

sess the same authority. The judge might then be changed at every succeeding session; those in office might be removed, and those who had been already removed reinstated. Changes of this kind would produce confusion and uncertainty in matters of the highest moment to the community, calculated to cast reproach on republican government, weaken its influence, impair its strength and permanence, and lessen the affection of its citizens for its excellent institutions.

In choosing, therefore, between the act of the 20th of June 1839, and that passed by the succeeding legislature on the 7th of March 1840, making a new classification, we have no difficulty in deciding that the former must be considered as valid, and the latter as beyond the power of the legislature. The latter was not passed at the first session of the legislature under the amended constitution, as is expressly required by the schedule of the amended constitution; and even if such a power might, from necessity, have been exercised in case the legislature, at its first session had omitted to perform the duty, yet there has not been an omission by that legislature to discharge the duty imposed upon it by the amended constitution. In the next place the legislature of 1839 were, in our opinion, right in making no distinction between the judges whose commissions bore date prior to the adoption of the amendments of the constitution and those whose commissions bore date subsequent to that adoption—no such distinction being created, either expressly or by fair implication by the schedule, in its enactments respecting associate judges. And lastly, we think, that the expiration of the commissions of the associate judges would be graded according to the priority of date on the 1st of January, 1839, after the amendments took effect. On these principles the first classification was made, and we concur with the legislature of 1839, in its construction of the constitution, and their duty under it.

The act of the 7th March, 1840, seems to contemplate the adoption of the constitution as the proper date, and that the classification is to be as of that date; and that it should reach down to the time of the passage of the act itself. Consequently it embraces several associate judges who were appointed after the first of January 1839, and after the amended constitution had taken effect, by the governor with the approbation of the senate, and reduces their constitutional terms of five years to much less than that term, ranking them according to the seniority of the commissions of the associate judges in whose places they were appointed. Thus Thomas Jones, who was appointed on the 18th of February 1839, entitled to hold for five years from that date, is by this act, arranged in the place of Cromwell Pearce, his predecessor, and his commission made to expire on the 27th of February 1841, and so of others. This, as has been stated is admitted to be incorrect, and we are of opinion that these associate judges who were appointed after the first day of January 1839, under the amended constitution, are entitled to hold their offices for five years from the date of their commissions, and ought not to have been inserted in the classification by the legislature of 1840. If that be the case, then the terms of other associate judges in this classification might be effected—for if some names are withdrawn from a class, those below may have to come higher up in the list than they stand at present; and so the whole classification be deranged.

On the best consideration we have been able to give to this important subject, we are of opinion that the classification of the associate judges made by the act of assembly of the 20th of June 1839, is the constitutional and binding classification under the schedule, and that according to which these judges ought to hold their commissions—and that the respondents being classed by that act among those whose commissions should expire on the 27th of February 1843, is entitled to hold and exercise his office till that time.

Judgement reversed.  
The foregoing opinion of the Supreme Court of Pennsylvania delivered by Sergeant Justice, is truly copied from the original, in my possession. In testimony whereof I have hereunto set my hand, the 12th October, A. D. 1840.

FREDRIC WATTS,  
Reporter.  
Carlisle.

### From the N. York Advertiser. CRANE'S TWELVE MONTHS CLOCK.

An esteemed correspondent, who is well qualified to speak on the subject, has furnished us with the following account of an important invention by a modest and ingenious mechanic of this city. We take great pleasure in thus bringing it before the public.

I see in your paper a notice of a Clock recently invented by Aaron D. Crane, of this city. Having had some opportunity of seeing and testing his movement, I can assure you, Mr. Editor, that it is a most remarkable piece of mechanical ingenuity, and must form quite an epoch in the history of Horology.—Mr. Crane's ingenuity has been exhibited on former occasions. The clock which he erected in the steeple of Trinity church, in this city, is probably unequalled, as a chronometer, by any in the U. States. During the past season it has hardly, at times, varied more than a minute in a month. The time keeping part is down in the body of the steeple, just above the front door by which you enter the church, 60ft. below

the dial; while the only connexion is a slender wire. Of course it is entirely unaffected by wind or weather, and always indicates the true time, even when the hands on the external dial are stopped by incrustations of ice or any derangement in the works above. The principle on which the clock is constructed is precisely that of a ship-chronometer, only that the pendulum is used in place of the balance. The pendulum therefore is wholly detached and there is the least possible amount of friction.

