Justice McLean makes the inquiry "does the provision in regard to the reclamation of fugitive slaves, vest the power exclusively in Congress?" and answers, "the nature of the power to execute it, rests with the States." "The law was designed to protect the rights of the slave holder against the States opposed to those rights and yet by this argument, the citizens power to make hands of slaves of whom it is to operate." "It is essential therefore to the uniform efficacy of this Constitutional provision, that it should be considered exclusively a federal power."

This judgment of the Supreme court of the United States determines law for my guidance, and for yours, whatever may be our individual convictions upon the subject. It does not, it cannot, but shall, under slave laws for the detention of fugitives—if a prison already built and subject to State regulations and rules, respecting its inmates, cannot be used; and if, in short, of State legislation, of whatever kind, is prohibited by a solemn decree of the Supreme Court—is it not more than idle to pass an act, remedative of laws that are expressly declared and known in advance to be unconstitutional. The writ of habeas corpus, and every other process, from national places of detention; the Federal Judiciary would themselves have to decide the question. The State Judges, in cases where there is no United States Judge, where the fugitive is committed by a mere Commissioner, would be required to issue the writ of right; and that which the friends of the repeal have claimed as a great boon to the colored people, is worse than a mockery.

The claim he has now on the Marshal and sureties, for indemnification for the escape of his servants, would be converted into a barren claim against a county jailor, whose fees alone would be the value of the prisoner thus held if he claimed his liberty. Not so was the law understood and believed, it was decided that all State legislation on the subject is prohibited—not so will it be interpreted, if the remedy of the decisions of the Supreme Court be practically carried out, and this whole vexed and vexatious subject be left, to the administration of the United States officers.

The Act of Congress of the 10th September, 1850, commonly known as the Fugitive State Bill, would seem to favor the same views entertained by Judge Story, in the opinion in the decision of which reference has been made. Its whole tenor shows this, and more than one of its detailed provisions confirm it. The custody of the fugitive, by State authority, is almost forbidden.

The Marshal and sureties are made subject to a pecuniary liability for an escape, which, as the Supreme Court of the United States have decided, is alleged to have analogous case, is defeated the instant the prisoner is transferred to a local jail.

In cases where there is no Marshal, the agent of the Commissioners are charged with the exclusive custody of the fugitive, and is declared, by the 5th section, his expenses for keeping him in custody, and providing him with food and lodging during his detention.

Surely no one can pretend to say, that this is not a full and exclusive exercise of federal power on the subject. If so, the principle of constitutional law, to which I have referred, is interpreted, and the legislation of a State to transfer this control to a local prison is prohibited. It is not, then, consistency to pass such a law, and the harmonious administration of the law, that this whole subject be left where the Constitution places it, in the hands of the United States authorities.

I have thus frankly stated to the Senate my reasons for withholding my approval of this bill. I have limited them strictly, guarding myself against any expression leading to an interpretation, in consideration of constitutional law. I ask for them a candid and careful consideration.

W. F. JOHNSTON.

Harrisburg, Jan. 1852.

Five Hundred Persons Destroyed by a Water Spout.—On Saturday Intelligence was received at Lloyd's, of a tidal wave, under date Malta, Monday, the 8th ult., of a most awful occurrence at the Island of Shiney, which had been swept by two enormous water-spouts, accompanied by a terrific hurricane. Those who witnessed the phenomenon describe the water-spouts as two immense spherical bodies of water reaching from the clouds, their cones nearly perpendicular, and so large as to be could be judged, at a quarter of a mile apart, travelling with immense velocity. They passed over the island near Marsala. In their progress, houses were unroofed, trees uprooted, men and women, horses, cattle and wheat were lifted up, drawn into vortex, and borne on to destruction; during their passage rain descended in cataracts, accompanied with hail-stones of enormous size and masses of ice. Going over Castellamare, near Stabia, it destroyed half the town, and washed away two-hundred of the inhabitants into the sea, who all perished. Upwards of five hundred persons have been destroyed by this terrible visitation, and an immense amount of property, the country being laid waste for miles. The shipping in the harbor suffered severely, many vessels being destroyed, and their crews drowned. After the occurrence numbers of dead human bodies were picked up, all frightfully mutilated and swollen.

