



HUNTINGDON, PA.

Thursday Morning, Jan. 9, 1851.

TERMS OF PUBLICATION:

The 'HUNTINGDON JOURNAL' is published at the following rates, viz: If paid in advance, per annum, \$1.75...

V. B. PALMER

Is our authorized agent in Philadelphia, New York and Baltimore, to receive advertisements...

A Change.

Hereafter the 'Journal' will be published on Thursday morning in place of Tuesday as heretofore.

The Code of Ethics given on our first page, is published by order of the Huntingdon County Medical Society.

The Governor's Message has crowded out several articles prepared for this paper.

Pa. Legislature.

The Legislature assembled at Harrisburg on Tuesday of this week. The House organized by electing JOHN CRESSNA, (Loco) of Bedford Speaker...

MR. BIRSON, Democrat, has been elected to Congress, in the 11th District of this State, in place of HON. CHESTER BUTLER, deceased...

GOVERNOR'S MESSAGE.—The kindness of Gov. Johnson, in furnishing our post-master with copies of the Message for the press, to be delivered as soon as the Telegraph would announce its delivery...

Magazines.

GODDARD'S MAGAZINE, for February, is already on our table. It is most superbly illustrated, and abounds in the choicest literary productions.

GRAHAM'S MAGAZINE, for February, has been received. As usual its pages are filled with the choicest literary productions, from the pens of the most popular American writers.

DAILY AMERICAN.—We have been in the daily receipt of this spirited little paper since the first of January. It is conducted with ability and enterprise.

London Fair.

THOS. READ, Esq. and Gen. A. P. WILSON of this place, have been appointed by Gov. Johnston, members of the committee to superintend the Pennsylvania productions to be sent to the London Fair, in May next.

Trouble in the Wigwam.

A portion of the Democracy of Pennsylvania being dissatisfied with the call of the State Central Committee, for a separate Judiciary Convention at Harrisburg, a dispute has arisen on the subject.

Local Papers.

Col. Wallace, of the Philadelphia Sun handsomely says:—We have always held that the first duty of our country friends is to their local newspapers...

GOVERNOR'S MESSAGE.

To the Honorable the Senators and Members of the House of Representatives of the General Assembly.

BELLOVING CITIZENS.—A renewal of expressions of gratitude to the Almighty Father, for his manifold mercies and protecting influences during the past year, and the utterance of a prayer "in spirit and in truth," for the continuance of these blessings...

The melancholy duty devolves on me, of formally announcing to the Chief Magistrate of the Nation, the venerable ZACHARY TAYLOR, who died at the City of Washington, on the evening of the Ninth of July last.

It is recommended that a suitable expression of respect for the memory of the deceased, and of regret for our bereavement, be made by the present Legislature.

On the death of General Taylor, by the provisions of the constitution, the powers and duties of the Chief Magistracy were vested, without the least interruption of the public business, in Vice President Millard Fillmore...

Resolutions expressive of the feelings of the Legislature on the death of the late John C. Calhoun, were communicated to his family, I herewith transmit the correspondence.

The amendment of the State Constitution, providing for the election by the citizens of the judicial officers of the Commonwealth, having received the sanction of a majority of the people, is now part of the organic law.

Two annual elections appear to impose unnecessary burdens upon the citizens. Expense to the general treasury, an loss of time to the voter, could be well saved by authorizing the elections now held in the Spring to be held at the general election in October.

The project of creating an Agricultural Department connected with the State Government demands the favorable consideration of the Legislature.

This department might be collected much valuable information for the use of the practical farmer. The recent improvements in the construction of implements of husbandry, the analysis of earths, improved modes of tillage, and adaptation of manures, and seeds to various kinds of soil, are subjects of absorbing interest to the agricultural classes.

Should the returns of the seventh census of the United States be transmitted in time, the apportionment of the State into Congressional Districts would be a subject of great importance.

gas lights into the public buildings, have complied so far as in their power, with the directions of the Legislature. An appropriation to defray these expenses, and to enclose and improve the public grounds, should be made on an early day.

A complete set of balances, furnished to the State by the General Government, have been deposited in the buildings of the Land Office. The Commissioners of the several counties ought to be required to have the weights and measures, under their care, again adjusted and regulated.

My attention has been called to the large body of original papers in the State department, connected with the Colonial and revolutionary history of the State, and their extremely exposed and perishing condition. These records are worth preservation as containing authentic information of the action of our fathers in the struggle for national existence.

In the early spring the buildings of the Insane Asylum will be ready for the reception of patients. This work of charity, worthy of the best care of the philanthropist, from its admirable construction and healthful location, cannot fail to answer the ends of its benevolent founders.