But Mr. Crane's genius was not satisfied to rest here. His busy mind was constantly on the alert, until one of those accidents, as it were, which have ushered in almost all the great discoveries of modern times, suggested to him a new and simple plan by which to measure the progress of time. He had for some purpose or other suspended a weight by a slender spring, and given it an impulse which communicated a rotary motion. After a certain time the motion was reversed by the reaction of the spring. We have seen the same thing probably an hundred times. Many an apple fell before Newton's time, and many a tea-kettle lid was raised before Fulton made his steamboat. But it was reserved for a mechanic of our city to apply so simple a movement to the art of time-keeping. It was the thought of an instant. And I well remember the expression of countenance, when he came to me immediately afterward and communicated his discovery. It certainly was with the feeling if not language of Archimedes, when he rushed from his bath with the solution of the problem respecting Hiero's crown.

The principle once discovered there was still great difficulty in its application and it has not been until after months (nearly a year, indeed,) of patient study and toilsome labor, that he has at length brought his plan to perfection, and produced a clock—the fellow of which the world has never seen. In the train which belongs to the time-keeping part, there are but four wheels—two additional being required for striking. The whole is moved by one power, hardly equal to that of an eight day clock.—and when once wound up will go with the sun thro'out his annual course. In bulk, it is about equal to the common French mantle clock, and can be made to suit any taste or fancy. But its most remarkable and greatest excellency, is the extreme accuracy with which it is calculated to keep time. A great variety of experiments have enabled him to apply a spring which is perfectly isochronal, and of course when properly regulated the movement must be entirely faultless. Having now secured a patent, as well in Europe as in this country, the clock will doubtless soon be before the public, when they can judge for themselves.

THE PRESS OF CANADA, in arguing the case of Mr. Leod, indulges in so much bitterness of feeling towards the inhabitants and government of the United States, that we believe they really feel uncomfortable under their wrathfulness. The following conclusion of an article in the British Colonist, published at Toronto, is a specimen.

"We conclude for the present, with the expression of a confident hope, that at whatever cost, our government will not suffer one hair of Mr. McLeod's head to be injured. There are perjured villains enough on the other side ready to swear any thing to procure his conviction, who would that moment desire and assist in putting him to death, and as the sheriff's interests may be closely identified with those of this desperate mob, there would be little chance of his convicting at Mr. McLeod's escape, as has been done, in the cases of all the border prowlers who have been tried in the United States, and convicted, but afterwards set at liberty."

The Montreal Herald, always furious against every thing in the "States," pays us the following compliment, which, though not very flattering, is certainly amusing.

"As nothing is now too base for the officers of the republic to sanction, we should not be surprised to hear of British officers, who were engaged in the war of 1812, being seized and put on trial for damages done to the citizens of the separate States, by orders of government. The principle of Mr. Forsyth holds good in all cases of a similar nature. And the British government is so much respected by the American, that it is powerless to save its servants from obeying its lawful orders. This state of feeling cannot last. The cup of iniquity is fast filling up, and we should like to see that country left to itself. Those persons who firmly believe in Providence overruling the affairs of the world, cannot but be impressed with the conviction, that a government which does not acknowledge a God, and acts as if there were no God, must ultimately be brought to desolation."—Ledger.

### Notice to the Creditors of the Huntingdon, Cambria, and Indiana Turnpike Road Co.

THE creditors of said Company are hereby requested to meet the subscriber at the Exchange Hotel, in Hollidaysburg, on Friday, the 12th day of February next, to take in to consideration the propriety of compromising their claims so that they may in a reasonable time be satisfied out of the nett proceeds of the said road.

JOHN S. ISETT,  
Sequestrator.  
January 27, 1841.



## THE JOURNAL.

One country, one constitution one destiny

Huntingdon, Feb. 3. 1841.

### Democratic Convention.

The friends of General Harrison in Pennsylvania are respectfully requested to elect Delegates to a State Convention to be held in the Court House of Harrisburg, at 10 o'clock A. M., on

Wednesday, the 10th day of March, 1841,

for the purpose of selecting a candidate for Governor, to be supported by the democratic party of the State, at the approaching general election.

Each county and the city of Philadelphia will send delegates to the convention equal in number to their members in the State Legislature.

