

# Carlisle Herald and Expositor.

A FAMILY NEWSPAPER—DEVOTED TO NEWS, POLITICS, LITERATURE, THE ARTS AND SCIENCES, AGRICULTURE, AMUSEMENT, & C. & C.

Edited and Published for the Proprietor, at Carlisle, Cumberland County, Pa.

VOLUME XLIV.—NO. 3.

WEDNESDAY MORNING, DECEMBER 15, 1841.

NEW SERIES, VOL. 5.—NO. 58.

## Sheriff's Sale.

By virtue of an alias writ of Vendition Exponas, to me directed, issued out of the Court of Common Pleas of Cumberland county, will be exposed to public sale, on the premises, in Milford township, on Monday the 30 day of January, 1842, at 10 o'clock, A. M., the following described real estate, viz:

**A Tract of Land situate in Milford township, Cumberland county, containing 153 Acres,**

more or less, (called the Dublin Gap Springs), about twenty acres of cleared land, and the balance good timber land, adjoining lands of John Harper, Andrew Blevins, &c., and the heirs of James Woodburn, dec'd., having thereon erected a large Log and Frame House, two stories high, and a Log Barn.

Seized and taken in execution as the property of William Blean. And to be sold by me,

PAUL MARTIN, Sheriff.

## Trustee's Notice.

WHEREAS George Logue, by his last will and testament, dated the 7th March, 1811, did devise to three trustees, to be appointed by the will of his said wife Jane Logue, to be sold upon the death of his said wife, and the proceeds thereof, after the payment of certain specific legacies, &c., to be divided equally by the trustees among the children of the said Jane Logue, by her will dated the 31st August, 1822, appointed John Proctor, William Irvin and Andrew Blair, who sold the said real estate and settled their account of the trust which was confirmed by the Court of Common Pleas of Cumberland county on the 9th August, 1841, and the said Court of Common Pleas in the balance in the hands should be distributed according to the will of the said George Logue, dec'd.

Now 20th Nov. 1841, on motion of Fredk. Watts, Esq., the Court do hereby order and decree that the said Trustees do give public notice in the Carlisle Herald and American Volunteer until the 1st January next, to all persons interested in the distribution of the said fund, that they appear on the second Monday of January next, at a Court of Common Pleas to be held at Carlisle, and make their claims to their portions of the said fund, and that the said Court should not then make a distribution thereof according to the will of the said George Logue, dec'd.

By the COURT.

Nov. 24, 1841.—65.

## Shoe Dealers,

Call and see the large lot of Boots and Shoes I bought at auction, recently intended to sell by the case or dozen, cheaper than ever.

CEAS. BARNITZ.

Carlisle, Nov. 24, 1841.

## Tannery for Rent.

The subscriber offers for rent the superior Tanning establishment, recently erected by David S. Forey, dec'd., situated on the corner of East and Loutler streets, in the borough of Carlisle, Pa.

It is the most complete property of the kind in the place of its location—being situated on the corner of East and Loutler streets, in the borough of Carlisle, Pa.

Two Story Stone & Walling HOUSE.

fine garden and all other buildings &c. necessary to carry on the tanning business.

Possession given on the 1st of April 1842. Terms made known on application to

P. E. EGE.

Opposite the Carlisle Bank.

November, 24, 1841.

## WINTER GOODS.

I have just returned from the city with a second supply of Winter goods, such as Cloths, Casimere, Sattinets, Flannels, Blankets, Shawls, &c. &c., which have been selected with care, and which will be sold as cheap if not cheaper, than at any other establishment in the borough.

CHAS. BARNITZ.

Carlisle, Nov. 24, 1841.

## NOTICE.

**Estate of Abraham Keckler, dec'd.**

LETTERS of Administration on the estate of Abraham Keckler, late of Dickson township, dec'd., have been issued in due form of law to the subscriber, and he hereby gives notice that he is here by given, to all persons indebted to said estate, to present their claims properly authenticated for settlement, and all persons indebted are requested to make payment to the subscriber.

JOHN KECKLER, Adm'r.

November 10, 1841.—64.