A Bust.—Alonso Bombacli, a celebrated sculptor of the Emperor Charles V., was a great coxcomb. He got punished, one day by a young lady at Bologna, to whom he took it into his head to make love in a foppish manner. She was his partner at a ball, in the midst of which he turned to her, and bewing a profound sight, as he looked in her face with what he thought an ineffable coldness in his eyes, and, we suppose, with some fantastic writing gesture, said, "It is not love I feel, pray what is it?" "Pedant," said the young lady, "something bites you."—This story got abroad, and Alonso became the jest of the city.

Loco-foco appear to think that because the country is not ruined, their financial policy is a good one. What folly! This cant be ruined by legislation. It has too much of youthful energy and strength to be prostrated in a moment. But it may be injured. It may be restricted in its prosperous or more prosperous as certain interests are fostered or proscribed. The Tariff of 1846 has injured us as a people, though it has not ruined us, and its baleful effects will continue to be felt, until it is modified so as to meet the wants of the country.—*Lancaster Whig.*

The Loco-foco State Convention of New Hampshire met on the 8th and nominated Noah Martin for Governor, and Asa Fitz for Railroad Commissioner. Gen. Franklin Pierce was proposed for the President.

THE STAR AND BANNER.

GETTYSBURG.

Friday Evening, Jan. 16, 1852.

FOR PRESIDENT,
WINFIELD SCOTT.
Subject to the decision of a Whig National Convention.

WOOD WANTED.

We are in want of WOOD. Will some of our friends send us in a few Cords forthwith?

Poisoning Case.

☞The family of Mr. Samuel Little, (carpenter) consisting of himself, two children, and a hired help, were poisoned on Monday evening last, by his wife putting *Arsenic* into the Coffee of which the family partook. Mr. Little taking sick soon after, Dr. Horner was called, when suspicion was immediately excited. Upon examination it was found that Mrs. Little had that day, by an artful device, gotten some arsenic at the drug store of Mr. S. S. Forney. The State Judgeship being in question, the members of the family are now doing well. Mrs. Little herself partook slightly of the coffee and then left the house. She was found next day concealed in an unoccupied bed in a neighboring dwelling, into which she had undoubtedly taken refuge the preceding evening. Mrs. Little's mind has been disordered for some time. A year or more ago she attempted to kill her husband with an axe, and came near doing it then. She has been committed to the Almshouse for the present.

Hon. Wm. H. Seward, of the U. S. Senate, and Messrs. Mellinger & Carson, of the State Legislature, will accept our thanks for sundry favors.

☞By reference to an announcement in another column, it will be observed that Mr. Jacob Zeigler will deliver an address upon the subject of Temperance in M'Conaughy's Hall, on *Friday evening next*, January 23d.

☞We have received a lengthy *anonymous* communication from some narrow-minded correspondent, who takes exception to an article which he alleged to have appeared in this "Star" some time back, favorable to the introduction of the *Bible*, as a text book, into Common Schools.—The writer enters into what he no doubt regards a profound argument to prove the unfitness of the Bible received by the Protestant world, to be the result of "profane and sacrilegious amendments," "misinterpretations," "false translations," and "previous without number," of the true Word, and winds up his learned discussion by expressing the opinion that "it would be no more than right if every Catholic would cease his name from your subscription list." Now, we do not know exactly know to what all this refers—not being conscious of having in any way or at any time expressed ourselves particularly offensive to any Christian denomination. We are sorry that we have done so, if we are inclined to think that our indignant correspondent is somewhat indebted to his fancy for his facts. At least, he seems to be the only one of all our numerous Catholic friends who has detected the "insulting paragraph" that has so much excited his virtuous indignation. Certain it is, that no such article was prepared by ourselves; if published at all, it was taken from some one of our exchanges.

