LEHIGH COUNTY. October 9th 1849. (Official.)

Table with columns for Districts (Allentown, Northampton, Lehigh, etc.), Names of Candidates, and numerical returns for each candidate.

RETURNS OF NORTHAMPTON COUNTY. October 9th 1849. (Official.)

Table with columns for Districts (Allentown, Bethlehem, etc.), Names of Candidates, and numerical returns for each candidate.

Senatorial District.

The following is the official result of the votes cast in the Senatorial District, composed of the counties of Lehigh and Northampton. It appears that Gen. Shimer is elected Senator by 323 majority.

Table showing Senatorial District results for Shimer, Brown, Lehigh, and Northampton.

Returns of Carbon County. October 9th 1849.

Table with columns for Names of Candidates (Robert Knorr, Samuel May, James Anthony, James Weiler) and numerical returns.

Good Society.

It should be the aim of young men to go in to good society. We do not mean the rich, the proud and fashionable, but the society of the wise, the intelligent and good. Where you find men that know more than you do, and from whose conversation you can gain information, it is always safe to be found. It has broken down many a man by associating with the low and vulgar—where the ribald song was interlarded—and the indecent story, to excite laughter and influence the bad passions. Lord Clarendon has attributed his success and happiness in life, to associating with persons more learned and virtuous than himself. If you wish to be wise and respected—if you desire happiness and not misery, we advise you to associate with the intelligent and good. Strive for mental excellence and strict integrity, and you never will be found in the sinks of pollution, and on the benches of the retailers and gamblers.—Once habituate yourself to a virtuous course—once secure a love of good society, and no punishment could be greater than by accident to be obliged for half a day to associate with the low and vulgar.

Governor of Oregon.—Maj. J. P. Gaines, of Kentucky, the Republic announces, has been appointed Governor of Oregon, in the place of Mr. Lincoln, who declined the appointment.

"Put Money in thy Purse."

"We 'take our pen in hand,' as our good old grandfathers used to say in writing to their sweet-hearts, to indite a short Chapter on Money. It is a frightful subject inasmuch as it is the great governing principle (if we may be allowed the expression) of mankind, and axis of human ambition. Money is a good thing—a bad thing—a kind master—a thief in the temple of virtue—a ministering spirit to the needy—a villain in disguise—and, what a sad rake. What opens the fair arms of the blushing girl to the embraces of the old, the infirm and ugly? Money.—What causes old ladies to look kindly upon the advances of a young man to a blooming daughter? Money.—What brings complimentary remarks from the old, and humble acknowledgments from the young? Money. What causes men to struggle for office? Money. What is the criterion of right or wrong? Money. What is the cause of the wrangling, struggling, cheating, how-bating, shuffling, and bowing so prevalent among mankind? Money. What, in fact, is the great standard of human affection? Money. What makes the printer struggle in the mire of politics? Money. What leads the Editor to inform the public of the facts? Money. What do we require at the hands of our readers? Money. Do you like Sir? You are the very man we desire to hear from. The foregoing is not original with us, as it is stolen from one of our exchanges, who stole it from some other paper—but as it meets our views 'exactly' and suits our case as well as any other, we have taken the liberty to give it a 're-arrangement' place in our editorial columns—if it were our own.

False Economy.

We suspect there is a false impression, among even intelligent citizens, regarding their tax for the support of the public press. Do not gentlemen, whose subscription has been given to half a dozen or more journals, often feel that this is a species of extravagance calling for containment, and an investment which yields no return? We fear this is often the case—that it is a habit of men generally intelligent, to depreciate the press and economize in that direction, while the whole list of other expenditures for pleasure or dress, equipage, costly residences and tables, escapes examination and reprobation.—A re-arrangement of the pleasures of the table, of household appliances, would indicate to inquiry—rather would be a benefit, perhaps, to health and comfort. In the neglect of some paragraph in the journals which he receives may involve him in serious and lasting difficulty of loss; and the subtle method of newspaper intelligence manifestly place any man in a position unfavorable to the advantageous prosecution of business. In general intelligence, we can caution to keep pace with the age who is not an ass. We would wish of men, who highly esteem his advantage, to retain seriously upon his intelligence to his great instrument of light and knowledge, and to consider what he would be and where he would be, if he lived in a land or in an age where the newspaper had never been introduced. Certainly he could not hope to compete in business with men enlightened and stimulated by the press. He could hardly expect to meet his fellow-men on equal terms in social life, without the influence upon his heart and intellect of this informing, invigorating power.

