

# THE JOURNAL.

Huntingdon, June 18, 1850.

The communication of "Brady Township" will receive the attention of the Editor, on his return.

The Friends of Education in the United States, are to hold their Convention in Philadelphia, on the fourth Wednesday in August next, pursuant to adjournment in October last. An address by Horace Mann, urging the attendance of the delegates and the importance of the object designed by it, has just been published in a circular.

## No Pleasing Them.

Some time since the Locofoco presses found fault with Gen. Taylor because he avowed no opinions on questions of public policy. Since his California message, however, in which he laid down the plan of non-action in reference to the territories, these same consistent papers assert that he is forcing his plan of settlement upon Congress! How are they to be satisfied?

## Trouble with Spain.

The Cuban affair is likely to result in trouble with Spain. The President has issued orders demanding the American prisoners taken on the Mexican Island of Contey. It is said that the Governor General of Cuba not only refuses to listen to those demands, but that some of the prisoners taken have already been shot. War vessels have been sent by our Government to aid our Consul and to enforce the demand of our Government.

## Slave Trade Abolished.

Gov. Roberts, of Liberia, has written a letter to Anson G. Phelps, of New York, containing the gratifying intelligence of an important acquisition of territory by that Republic, by which the slave trade will be effectually rooted out from the whole Windward Coast of Africa. The Liberian Republic appears to be in quite a flourishing condition, and may be considered as the initial point of African civilization.

## The Cheap Postage Bill.

It is stated that Mr. Potter, of Ohio, chairman of the House Committee on the Post Office, has nearly perfected the cheap postage bill. Its leading provisions are understood to be—for a letter weighing less than a quarter of an ounce, conveyed any distance this side the Rio Grande, three cents if paid in advance, otherwise, five cents. If conveyed to California or Oregon, probably the present rates—not settled. Circulars the same as letters. Stamps of prepaid postage to be sold in quantities of not less than fifty dollars' worth, at a reduction of ten per cent. Newspapers of less than 1,000 square inches, if delivered within the State where printed, half a cent per copy; out of the State, one cent.

**Impudence Without a Blush.**  
The late Locofoco State Convention had the audacity to try to fasten upon the Whig party the sin of "fixing upon the Commonwealth an odious system of corporate and irresponsible monopolies." This beats anything for impudence that we have ever seen. The last Legislature, which was largely Locofoco, passed more incorporation bills than any previous Legislature ever acted on, and yet these Locofocos seem to think the people gullible enough to believe that they are opposed to corporations! Such is the dishonesty and hypocrisy of Locofocoism.

## Excitement in New Mexico.

A special despatch in the N. Y. Tribune, states that Governor Washington, of New Mexico, has recently arrived at Washington city, from Santa Fe, bringing the rather startling intelligence, that the Texans and New Mexicans had got into an actual fight over the boundary question. The despatch says:

It seems from this, that not long before he left, a public meeting was held to consider the boundary question and the claim of Texas, when a hot dispute arose between a number of citizens and Texans. The meeting resulted in a fearful riot, which would have ended in a general fight, had not the officer commanding the garrison ordered the troops to interfere and prevent bloodshed, which was done, though not without difficulty. A great excitement prevails in the city, the people of which declare that they will oppose to the utmost the attempt to force upon them the authority and laws of Texas.

## War with Portugal.

A well informed Washington correspondent writes as follows:—

Mr. Clay our Charge des Affaires at Lisbon is looked for in this country before a great while. So soon as he arrives, the President will transmit a special message to Congress, upon the subject of our present relations with the Portuguese Dominions, that will smell considerably strong of gunpowder. The difficulties that exist grow out of the continued refusal of the Portuguese Government to pay the indemnities to American citizens, without pretending to give an excuse, for such injustice. Things have been brought now to such a crisis, that there is no alternative but payment of war.

**SUBTERRANEAN LAKE AT LANCASTER.**—The Lancaster (Pa.) Gazette gives an account of an under-ground body of water, which it says lies beneath the highest point of the city, 27 feet under the surface, and 20 feet above Centre Square. It was first discovered by a workman digging a well, and is thought to be 50 feet wide and 10 deep. It flows in a southwestern direction.—The Gazette proposes that the water be used to supply the city.

**GRAIN AND CALICO.**—It is stated on the most reliable authority that the entire exports of broadstuffs from the United States, to England in 1849, will not be sufficient to pay for over one-half the Calicos imported from that country during the same period! In the year 1840 we imported from Great Britain alone over 12,000,000 dollars worth of Calico! Meantime the heaviest calico manufacturers in the United States have failed.

Rumors from Cuba represent that the troubles commenced by Lopez are by no means ended. The authorities are hanging such of the invaders as they have laid their hands on.

Patent Medicines are now manufactured in Cincinnati by steam.