We do not often notice *anonymous* communications, and have to the writer because we wish to *try to* the writer that he has missed his mark if he expected to influence us by *threats*. We publish a free paper, and profess to give every subscriber a full equivalent for his $2. It is a fair business transaction, and the moment any one conceives that he does not receive full value for what he gives, he is welcome to chose the contract forthwith.—And if our correspondent be a subscriber, and is not satisfied with the paper, all he has to do is to "walk up to the counter, fork over arrearages, *and quit.*"

☞The impression having become general that both our Fire Engines are out of order, it is but due to Mr. Abm. Frazer, the efficient Engineer of "*Blue Dick*," to say that the engine and apparatus under his care are in perfect working order, and have been kept so during the entire winter. We believe the other engines and apparatus are in such a condition as to be altogether useless. They ought to be looked to.

☞Nothing of public interest has transpired at Washington during the past week. Congress has been mostly engaged on private or local Bills.

☞We are informed that the citizens of New Oxford are making active exertions for the organization of this borough from Hamilton township. About $10,000 have already been subscribed. It is hoped they will be successful.

☞"*The Hanover Herald*," is the title of a new weekly paper, published by Mr. Henry Fahnestock, at Hanover, at $1 per annum. The first No. is before us and looks well. The publisher has our best wishes for abundant patronage and a long list of of good paying subscribers.

☞It is said that Gov. Kossuth is making arrangements for the publication of his speeches, from the period of his arrival on board the Mississippi, at Pardanelles, to the present time. It is his intention to issue English and German editions, at various prices, according to the styles in which they may be got up. Of these, several hundred thousand copies will be printed and sold in all parts of the U. States.

Vote of the Governor.

☞We give in today's paper the Message of Gov. Johnston to the Legislature, assigning his reasons for the veto of the bill which proposes to place the prisons of the Commonwealth at the service of the Slave-hunter. To our view, it is an unanswerable document. We trust the veto will give it a careful perusal. Gov. Johnston has been badly abused in reference to this matter. He places himself *rectus in curia* by this message, and it is but right that he should have a fair hearing. We predict, however, that the Loco-foco friends of the State will not dare to let their readers see it. When the Message was read, the Bill came up on a final passage, and lost—yea 19, nays 14—a two-third vote being necessary for its passage. The vote was as follows:

Yeas—Messrs. Bailey, Buckalew, *Crabb, Darlington*, Ferron, Forsyth, Finney, Fulton, Gormerly, Hamilton, Hamlin, Hoge, Jones, McCaslin, *Mathias*, Mullen, Packer, Sanderson, Shimer—19

Nays—Messrs. Bartram, Brown, Carson, Evans, Hasler, Kinzer, Konkel, *McFarland*, McMurtrie, Malone, Myers, Robinson, Stiles, Taylor, Speaker—14

It will be seen that every Locofoco, except Mr. McFarland, of the Westmoreland district, voted *for* the Bill; while every Whig, except Crabb, Mathias, and Darlington, voted *against* it.

Legislative.

☞Nothing of importance will be done until after the appointment of the standing Committees, which have not yet been announced in either House.

In the Senate, on Monday, the Speaker appointed Messrs. *Evans, McMurtrie, Hoge, Myers*, Packer, Finney, and *Hasler*, a Committee to apportion the State into Congressional districts—4 Whigs, and 3 Locos.

In the House, on the same day, Mr. Bowman introduced a bill to authorise the State Treasurer to negotiate a temporary loan of $800,000 to meet the semi-annual interest falling due on the February which was taken up and passed two readings, and ordered to be transcribed.

We also notice that the Senate has passed a Bill to lease the width of the *State Road leading from Philadelphia to Gettysburg.*" What does this mean? Those interested had better attend to the matter.

Officers of the Senate.

☞The State Senate, on Friday last, completed its organization by the election of the following Officers:—

Clerk—John M. Sullivan.