## Boots and Shoes.

50 Cases of boots and shoes received from auction, which I have purchased at prices that will enable me to sell cheaper than any other establishment in the county.

CHAS. BARNITZ.

Carlisle, Nov. 24, 1841.

## HATS & CAPS.

I have just returned from the city with the latest style of Fur, Cloth and Gazed Men's and Boys' Caps. Also, Brush Hats, for sale cheap, by

CHAS. BARNITZ.

Carlisle, Nov. 24, 1841.

## Sheriff's Sales.

By virtue of an alias writ of Vendition Exponas, to me directed, issued out of the Court of Common Pleas of Cumberland county, will be exposed to public sale at the Court House, in the borough of Carlisle, on Monday the 30 day of January, A. D. 1842, at 10 o'clock of said day, the following described real estate, viz:

**All the interest of Jemima Sanderson in a Tract of Land, situate in the township of North Middleton, Cumberland county, containing 150 acres, more or less, bounded by lands of Jacob Weary, William Henwood, David Wolf and others, having thereon erected a two story Log House, log kitchen, and a frame and stone Barn. Seized and taken in execution as the property of Jemima Sanderson.**

Also, a Tract of Land situate in Frankford township, Cumberland county, containing 10 acres, more or less, bounded by lands of Henry Haeke, on the east, lands of George Kohst and Leonard Minich on the south, George Kohst on the north, and Leonard Minich and George Kohst on the west, having thereon erected a two story Log House, and log stable. Seized and taken in execution as the property of Josiah Williams.

And to be sold by me,

PAUL MARTIN, Sheriff.

Sheriff's Office, Carlisle, Nov. 29, 1841.—31.

## POETRY.

### SING ME AGAIN THAT LITTLE SONG.

BY MISS CATHERINE H. WATERMAN.

Sing me again that little song,

Oh! sing it once again!

A thousand buried memories rise,

Before its simple strain.

I heard it when a happy child

Amid a merry throng,

From generous voices long those hush'd!

Oh! sing that little song!

I see again that bright green award,

Whereon we gladly played,

I hear again the echoing sound

Their little footsteps made.

Their voices like a ringing shell,

Are ringing in mine ears,

And not a single eye is dim

With sorrow or with tears.

Oh! through the long, long lapse of years,

They greet me once again,

These young companions of my mirth,

Waked by that simple strain.

Heed not the tears which mine eyes,

While the quick memories throng,

Of other days upon my heart—

Oh! sing that little song!

Oh! sing that little song!

Oh! sing that little song!

Oh! sing that little song!

Oh! sing that little song!

Oh! sing that little song!

Oh! sing that little song!

Oh! sing that little song!

Oh! sing that little song!

Oh! sing that little song!

Oh! sing that little song!

Oh! sing that little song!

Oh! sing that little song!

Oh! sing that little song!

Oh! sing that little song!

Oh! sing that little song!

Oh! sing that little song!

Oh! sing that little song!

Oh! sing that little song!

Oh! sing that little song!

Oh! sing that little song!

Oh! sing that little song!

Oh! sing that little song!

Oh! sing that little song!

Oh! sing that little song!

Oh! sing that little song!

Oh! sing that little song!

Oh! sing that little song!

Oh! sing that little song!

Oh! sing that little song!

Oh! sing that little song!

Oh! sing that little song!

Oh! sing that little song!

Oh! sing that little song!

Oh! sing that little song!

Oh! sing that little song!

Oh! sing that little song!

Oh! sing that little song!

Oh! sing that little song!

Oh! sing that little song!

Oh! sing that little song!

Oh! sing that little song!

Oh! sing that little song!

Oh! sing that little song!

Oh! sing that little song!

Oh! sing that little song!

Oh! sing that little song!

Oh! sing that little song!

Oh! sing that little song!

Oh! sing that little song!

Oh! sing that little song!

Oh! sing that little song!

Oh! sing that little song!

Oh! sing that little song!

Oh! sing that little song!

Oh! sing that little song!

Oh! sing that little song!

Oh! sing that little song!

Oh! sing that little song!

Oh! sing that little song!

Oh! sing that little song!