A New Paper Currency.

Thompson's Bank Note Reporter says: The times are pregnant with a new paper currency, which, for expediency and safety, is far ahead of the slim-plaster bankers, and far a little short of most of the banks.

The first attempt at this currency business was made early in the past spring, by John H. Hinman, in the shape of an engraved check in small denominations on the Utica City Bank. His checks bore such a resemblance to the notes of that bank, that we denominated them "counterfeit, if not fraudulent." Recently Mr. Hinman has altered his check plate, and is preparing to issue a check currency for the people of Northern Illinois, where Mr. Hinman makes his headquarters.

The Clarks, whose head office is in Philadelphia, and branches in Boston, New York and St. Louis, have improved upon Mr. Hinman's currency scheme, and are prepared to furnish the middle Western States, the focus of which is St. Louis, with a draft currency. This currency is a right draft in phraseology, drawn in Philadelphia, on St. Louis, but in general appearance it is very much like a bank note, and is of small denominations. The position, locations and standing of the Clarks will give this currency a general circulation, having branches, agencies, or active correspondents in every section of the West and South, they can equalize the rate of discount on this currency, and give it a hold on the public confidence which will enable them to circulate from two to four millions, so long as our money market shall remain tranquil and easy.

We might enumerate several more projects which are in embryo, but these two will suffice to set the whole country in general, and bankers in particular, canvassing the merits and demerits of what may be called the currency events of 1850.

The Republic Newspaper.—It is stated in a Washington letter to the Baltimore Patriot, that the Republic Newspaper, which is now about 4 months old, has already a circulation of 15,000 copies, and has received subscription monies to an amount exceeding \$20,000.

Gold on the Gila.—Later reports confirm the news in a late number of our paper by Mr. Gaines letter, that the old Mexican gold mines on the Gila were about to be reworked. We suppose that many of our friends who went from this vicinity are now there.

Important Legal Decisions.

The Supreme Court of Georgia, during its September term, decided the following points:— Upon a bill filed to reform a written contract as to lands, on the ground of mistake—Held, that parol declarations of the vendor, subsequent to the sale, are admissible to prove the mistake. Amendments to the pleadings after the case is submitted to the jury, are within the discretion of the Court.

A party has the right to use the name of a third person for the purpose of prosecuting his legal rights by indemnifying him against costs. A presumption of a grant from twenty years' possession, may be rebutted by parol evidence of a disclaimer by the tenant in possession.

The Statute of Limitations does not run in favor of a party in possession of land, who disclaims all right interest, or title to the land. His possession is not adverse to the owner. It is illegal, and ground for a new trial, for the Judge presiding to hold communication with the jury, or any of them, after they are charged with the case.

A new trial will be granted, if the Court send to the jury a paper not in evidence, and which may materially control their decision. The Inferior Court has jurisdiction to discharge all persons confined for debt, on a *habeas corpus* process, when the jail fees are not paid as required by law.

Though the Court may exercise its powers irregularly or their exercise may be incorrect, still the officer is protected from liability for obeying it.

In an action for deceit, in falsely representing a note to be solvent, the record of the suit on the note is admissible to prove the contents of the note, without producing the original.

When a bond has been transferred, in writing, and the execution of the bond is proven, it is admissible in evidence though the execution of the transfer being withheld from the jury.

It is improper for the presiding Judge, in summing up, to state to the jury that a single specified portion of the evidence made a "strong impression on his mind," this being calculated to mislead the jury by withdrawing their attention from the balance of the evidence.

It is improper to allow a party to prove contradictory statements of a witness examined by commission, without first interrogating the witness sought to be impeached as to the fact of making the statements; and for this purpose, the party seeking to impeach may take out original interrogatories for the witness impeached, if he has been surprised by the answer of the witness to the first interrogatories.