T. H. Burrows, Jos. Wallace,  
J. P. Hetherill, Jam'l. Alexander,  
J. C. Montgomery, Bela Bager,  
Francis Park, Jas. Gregory,  
H. M. Clark, John H. Walker,  
T. Elder, J. D. Culbertson,  
James Steel.

The old Democratic day for nominating the candidate for Governor (4th of March) is departed from in the present instance, in order to afford all who desire it an opportunity to attend both the State Convention and the inauguration of President Harrison.

### Alteration of the U. S. Constitution.

Since the day we were first entitled to a vote we have disliked the present mode of voting for President and Vice President of the United States. The troublesome and second-hand system of voting for electors, to vote for the men of your choice, always seemed to us to be any thing but the proper plan for intelligent and honest freemen to select their rulers; yet we never could conceive of a method whereby the vote could be directly given to the candidates for those high offices without impairing in some way the real ratio of interest which the slave holding states held in the contest. The number required in those states being less than the non slave holding states. The difficulty we have so long seen in the way of a direct vote of the people seems now to be entirely overcome by the suggestions of the correspondent "E. C. B." of the New York Times—whose communication we publish below.

We call the attention of our readers to the subject, it is worthy of serious consideration. Is there a man in our state who would not prefer voting directly for the man of his choice, instead of the present round-about way of expressing his will? And how often does it occur that, to vote for one man of their choice, by the present method, they are forced to give their suffrages to another, who, could they separate them, they would not vote for? Independent of all this, the present system is attended with an enormous expense to the people, which can as well be saved as expended. The expense of the meeting of the electors forms a considerable item in the expenses of the government of each State, and by the plan proposed below the whole is saved to the people.

We are well acquainted with the writer, and know that his only object is to secure to the people the most republican and independent course in selecting the two highest officers in the world, and we urge upon all, the importance of using their endeavors to secure the proposed amendments. We feel confident that none can dissent from our views; then why should we pursue an expensive, complicated and unpopular system, when the direct opposite can be so easily adopted.

We shall now leave the matter for our readers and friends to think of; and to pursue such a course as their own consciences shall dictate.

From the New York Star & Times,  
The following communication, recommending amendments to the constitution, debaring the President from re-election, and providing a new mode for electing that officer, has been submitted to us for publication. It is well written, and although it may be thought by some to advocate somewhat startling innovations upon the sacred instrument in the construction of which so much care and wisdom were expended, all must agree that there is considerable force in some of the suggestions of the writer.

For the Star & Times.  
ELECTION OF PRESIDENT AND VICE PRESIDENT.

There are several objections to the present mode of electing the President and Vice President of the United States,

While amending the constitution in relation to the tenure of the office of President, we may as well perfect it in some minor matters.

The intervention of electors has entirely failed to meet the purpose for which it was intended. The electors do not, and never can, exercise any discretion or individual wisdom in giving their votes. They must vote for the candidates of their party. It is a cumbersome and complicated contrivance, answering no good end and furnishing opportunity for corruption or management. Their appointment is subject to state legislation and in high party times the will of the people may be defeated. This has been done.

It connects inseparably two candidates, whose offices have no necessary or proper connexion. We cannot split the ticket. The personal unpopularity and political sins of the one are visited upon the other; while each should be free and rely upon his own speed and bottom. They are put in harness and carry unequal weight. All those who cannot conscientiously vote for one of the candidates of his party, cannot vote for either. The are practically disfranchised as to those great offices. This defect has been signally illustrated in the late election. Had the constitution permitted it, the whole south would have gone for Tyler and the whole west for Johnston. There is really been no expression of the popular voice on the subject of the Vice Presidency. So, too, there were thousands who voted unwillingly for Harrison and Van Buren. They could vote for no one else, and were unwilling to abstain from voting. This should not be so. The right and the convenient power of every one to vote, according to the dictates of his own conscience, are the true safeguards of popular institutions.

Much evil may result from having the election as at present held at different times in different states. It should be on the same day in all the states. During the twenty days in which the elections are now held, intrigue and corruption can, with the present facilities, travel through half the States in the Union.

There is really no good reason why the people of the several States should not all, on the same day, vote directly for President and Vice President by name, free from the ill-working machinery of useless go-betweens. It is easily done, without impairing the present balance of the states. We have only to give the vote of each state the same proportion to the others which it now has, and we come to the desired result in a truly democratic and popular manner, free from all embarrassment.