Oh! sing that little song!

Oh! sing that little song!

Oh! sing that little song!

Oh! sing that little song!

loved sovereign. Hundreds were admitted to the royal apartments, to greet and console the Queen and her sister, the latter speaking with infantile simplicity of her hiding herself to save herself from the balls. The Duke cordially embraced Col. Dulce, and instantly promoted him to the rank of a Brigadier.

He next addressed each of the halberdiers separately, and in like manner promoted them, giving them at the same time the laurel cross of San Fernando. These fine old fellows were at their post when the Duke entered, just as if nothing had happened. But the most touching scene was, perhaps, that of Madame Mina publicly apologizing to Colonel Dulce for her rude denial of admission to him when he applied to see the Queen. The scene and language which passed, brought tears into the eyes of all present. I was thus endeavored to give you a hurried sketch of the principal events of that night. The defection of troops has not, after all, been very considerable. Some companies of the Guards, and their officers, are made prisoners. The National Guard and the people conducted themselves with their usual firmness and moderation.

A lady with a flushed face and carbuncled nose, consulting Dr. Cheyne, exclaimed: "Where, in the name of wonder, doctor, did I get such a nose as this?" "Out of the decanter, madam—out of the decanter," replied the doctor.

"What is the chief end of man?" asked a school master, with the catechism in his hand. "The end we get our ticks on," blubbered an urchin.

A pretty girl was complaining to a young Quaker, that she was dreadfully troubled by claps on her lips. "Friend Mary," replied broad brim, "thou shouldst not allow the claps to come so near thy lips."

At a shop window there appeared the following notice:— "Wanted, two apprentices, who will be treated as one of the family."

A Yankee has invented a plaster so strong that it draws prizes in lotteries; likewise the most beautiful landscape views.

"Faint Praise."—The Princeton Whigs say "our banks are as good as the Philadelphia banks."

It is now pretty generally admitted, on all hands, that the more you eat the less you want to.

We know a chap so darned temperate, that he threatens to cut his toes off the next time they get corned.—N. Y. Atlas.

**President's Message.**

To the Senate and House of Representatives of the United States:

In coming together, fellow-citizens, to enter again upon the discharge of the duties which the People have charged us, severally, we find great occasion to rejoice in the general prosperity of the country.—We are in the enjoyment of all the blessings of civil and religious liberty, with unexampled means of education, knowledge, and improvement. Through the year which is now drawing to a close, peace has been in our borders, and plenty in our habitations; and although disease has visited some portions of the land with distress and mortality, yet in general the health of the people has been preserved, and we are called upon, by the highest obligations of duty, to renew our thanks and our devotion to our Heavenly Parent, who has continued to vouchsafe to us the eminent blessings which surround us, and who has so signally crowned the year with his goodness.

If we find ourselves increasing beyond example, in numbers, in strength, in wealth, in knowledge, in every thing which promotes human and social happiness, let us remember our dependence, for all these, on the protection and merciful dispensations of Divine Providence.

Since your last adjournment, Alexander McLeod, a British subject, who was indicted for the murder of an American citizen, and whose case has been the subject of a correspondence heretofore communicated to you, has been acquitted by the verdict of an impartial and intelligent jury, and has regularly discharged.

Great Britain having made known to this Government that the expedition which was fitted out from Canada for the destruction of the steamboat Caroline, in the winter of 1837, and which resulted in the destruction of said boat, and in the death of an American citizen, was undertaken by orders emanating from the authorities of the British Government, in Canada, and demanding the discharge of McLeod upon the ground that, if engaged in that expedition, he did but fulfil the orders of his Government, has thus been answered in the only way she could be answered by a Government, the powers of which are distributed among its several departments by the fundamental law. Happily for the people of Great Britain, as well as those of the United States, the only mode by which an individual, arraigned for a criminal offence, before the courts of either can obtain his discharge, is by the independent action of the judiciary, and by proceeding equally familiar to the Courts of both countries.