Ast. Clerk—J. C. Bomberger.

Transcribing Clerks—Messrs. Benedict, Sayder, and Raymond.

Sergeant at Arms—Wm. P. Thomas.

Doorkeeper—John Essig and Wm. P. Brady.

Door Keeper—Thomas H. Wareham.

Ast. Door Keepers—Messrs. Benedict, James McIlvaine.

Messenger—Andrew Young.

Assistant Messenger—Jos. Bell.

☞We notice in the York papers the charge of Judge Fisher to the Grand Jury of York county, at their last Court.—We extract the following paragraphs. Speaking of the law against tippling on the Sabbath, and the duty of Constables to search and report all houses offending in this respect, he says:

"The Court will do all they can to have the law enforced, and they expect the Constables of the Boroughs and Townships now present to distinctly understand that they have been elected to perform their duties with fidelity, binding them to the execution of the provisions of the act of assembly, which it is their duty to perform any other act or duty, and should any of them be indicted in this court for neglect of any of the duties or omission of the duties imposed upon them by this law, the Court will consider it their duty to impose on them the proper severity."

Again, the Judge remarked:

"That there are too many taverns in this County is a matter beyond dispute, but this evil cannot be remedied by the Court so long as our respectable citizens sign the recommendation required by law for one to obtain a license or for places where taverns are not required. The Court in general do not disregard the recommendation of respectable citizens on this subject, and in most instances their recommendations are the only evidence submitted to the Court. If these recommendations are incautiously given, taverns are licensed where none are required, and kept by persons totally unfit to keep them. We, therefore, advise that none of our citizens sign recommendations unless they be well assured that every fact stated in them is literally true."

What's in the Wind?

☞The Norfolk Courier states that a rumor was current there, on Saturday, that a despatch had been received from Washington, ordering all vessels now at the Gosport Navy Yard, to be immediately fitted for sea, and for this purpose, it is said, the employment of a large number of mechanics have been directed. The Norfork Herald says the sloops Levant and St. Louis are to be fitted out with all possible despatch, and the frigate U. States and sloop of war Plymouth are to be prepared to accompany that time it will require to fit them for sea. What's in the wind?

☞Shocks of earthquake were distinctly felt in New Bedford, Mass., and Providence and Warwick, R. I., at 20 minutes before 7 on Saturday morning. They lasted 10 or 12 seconds, and resembled in such place the effect of heavily loaded wagons passing over the frozen ground. In Warwick much alarm was felt, there being a universal shaking of houses.

☞We learn from the Lancaster Examiner, that 14 out of 28 of the Christiana prisoners have been discharged, either absolutely or on bail. Among those discharged on bail are Elijah Lewis and Castner Hanway. The indictments for murder and riot will be thoroughly investigated at the ensuing session of the court of Lancaster county.

The Managing Case.

☞Last week we alluded to the charge of Kidnapping preferred against a man by name of McCarty, at Eaton, Md., who was the active agent in carrying off the colored girl from the residence of Mr. Joseph C. Miller, of West Nottingham, in Chester county. The charge has been under investigation for nine days before a Magistrate in Baltimore. A number of respectable citizens of Pennsylvania, residing in and about West Nottingham, testified on oath to their knowledge of the girl, many of them were able to her birth, and to their knowledge of her mother—that they had always been free, and resident in that vicinity. Some witnesses undertook to swear that the man girl who ran away four or five years ago, was the property of Schofield, in that city. The most extraordinary part of the evidence is that of a man by name of Merritt, who, on Tuesday, swore that the girl was taken off with the consent of Miller—that the latter had admitted her to be a slave, and offed to be a party to the arrest if he would pail, &c! The Justice has not yet rendered a decision. The case has excited a good deal of interest, and counsel has been engaged on both sides. Gov. Johnste has made a requisition on Gov. Lowe fr McCreary, which has not as yet been answered. On a former occasion Gov. Lo refused to respect a similar requisition.