The following amendments seem to me to be all that are at present needed:

#### AMENDMENTS TO THE CONSTITUTION.

1. The President and Vice President of the U. States shall hold their offices during the term of four years, and shall be elected by the people in the several states as follows:—The election shall take place in all the states on the first Wednesday in November, in the year 1844 and in every fourth year thereafter. All persons entitled to vote for members of the House of Representatives of the United States, by the laws of any state, at the time of such election, shall be entitled to vote for President and Vice President in such state. The mode of conducting such election, and ascertaining the qualifications of electors, shall be prescribed by the laws of such states respectively. The person having the highest number of votes for either of said offices in any state, shall be deemed to have received the vote of such state for said office, & within ten days after the result in any state shall have been ascertained according to the laws thereof, the Governor of such state shall, by his proclamation, declare the whole number of votes given in such state, and the number given for each candidate, and who has received the vote of such state; copies of which proclamation, authenticated under the seal of the state, shall be sent to the Speaker of the House of Representatives of the United States and the Chief Justice of the United States, who shall, on the third Tuesday of January next after said election, openly, in the presence of the two houses of Congress, proceed to ascertain, from such proclamations, and declare who shall have been elected President and Vice President for four years from the fourth day of March then next, which shall be ascertained and computed as follows: The person having received the vote of any state, shall be deemed and taken to have received in such state a number of votes equal to the whole number of Senators and Representatives to which such state shall be entitled in the Congress then sitting, and the persons having the highest number of votes in the aggregate of all the states so computed, shall be declared to be elected.

2. No person shall be eligible to the office of President of the United States a second time.

F. C. B.

We have received, and read with much satisfaction, a speech of our member, J. G. Miles, Esq. on the resolutions in reference to the Public Domain. We shall give it to our readers next week, as the best history of the actual ownership of the public lands that we have ever read.

The Bill to authorize the Commissioners of this county to borrow a sum of money, has passed the Lower House, and now needs only the signature of its own Navy R. to become the law.

### A new move—Mixing Colors

A bill has been offered and passed the lower house, prohibiting the intermarriage of white persons with negroes, mulattoes or mustees, under a penalty of \$500, or he parties, and a heavy penalty on the person who performs the ceremony; and furthermore annulling all marriage contracts of the kind now existing.

This strikes us as something new, and entirely at variance with the old lady's maxim of "every one to their liking, &c." The wise men of our state are dabbling their fingers in some things, it strikes us, that does not interest them, nor the people much. If they really think it criminal to mix colors, under the color of the law, how much more disgraceful and abominable is it to mix them against the law. Let some of the members make it a capital offence for any person to be the father or mother of a natural child that is not either black or white. That is what we should call making the law perfect and complete, as a whole.

It is really laughable to see what steps some wise acres will take to accomplish some political end. We have no doubt that this bill was introduced in order to revive the old song of abolition and try to make it appear that one party in that body was in favor of the whites intermarrying with the blacks. But it was no go; as a majority of both parties voted for the bill.

Why such a bill was introduced we cannot imagine, if it were not for the reason given above. No petitions asked it—nor does it appear that any one cared any thing about it. None but the most degraded, or those reckless of the opinion of the world would ever wish to mix their connexions with the "short haired" children of Africa; and such often disregard alike the laws of God and man; and the law, if passed, would accomplish nothing but to turn loose upon the world the children of such ill starred matches as have already been formed. We can hardly imagine that the author of the bill deemed such a penalty necessary to keep him out of the "entangling alliances," with some Miss Dinah Crow—but we are unable to say. Certain it is, however, that some maggot of reform has bit him and urged him on in this reformation of the matrimonial world. We bid him God speed if it saves none but himself from the degradation of being one of some "ill-matched pair"—ill-matched in color we mean.

If the Bill shall finally become a law, it will stand upon our statutes, an insult to the honest and intelligent citizens of our state; and the author should be re-membered for all time to come, as being first to say, that they needed a penal enactment to preserve them from the deep degradation of marriage with negroes.

### All Alone.

The "Standard" of Hollidaysburg, is the only paper we have seen, that has attempted a defence of the stolen report of the State Treasurer, A. H. Read; and we really did hope that no editor of a paper would be so blinded by the devotion to party, as to say one word in favor of so disreputable a course as that pursued by Mr. Read. What! a State Treasurer be extolled by an intelligent man, for sending an old Report from the Journals of the House, back upon the people as his report for the present year? it is really too bad; and we regret that our neighbors of the "Standard" so far forget the respect they owe to themselves, as to give it a word of praise.