If Great Britain a power exists in the Crown to cause to be entered a *Writ Prosequi*, which is not the case with the Executive power of the United States upon a

prosecution pending in a State Court; yet there, no more than here, can the chief Executive power reside a prisoner from custody without an order of the proper tribunal, directing his discharge. The precise stage of the proceedings at which such order may be made, is a matter of municipal regulation exclusively, and not to be complained of by any other Government. In cases of this kind, a government becomes politically responsible only when its tribunals of last resort are shown to have rendered unjust and injurious judgments in matters not doubtful. To the establishment and elucidation of this principle, no nation has lent its authority more efficiently than Great Britain. Alexander McLeod having his option either to prosecute a writ of error from the decision of the Supreme Court of New York, which had been rendered upon his application for a discharge, to the Supreme Court of the U. States, or to submit his case to the decision of a jury, preferred the latter, deeming it the readiest mode of obtaining his liberation, and the result has fully sustained the wisdom of his choice. The manner in which the issue submitted was tried, will satisfy the English Government that the principles of justice will never fail to govern the enlightened decision of an American tribunal: "I cannot fail, however," to suggest to Congress the propriety, and, in some degree, the necessity, of making such provisions by law, so far as they may constitutionally do so, for the removal at their commencement, and at the option of the party, of all such cases as may hereafter arise, and which may involve the faithful observance and execution of our international obligations, from the State to the Federal Judiciary: "This Government, by our institutions, is charged with the maintenance of peace and the preservation of amicable relations with the nations of the earth, and ought to possess, without question, all the reasonable and proper means of maintaining the one and preserving the other. Whilst just confidence is felt in the Judiciary of the States, yet this Government ought to be complete in itself for the fulfilment of the high duties which have been devolved upon it under the organic law, by the States themselves.

In the month of September, a party of armed men from Upper Canada, invaded the territory of the United States, and forcibly seized upon the person of one Grogan, and under circumstances of great harshness, hurriedly carried him beyond the limits of the United States, and delivered him up to the authorities of Upper Canada. His immediate discharge was ordered by those authorities, upon the facts of the case being brought to their knowledge—a course of procedure which was to have been expected from a nation with whom we are at peace, and which was not more due to the rights of the United States, than to its own regard for justice. The correspondence which passed between the Department of State and the British Envoy, Mr. Fox, and with the Governor of Vermont, as soon as the facts had been made known to this Department, are herewith communicated.

It regret that it is not in my power to make known to you an equally satisfactory conclusion in the case of the Caroline steamer, with the circumstances connected with the destruction of which, in December, 1837, by an armed force fitted out in the province of Upper Canada, you are already made acquainted. No such statement as was due for the public wrong done to the United States by this invasion of her territory, so wholly irreconcilable with her rights as an independent Power, has yet been made. In the view taken by this Government, the inquiry whether the vessel was in the employment of those who were prosecuting an unauthorized war against that Province, or was engaged by the owners in the business of transporting passengers and from Navy Island, in hopes of private gain, which was most probably the case, in no degree alters the real question at issue between the two Governments.—This Government can never concede to any foreign Government the power, except in a case of the most urgent and extreme necessity, of invading its territory, either to arrest the persons or destroy the property of those who may have violated the municipal laws of such foreign Government, or having disregarded their obligations arising under the law of nations.

The territory of the United States must be regarded as sacredly secure against all such invasions, until they shall voluntarily acknowledge their inability to acquit themselves of their duties to others. And in announcing this sentiment, I do but affirm a principle which no nation on earth would be more ready to vindicate, at all hazards, than the people and Government of Great Britain.

If, upon a full investigation of all the facts, it shall appear that the owner of the Caroline was governed by a hostile intent, or had made common cause with those who were in the occupancy of Navy Island, then, so far as he is concerned, there can be no claim to indemnity for the destruction of his boat, which this Government would feel itself bound to prosecute, since he would have acted not only in derogation of the rights of Great Britain, but in clear violation of the laws of the United States; but that is a question which, however settled, in no manner involves the higher consideration of the violation of territorial sovereignty and jurisdiction. To recognize it as an admissible practice that each Government, in its turn, upon any sudden and unauthorized outbreak, which, on a frontier, the extent of which renders it impossible for either to have an efficient force on