## Supreme Court Decisions.

The following is the decision of the Supreme Court, in the case of Hileman vs. Bauslaugh, taken up from this county:

Opinion delivered by Gibson C. J. In *Shelley's case* though of feudal origin is not a relic of barbarism. It is part of a system, and a complete one, and of value at the present day; and cannot be torn from it, without disturbing the foundations of property. *In deo* the words are controlled by the intent of the testator, but *in deo* cannot be qualified by implication or the context, or controlled by any thing whatever. The word "heirs" is a term of art in a deed, and of settled meaning.

In this case the limitations were to Esther during her natural life; and after her decease to the heirs of her body; and to them and their heirs and assigns forever. Held, that by the rule in *Shelley's case* Esther took but an estate for life, and the fee vested in her children then in being.

Contested on the part of children subsequently born. Judgment affirmed. Miles for plaintiff in error; Bell contra.

N. B. Justices Burnside and Coulter dissent. They thought that as the rule is not understood by the great body of the people, and even by some lawyers, that it is time for it to pass away.

The following is the decision in the case of Jackson vs. Summerville Heirs, taken up from Blair county:

Opinion by Coulter J. Fraud vitiates all contracts into which it enters; and cannot be affirmed by the party defrauded. Such contracts are essentially non-entities, and even legal proceedings and judgments founded upon them are avoidable; and evidence to prove that the title of defendants was procured by actual fraud, first upon plaintiffs and then upon the Court was admissible. Deeds procured by covin and falsehood, as between the parties, are as dead as forged deeds. So of a decree of Court in case of imposition; and it may be inquired into an issue not decided by the decree or judgment itself upon allegation of the imposition. Such decrees are as it were *coram non judice*. The true rule is, that where the parties have been heard, or due notice given, the judgment or decree of a Court of competent jurisdiction upon the point in issue cannot be overpowered in a collateral proceeding upon an allegation of mistake or error. But where fraud entered into the procurement of the decree, the rule is not so.

The declarations of one of the parties guilty of the fraud, may be given in evidence, as in conspiracy, after the concert has been proved. Judgment affirmed. Miles for plaintiff in error; Stevens, S. S. Blair, contra.

## The Galphin Claim.

The Galphin claim continues to trouble the minds of Locofoco editors, who affect to see in it all that is corrupt and reprehensible; but some of them torture the facts in order to assail the present Administration. For instance one of these Locofoco papers, says:—

"Some insist that the payment of the principal of the Galphin claim, by General Taylor's Cabinet, was just," &c.

This news indeed, to those who have given any attention to the subject. Will the editor of that paper treat its readers so fairly as to inform them that the principal of this Galphin claim was not paid by Gen. Taylor's Cabinet, but was paid by Robert J. Walker, Secretary of the Treasury under James K. Polk? And when Mr. Walker paid the principal, he had all the information before him that was necessary in the premises. The law of Congress directed him to examine and adjust the claim, which he did, leaving the matter of interest an open question.

We express no opinion in the premises further than this, that if it was right in the Polk Administration to pay the principal, it was wrong to refuse payment of interest from the time of making demand. We remark further, that if the heirs and representatives of Galphin had made a *Pachevo* affair of it, and based their claims upon alleged loss of *slave property*, "Democracy" would have gone principal and interest with a perfect rush," clamoring down all opposition.

## Great Drought at the West.

The Ohio, Michigan and Wisconsin papers are making sad complaints of the effect of a drought on the prospects for a good grain crop in that region. The Cleveland Herald says that the wheat is filling, but here and there a kernel. The Detroit Advertiser thinks that the wheat looks worse than it has since 1842, and is of opinion that even with copious and seasonable rains hereafter, that not more than a two-third average crop will be realized. In Canada the ground is parched for want of rain. In some districts not a shower has fallen for a month.

**HORACE GREELEY,** while at Washington a few days since, writing to the Tribune, exclaims—"When will this desolating flood of talk allow justice to be done? The country languishes under it—Industry drops—Hope yields to despair. Men in Congress—stop this deluge of worthless talk, and give us one week of action! Only one faithful week!"

Beauty, without modesty, fails to charm. Many a lady with a handsome face, fails to receive the homage of admiration, because she either does not "act the lady," or overacts it, while a plain face and becoming manners, prove infinitely more attractive.

The editor of the N. Y. Tribune writes from Washington, thus: "I count the Senate of 27 for the Compromise and 32 against it. Mr. Clay should know the Senate far better, and he confidently believes it will pass."

The Savans of Berlin, it seems, were quite excited at hearing the account of Dr. Parkman's murder, but they have not yet been able to settle the question, whether the murderer is Daniel Webster, or the Lexicographer.

When you see a gentleman at midnight, sitting on the step, in front of his house, combing his hair with the door scraper, you may conclude he has been out at an evening party.

The largest artificial fountain in the world is at Chatworth. It shoots up almost like lightning, a column of water, three hundred and sixty-seven feet high.

Madam Anna Bishop sings in ten languages. Only think of it—a woman mistress of ten tongues, and all of them delightful to listen to, breathing nothing but music!

An offer of tobacco is said to offend an elephant—if so, it proves that the huge beast has more sense than the "lords of creation."

Ridicule must be a very easy thing, for we see so many young men excel in it who never succeed in any thing else.

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