An investigation is also been had by a new Coroner's inquest into the cause of Mr. Miller's death. It was protracted through several days, and it was proved, after three hours deberation, the Jury rendered a verdict effectly by "*suicide.*" The verdict is not satisfactory to Mr. Miller's friends, who insist that he was murdered.

☞Dr. J.—The Justic has dirmissed the charge of kidnapping discharged M'Creary, and pronounced he girl a Slave subject to the order of he owner!

Kossuth and Mr. Clay.

☞On Friday last Kossuth called on Mr. Clay, being introuced by Gen. Cass. The National Intelligencer, in alluding to the interview, says that it was been both cordial and friendly, and was continued about an hour, in he course of which we learn that Mr. Clay frankly disclosed his sentiments and at considerable length, as to the policy of this country in reference to the operation of international politics. Mr. Clay, as it has been understood, is opposed to any change in this policy, deeming it best not only for ourselves, but likewise for the down trodden populations of Europe, that we should pursue, hitherto, the even tenor of our way.

M. Kossuth paid the most respectful attention to Mr. Clay, had on his side impartial the most interesting intelligence to the social and political condition of several of the European nations.

☞The House of Representatives of the State of Maine, on Saturday last, by a vote of 83 to 34, passed the following resolution in relation to the intervention of Russia in the affairs of Hungary:

"*Resolved*, That we earnestly desire that the Government of the United States may exert an influence in some wise and proper manner against all such intervention as was practised by Russia against Hungary during the struggle of the latter with Austria."

The Tariff.

☞It is stated that Senator James, of Rhode Island, has prepared a project for a change in the tariff, with the consent of a majority of several leading democratic Senators, will be submitted to the Senate in a few days. It proposes a reduction of the rates, of duties on some articles of manufacture that enter into general consumption, and increases the rates of duties on the finer fabrics. It proposes to add ten per cent. to the present duties on iron, and the same upon fine cotton, and fabrics of cotton and wool, leaving the present system unimpaired in other respects.

The Christiana Trials.

The trial of Samuel Williams, of Philadelphia, colored, charged with conveying information to the Christiana rioters of the approach of Mr. Gorsuch, which was mentioned before the U. S. District Court at Philadelphia, on Monday, has so far elicited nothing new. Geo. L. Ashmead, Esq. the U. S. States District Attorney, in his opening address to the jury, called upon them to vindicate the laws, regardless of all sectional feelings. Henry H. Kline was then called as a witness for the prosecution, but his testimony is only a repetition of that given on the treason trials—Lacretia Mott and several other ladies were present in the court-room.

☞The Ohio Locofoco State Convention met on the 8th of January. A resolution declaring Wm. Allen the choice of Ohio Locofoco for the Presidency, was warmly debated and lost, yea 186—nays 144.

☞We have been favored with a copy of Dr. Patterson's Lecture introductory to the course of Materia Medica & Therapeutics in the Medical Department of Pa. Col. Dr. Patterson has but recently returned from a tour in Europe, and in discussing "the present condition and prospects of Medicine in both hemispheres," he gives us the benefit of his own personal observations. The Lecture is written with ability, and possesses interest for the general reader as well as for the profession. The concluding passages, in which the Doctor refers to the coming "Southern safety valve," as they then so pulisingly termed it. Beware that your State does not become a mockery! Remember that of all the other states which can afflict nations, a border warfare is the most direful. Consider the likelihood of that result, springing from the disagreements of kindred, relatives and neighbors, when they gaze on the mangled remains of Edward Gorsuch, who may hereafter be butchered, as he was, in the exercise of a constitutional right. Do not shut your eyes to the fearful fact, that the only reason will master human passions only so long as hope points to relief by lawful means. Firmness now is patriotism—candor now is wisdom."

"An ounce of civet,—good Apothecary!"

Kossuth at Harrisburg.