every mile of it, and which out-break, therefore, neither may be able to suppress in a day, may take vengeance into its own hands, and without even a remonstrance, and in the absence of any pressing or overruling necessity, may invade the territory of the other, would inevitably lead to results equally to be deplored by both. When border collisions come to be accepted the sanction, or to be made on the authority of either Government, general war must be the inevitable result. While it is the ardent desire of the United States to cultivate the relations of peace with all nations, and to fulfil all the duties of good neighborhood towards those who possess territories adjoining their own, that very desire would lead them to deny the right of any foreign Power to invade their boundary with an armed force. The correspondence between the two Governments on this subject, will, at a future day of your session, be submitted to your consideration, and in the mean time I cannot but indulge the hope that the British Government will see the propriety of renouncing, as a rule of future action, the precedent which has been set in the affair at Schlosser.

I herewith submit the correspondence which has recently taken place between the American Minister at the court of St. James, Mr. Stevenson, and the Minister of Foreign Affairs of that Government, on the right claimed by that Government to visit and detain vessels sailing under the American flag, and engaged in prosecuting lawful commerce in the African seas.—Our commercial interests in that region have experienced considerable increase, and have become an object of much importance, and it is the duty of this Government to protect them against all improper and vexatious interruptions. However desirous the United States may be for the suppression of the slave trade, they cannot consent to interpositions into the maritime code, at the mere will and pleasure of other governments.—We deny the right of any such interposition to any one, or all the nations of the earth without our consent. We claim to have a voice in all amendments or alterations of that code—and when we are given to understand, as in this instance, by a foreign Government, that its treaties with other nations cannot be executed without the establishment and enforcement of new principles of maritime police, to be applied without our consent, we must employ a language neither of equivocal import, or susceptible of misconstruction. American citizens prosecuting a lawful commerce in the African seas, under the flag of their country, are not responsible for the abuse or unlawful use of that flag by others; nor can they rightfully on account of any such alleged abuses, be interrupted, molested or detained while on the ocean, and if thus molested and detained, while pursuing honest voyages, in the usual way, and violating no law themselves, they are unquestionably entitled to indemnity. This Government has manifested its repugnance to the slave trade, in a manner which cannot be misunderstood. By its fundamental law, it prescribed limits in point of time to its continuance; and against its own citizens, who might so far forget the rights of humanity as to engage in that wicked traffic, it has long since by its municipal laws denounced the most condign punishment. Many of the States composing this Union, had made appeals to the civilized world for its suppression, long before the moral sense of other nations had become shocked by the iniquities of the traffic.

Whether this Government should now enter into treaties containing mutual stipulations upon this subject, is a question for mature deliberation. Certain it is, that if the right to detain American ships on the high seas can be justified on the plea of a necessity for such detention, arising out of the existence of treaties between other nations, the same plea may be extended and enlarged by the new stipulations of new treaties, to which the United States may not be a party. This Government will not cease to urge upon that of Great Britain, full and ample remuneration for all losses, whether arising from detention or otherwise, to which American citizens have hitherto been, or may hereafter be subjected, by the exercise of rights which this Government cannot recognize as legitimate and proper. Nor will I indulge a doubt but that the sense of justice of Great Britain will constrain her to make retribution for any wrong, or loss, which any American citizen, engaged in the prosecution of lawful commerce, may have experienced at the hands of her cruisers, or other public authorities. This government at the same time will relax no effort to prevent its citizens, if there be any so disposed, from prosecuting a traffic so revolting to the feelings of humanity. It seeks to do no more than to protect the fair and honest trader from molestation and injury; but while the enterprising trader, engaged in the pursuit of an honorable trade, is entitled to its protection, it will visit with condign punishment others of an opposite character.

I invite your attention to the existing laws for the suppression of the African slave trade, and recommend all such alterations as may give to them greater force and efficacy. That an American flag is grossly abused by the abandoned and profligate of other nations, is but too probable. Congress has not long since, had the subject under consideration, and its importance well justifies renewed and anxious attention.