A deed recorded without proper probate is not constructive notice to subsequent purchasers. A bona fide purchaser, without notice from a fraudulent purchaser at sheriff's sale, is protected from the effect of the fraud.

The record of a former recovery is not a conclusive bar, unless it covers all the issues made in the case in which it is pleaded; but evidence is admissible to show the facts in the former case.

An unfulfilled and unexecuted will of personalty may be admitted to record, where the executor and completion of the testator, and the papers, so far as it goes, expresses the full testamentary intention of the testator.

A witness subpoenaed by a defendant in a criminal case, to attend in a different county than that of his residence, is not entitled to collect on his disbursements, as an execution, mileage, or his per diem fees.

A Rule Absolute against a Sheriff is only *pro forma* evidence against his sureties in a suit on his bond. Where the breach of the bond is the failure of the Sheriff to make a levy, evidence of the insolvency of the defendant is inadmissible on the part of the sureties, to excuse them from liability, where there is property in the possession of the defendant at the time the execution is placed in the Sheriff's hands. The Sheriff is allowed the full time intervening between the terms of the Court, to make a levy and sell before the return day of the execution; it is his duty to make the levy.

Where a party seeks to continue a cause on the first term of the appeal, in order to make a substantial amendment to the pleadings, he must not only state on oath that the amendment is material, but he must state the substance of the amendment, that the Court may judge of its materiality. The 4th and 5th Common Law Rules of the Superior Court as to amendments on the appeal, do not apply to Equity causes. Where several complaints, as creditors, join in a bill against the common debtor for their separate claims, the death of one of them does not abate the suit but his name may be dismissed from the bill. Exceptions to answer must be determined before replication is filed; and after the cause is set down for a hearing, the exceptions will be considered as waived. The 6th section of the Judiciary Act of 1799, giving authority to the Courts to compel the production of books and papers, does not apply to Equity causes; nor does the Rule of Court, passed to carry into effect that session. Were a party at law seeks to obtain the benefit of the 6th section of the Act of 1799 under the Rule, he must not only swear that the paper is material, but must show where in it is material, that the Court may judge of its materiality. A circular produced under notice, purporting to be issued by the party producing it, will not be admitted in evidence to effect the party, until there is proof that this circular or copies has been issued and circulated by the party. When the Court charges the jury substantially as requested by counsel and correctly in regard to the law, a new trial will not be granted.

Reverence Your Superiors.—Every body admits the propriety of this advice, but there is one little difficulty in its practical observance—very few people can find their superiors—though it is ten to one they can find your's without the least trouble.

Political Complexions of the Ohio Legislature.—Returns from nearly the whole state have been received, and omitting the Hamilton county members, the next legislature will stand as follows:—House—Democrats 34; Whigs 30; Free Democrats 6. Senate—Whigs 17; Democrats 16; Free Sober 1.

Gleanings from the Mails.

Another Manufacturing Company has been formed in Augusta, Georgia, called the Madison Steam Mill Company.

Beef Packing has been commenced in Cleveland, Ohio, and it is estimated that 30,000 head of cattle will be slaughtered there this season.

Death from Starvation is recorded in the Baltimore papers, as occurring in that city.

Ages of distinguished Generals: Marshal Radetzky is 84, General Wrangle is 70, Wellington 80, Soult 81, Paskewitch between 60 and 70.

It is said that Yankee Hill has left some valuable MSS which are to be published. His varied life must have been full of incidents.

In the short space of five hours, the signatures of 300 of the first merchants and men of Montreal, were obtained to a declaration in favor of annexation to the United States.

Intelligence has been received to the effect that the Hon. John C. Calhoun does not intend resigning his seat in the United States Senate.

California.

It will be seen from the intelligence below, brought by the steamer Ohio from Chagres, which arrived at New York on Saturday, that the delegates elected by the people of California to organize a state government, assembled in Convention at Monterey on the 1st of September, and proceeded at once with the preliminary organization for forming a Constitution. From all the accounts which have reached us, we are quite satisfied that the constitution adopted by this body, will contain a clause prohibiting the existence of slavery within the jurisdiction of the new state. We may expect during the coming session of Congress, to find California, backed by an elected representative and two senators, claiming admission as a state of the confederacy, and we are ready to give her a cordial welcome.