What a bubble is the popularity of a man. Three years ago, when Almon H. Read closed his labors in the Convention which amended our Constitution, the honors of his party for his capability hung thick upon him, (though many of his opponents doubted his right thereto.) Not satisfied with the eminence he had attained, he sought to be a Judge—was appointed—and the Senate rejected him for *incompetency*. This act of the Senate was proclaimed by his partisans, as a tyrannical opposition to the man. Restless as ever, he applied to be elected State Treasurer; and blinded by party zeal, determined to show the Senate that they knew his worth, he was elected; and in one short year he gave to the world the proof positive that he was wholly *incompetent*, not only to fill a judicial station, but any other, where a reasonable share of intellect was all that was needed. With his own hand he set his seal to his inability to perform its duties. Poor fellow! he tumbled from his high estate, and now lies here, "and none so poor as do him reverence."—Yes, one! let him take warning by the other's fall.

### Canal Commissioners.

Mr. Strohm's bill for the election of Canal Commissioners, passed the House on Saturday, with an amendment, that no member of the Legislature should be elected during the time for which he was elected member. There was a long struggle between the Federalists or Loco Focos, and the Democrats, before the bill was allowed to pass. In fact the Locos, some of them, openly contended that it was not right to take the power out of the hands of David R. Porter, but they would agree, that after his term of office should expire, that it would then suit their notions. Notwithstanding all their contention, the bill passed, and is now we believe in the hands of the Governor for his signature. If he vetoes it, we trust that the Legislature will have independence enough to refuse any appropriation whatever, which will pass through the hands of the present officers. The abuses which have been practised under the present administration, put even the "big break" in the shade, and we unhesitatingly say, that the present officers are not the proper disbursing officers of our state.

It is astonishing that Democrats, a\* they would like to be called, will openly in the face of their constituents, oppose the election of the Canal Commissioners. The Senate chooses one—the House one—and the Governor one; and all must see that by such a Board, the interest of the people will be guarded, because the time perhaps will never come that they will be of one political party; and if they be, every one can see that their perfect independence of the dictation of the Governor, will make them stick much closer to the interest of the State.

We are rejoiced to think the bill has finally passed; and we hope that every man who claims to be a Democrat, will openly and freely declare his preference for this plan, instead of the *one man* system.

### Political Pardon.

We never in our lives had occasion to animadvert upon the action of the Executive, in pardoning criminals before, where the act was entirely, and without any other possible cause, political.

Thaddeus Stevens, Esq. brought a suit against Hutter & Cantine, publishers of the *Magician*, and the Grand Jury of Adams county found a true bill for a libel.—The suit was called up for trial, when, behold! the defendants produced the "Pardon of the Governor" for the offence of which they had not been convicted.—We look upon this, as the most wicked act of a wicked Executive—and the most disgraceful and outrageous usurpation of power, that ever was known. It is a political pardon, by a party Governor, of some of his partisans, in order to screen them from the jury's verdict of guilty; and we ask every reflecting man, whether such things should be tolerated? He did not pardon Robert Campbell before the trial! No, no! but it would have been much more to his credit if he had.—the deep and damning stain which that trial left to blister upon his brow, might have been saved! We had supposed, long ago, that the cup of his iniquity was full; yet it seems that his mind is still fertile in some new mischief.

Will an honest people support a man who will thus abuse his power? Next fall's election will show!

### Anti-Bank Loco Focism.

The Anti-Bank doctrines of the Loco Focos in New Hampshire, seem to turn out like those of Porter, when they are called upon to practice what they preach. The Legislature of that State, Van Buren to the back bone, have, by a vote of 176 to 59!! refused to make the stockholders liable. Notwithstanding all this, this mighty honest party pretend to great honesty in their professions of correcting the present system of banking, by making the stockholders liable for the notes of the Banks. This they preach—you can see the practice.

### THE LATE LOAN TAKEN.

The Loan Bill, which was lately passed, has been taken by the following:

United States Bank,	\$400,000
Pennsylvania Bank,	150,000
Philadelphia Bank,	75,000
Farmers' & Mechanics' Bank,	73,000
N. Liberty Bank,	20,000
Mr. Boker, of Girard Bank,	15,000
Manufacturers' & Mechanics' Bank,	10,000
Individuals,	57,000
	\$800,000