I also communicate herewith a copy of a correspondence between Mr. Stevenson and Lord Palmerston, upon the subject so interesting to several of the Southern States, of the rice duties which resulted honorably

to the justice of Great Britain, and advantageously to the United States. At the opening of the last annual session the President informed Congress of the progress which had been made in negotiating a Convention between this Government and that of England, with a view to the final settlement of the question of the boundary between the territorial limits of the two countries. I regret to say that little farther advancement of the object has been accomplished since last year; but this is owing to circumstances no ways indicative of any abatement of the desire of both parties to hasten the negotiation to its conclusion, and to settle the question in dispute as early as possible. In the course of the session it is my hope to be able to announce some further degree of progress, towards the accomplishment of this highly desirable end.

The commission appointed by this government for the exploration and survey of the line of boundary separating the states of Maine and New Hampshire from the continent of British Provinces, is expected soon to report the result of its examinations to the Department of State. The report, when received, will be laid before Congress.

The failure on the part of Spain to pay with punctuality, the interest due under the Convention of 1834, for the settlement of claims between the two countries, has made it the duty of the Executive to call the particular attention of that Government to the subject. A disposition has been manifested by it, which is believed to be entirely sincere, to fulfil its obligations in this respect, so soon as its internal condition and the state of its finances will permit. An arrangement is in progress, from the result of which, it is trusted that those of our citizens who have claims under the Convention, will, at no distant day, receive the stipulated payments.

A Treaty of Commerce and Navigation with Belgium was concluded and signed at Washington on the 29th of March, 1840, and was duly sanctioned by the Senate of the United States. The treaty was ratified by his Belgian Majesty, but did not receive the approbation of the Belgian Chambers within the time limited by its terms, and has, therefore, become void.

This occurrence assumes the greater aspect from the consideration that in 1839, a Treaty negotiated between the two Governments, and ratified on the part of the United States, failed to be ratified on the part of Belgium. The representative of that Government at Washington, informs the Department of State that he has been instructed to give explanations of the causes which occasioned delay in the approval of the late Treaty by the Legislature, and to express the regret of the King at the occurrence.

The joint commission under the Convention with Texas, to ascertain the true boundary between the two countries, has concluded its labors; but the final report of the commissioner of the United States has not been received. It is understood, however, that the meridian line, as traced by the commission, lies somewhat further East than the position hitherto generally assigned to it, and consequently, includes in Texas some part of the territory which had been considered as belonging to the States of Louisiana and Arkansas.

The United States cannot but take a deep interest in whatever relates to this young but growing Republic. Settled principally by emigrants from the United States, we have the happiness to know, that the great principles of civil liberty are there destined to flourish, under wise institutions and wholesome laws; and that through its example, another evidence is to be afforded of the capacity of popular institutions, to advance the prosperity, happiness, and permanent glory of the human race. The great truth, that government was made for the people, and not the people for government, has already been established in the practice and by the example of these United States; and we can, do no other than contemplate its farther exemplification by a sister Republic with the deepest interest.

Our relations with the independent States of this hemisphere, formerly under the dominion of Spain, have not undergone any material change within the past year. The incessant sanguinary conflicts in, or between those countries, are to be greatly deplored, as necessarily tending to disable them from performing their duties as members of the community of nations, and raising to the destiny which the position and natural resources of many of them might lead them justly to anticipate, as constant giving occasion, also, directly or indirectly, for complaints on the part of our citizens who resort thither for purposes of commercial intercourse; and as retarding reparation for wrongs already committed, some of which are by no means of recent date.

The failure of the Congress of Ecuador to hold a session, at the time appointed for that purpose, in January last, will probably render abortive a treaty of commerce with that Republic, which was signed at Quito on the 13th of June, 1839, and had been duly ratified on our part, but which required the approbation of that body, prior to its ratification by the Ecuadorian Executive.

A Convention which has been concluded with the Republic of Peru, providing for the settlement of certain claims of citizens of that Republic, upon the Government of that Republic, will be duly submitted to the Senate.

The claims of our citizens against the Brazilian government, originating from captures, and other causes, are still unsatisfied. The United States have, however, so uniformly shown a disposition to cultivate relations of amity with that Empire