(Correspondence of the Journal of Commerce.)

Monterey, California, 2 September 2, 1849.

Though we left San Francisco on Wednesday morning, and the distance thence to Monterey is only 90 miles, we did not arrive here until this (Sunday) the 2d. The consequence was that a portion of the convention was not present, and no permanent organization will take place till Monday. The several members here assembled and adjourned over until Monday. It is said that Dr. Gwinna will be elected President, Caleb Lyon and J. P. Howe, Secretaries, and J. Ross Brown, Recorder of the Convention. Cal. Fremont is confidently spoken of for Governor under the new Constitution, and his name has also been mentioned in connection both with the office of Senator and Representative in Congress.

Mr. T. Butler King, of Georgia, who is lying very ill of dysentery at San Francisco, has also been urged by his friends here for U. S. Senator, though he is at present, as is well known, a representative elect to the next Congress from Vallejo, former Mexican Governor of California, Governor Boggs, formerly of Missouri, and Governor Sumner, formerly of Ohio. Major Snider, grandson of Simon, of Pennsylvania, who has been under here nearly two years, is also mentioned in the same connexion. He is a delegate to the Convention. Among the delegates is also a brother of the Hon. John M. Dotts, and quite an able man. As it is now Sunday, and the steamer from San Francisco for Panama is momentarily expected, I am obliged to close, without particular notice of the incidents which have come to my knowledge here; merely remarking, in conclusion, that Gen. Riley, Military Governor of California, who is stationed here, and was ill of dysentery when the Panama touched on her way to San Francisco, is still sick, but nearly recovered.

P. S.—Since the above was written, I have received from a gentleman who was present, the following report of the first day's proceedings of the Convention—

MONTEREY, Sept. 1st.

Pursuant to the proclamation of the Governor, of August 3d, the Convention met at twelve o'clock this day, the following members being present—

Kimball H. Dimmick, J. D. Hoppe, Joseph Aram, and Antonio N. Pico, district of Puebla de San Jose; Robert Semple, of Sonora; W. McHenry Hollingsworth, of San Jose; Henry A. Telf, San Luis Obispo; Henry Hill, San Diego; H. Wager Halleck, and Thomas O. Larkin, of Monterey.

On motion of Mr. Halleck, Judge Dimmick was appointed temporary Chairman.

On motion of Judge Dimmick, Henry A. Telf was appointed Secretary pro tem, in order to complete a temporary organization.

On motion of Mr. Halleck, the Convention then adjourned to meet on Monday next.

Mr. J. Ross Brown, author of "Etchings of a Whaling Cruise," and for some years a stenographer in the U. S. Senate, is making a full stenographic report of the proceedings.

The following gentlemen are candidates for the office of Secretary of the Convention:—

J. P. Hartnell; Mr. Marcy, Postmaster of Monterey, and son of Gov. Marcy, of New York; J. F. Howe, Philadelphia; Caleb Lyon, of Lyonsdale, New York; P. Lee, of San Francisco.

Sergeant-at-Arms.—Mr. Huston, of Arkansas. For President of the Convention, I fear, since our arrival in Monterey, that the following gentlemen, are candidates, or, if not candidates, are mentioned by their several friends.—Judge Dimmick, Dr. Gwinna, Mr. Foster, Gov. Boggs.

California Gold.—The total amount of gold received in this country, from California, up to Oct. 9th (which includes the Empire City) was about \$3,000,000; and it is estimated that at least \$5,000,000 in specie, has been taken to that country, for the purchase of gold dust, and by emigrants.

Selling Hogs.—By the advice of some old farmers I have fed my pigs with salt freely and regularly, especially while fattening, for four or five years, and am satisfied that it is of great service in giving permanency to their appetite and solidity to the flesh—besides being well paid for expense and trouble in getting great and smashing chops—