☞Kossuth reached Harrisburg on Wednesday afternoon, and was received at the Railroad depot by members of the Legislature, and a large crowd of persons.—At 4o'clock the presentation took place.—A despatch from Harrisburg says:

Harrisburg, Jan. 14th.—The House met at 4 o'clock this afternoon. The room was crowded with ladies, and an immense concourse filled the Rotunda and blocked up its passages. When the House was called to order, the galleries were so crowded as to be completely occupied by ladies.

The greatest excitement prevailed about the building, and it was found necessary to send for the military, who arrived about 5 o'clock and drove the crowd out of the rotunda.

Kossuth, accompanied by the Reception Committee, soon after entered and was received with the enthusiasm of an address, to which Kossuth replied in a speech of about 15 minutes' duration. The conclusion, however, was so great that nothing could be heard.

Advertising.

☞It is astonishing to see with what perseverance some people persist in their endeavors to succeed without advertising. Their seal is worthy of a better fate than they generally receive. They labor hard to enter into competition with more wonted enterprise, and while they glory in the small sum saved by not advertising their business, they fret at and envy the growing prosperity of their neighbors, who advertise with a free hand and reap the golden harvest. Of the people will be blind, it is their Constitutional right. They forget that this is the locomotive, go-a-head age, and if people will, in these times of steam, engine telegraph progressiveness, they have to have their business advertising which should be left to gossiping and tattling, it is their own fault, and they ought to suffer. None but the enterprising deserve good fortune, and they know the benefits of printers' ink.—*Lancaster Gazette.*

☞The safe arrival at New York from Kingston, Jamaica, we learn that Admiral Seymour, in command of the British squadron in the West India seas, has repudiated the conduct of the commander of the English brig of war Speedwell, in firing at the American steamship Prometheus a short time since. The outrage must certainly have been very aggravated, when it is denounced by the Admiral, without his having received instructions from England.

☞It is generally understood that Kossuth and Gov. Long, of the Mississippi, had serious difficulties while Kossuth was his way from Turkey on board that vessel. It has been stated that a challenge passed between the two. However, it is denied. The Exeter (N. H.,) News says that is authorized by Capt. Long, of the Mississippi, to say, that Kossuth while on board the vessel presumed to dictate to the officers upon subjects over which he had no control, and in a manner that could not be endured. This Kossuth was made to understand, but no challenge passed between him and Capt. Long.

☞Lieut. Fairchilds and Mr. Webster—*A Pretty Diplomatic Passage.*—The Washington correspondent of the Philadelphia North American, writing on the 12th inst., says:

"While writing my letter at this late hour of the night, it is announced to me from a respectable but unofficial source, that Mr. Webster has received a formal communication from the Austrian Minister, that Mr. Hulsemann is *offered* his passports.

A despatch from Harrisburg says:

Harrisburg, Jan. 14th.—The House met at 6 o'clock this afternoon. The room was crowded with ladies, and an immense concourse filled the Rotunda and blocked up its passages. When the House was called to order, the galleries were so crowded as to be completely occupied by ladies.

The greatest excitement prevailed about the building, and it was found necessary to send for the military, who arrived about 5 o'clock and drove the crowd out of the rotunda.

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"While writing my letter at this late hour of the night, it is announced to me from a respectable but unofficial source, that Mr. Hulsemann is *offered* his passports from Austria, has addressed a formal communication to the President directly—thus overstepping the proper diplomatic channel—complaining of the presence of the Secretary of State at the Kossuth dinner, and of the intimate intercourse with him on that occasion. Whether Mr. Webster may consider it proper under such circumstances to decline the invitation to give him a second edition of a "certain letter" to which he referred in the speech, I know not, but I venture to predict in the absence of fuller information."

In a telegraphic despatch of the 13th, published in the same number of the paper, the Correspondent says:

"The letter from the Chevalier Hulsemann to the President, referred to in my regular communication of last night, was not received yesterday, after the payment of the usual compliments, but it was received yesterday, after the payment of the usual compliments, but it was received yesterday, after the payment of the usual compliments, but it was