The financial condition of the Commonwealth is exhibited in the following statements: Amount of funded debt, including amount in the hands of Commissioners of Sinking Fund, and also special loan to avoid Incline Plane at the Schuylkill, on the 30th of November, 1850, was \$39,862,914 78

Amount of unfunded debt, same date, 912,570 64 Total sum of debt, \$40,775,485 42

In this gross sum is included the loan to avoid the Incline Plane at the Schuylkill, as above stated—the avoidance of the plane authorized the sale of that portion of the Columbia Railroad and Viaduct over the Schuylkill, rendered useless by the construction of the new road, a part of the road and bridge was sold for \$243,200, which amount is to be applied as directed by the 18th Sect. of the Act of 10th April, 1849, towards the permanent improvement of the Columbia railway.

The Sinking Fund operation is exhibited thus: Amount of funds received during year, \$197,193 74 Amount of stocks purchased during year, 345,622 98 Amount in hands of Commissioners on 30th Nov., 1850, 5,967 60 Whole amount received since commencement of system, 424,832 72 Whole amount of stocks purchased 30th November, 1850, 5,967 60

Amount of debt on 30th Nov., 1850, 40,775,485 42 Amount of stocks and cash in hands of commissioners of the Sinking Fund, \$465,090 58 Deduct amount of special loan—the interest thereof saved in the discontinuance of the Plane, 400,000 00 865,090 58

Actual decrease of public debt since 30th November, 1848, \$538,203 57 Within the same period, there has been paid from the treasury appropriations, that may be called extraordinary, as follows: Towards completion of North Branch Canal, \$148,500 00 To avoid Incline Plane, 309,446 02 \$457,946 05

If these sums, from the payment whereof the Treasury will be relieved by the completion of the improvements above stated, be added to the actual reduction of public debt above exhibited, the conclusion is clear, that at a very early date, an annual reduction of nearly one million of dollars may be made towards the reduction of the public debt.

Annexed is an estimate of the receipts and expenditures of the present, with the estimate of last year, and the actual receipts at the Treasury. Estimate Receipts Estimates for 1850, for 1850, for 1851. Lands, \$20,000 \$16,378,58 \$16,000 Auction, 22,000 18,673,75 20,000 Auction duties, 50,000 44,898,22 45,000 Tax on U.S. \$130,000 153,877,14 160,000 Tax on corporations, 160,000 136,510,14 160,000 On Real and personal estate, 1,330,000 1,317,821,55 1,330,000 Licenses, Tav. 80,000 107,427,49 100,000 Retailers, 160,000 171,062,26 175,000 Brokers, 2,000 2,525,05 3,000 Brokers, 12,000 10,228,73 13,000 Theatres, &c., 3,000 2,345,50 2,500 Billiards, 5,000 3,045,81 4,000 Distillery &c., 1,500 4,203,91 5,000 Eating houses, &c., 15,000 6,530,97 10,000

Table with 3 columns: Item, 1850, 1851. Includes Pat. medic., Pamphlet laws, Militia fines, Tax on Writs, On Offices, On collateral inheritance, Canal and Road tolls, Sale of old masts, Enrol't of laws, Tax on chart'rs, Inc. plane loan, Divid'ls of Turn-pike stocks, Nicholson lands, Acrued interest, Refunded cash, Escheats, Fees of public offices, Miscellaneous, Interest on stocks purchased, Foreign Insurance Agencies.

Table with 3 columns: Item, 1850, 1851. Includes Public Improvements, Expenses of the Government, Militia, Pensions, Charitable Institutions, Com. Schools, Interest on loans, Guaranties, Domestic creditors, Damages on public works, State comm'rs, Special Com'rs, Public Buildings, Penitentiaries, Houses of Refuge, Nicholson Lands, Escheats, Abatement of State Taxes, Council fees and Commissions, Miscellaneous, Sinking fund Commissioners, Incline Plane, N. B. Canal, Renewal of Relief, Expenses of Revenue Comm'rs.

Table with 3 columns: Item, 1850, 1851. Includes Public Improvements, Estimate for 1850, Estimate for 1851. Total sum of \$4,034,800 4,553,193,75 4,101,300

In the item of expenditures for Public Improvements is included \$148,500 paid to the North Branch Canal and \$286,446 to avoid Incline Plane.

In the amounts received from Canal and Railroad tolls and collateral inheritance taxes, the actual receipts of the last year fall short of the estimates. In making these estimates it was supposed that a suggestion of a message in relation to the conveyance of passengers on the Columbia Railway would have been favorably regarded. It is still believed that a largely increased revenue would attend the adoption of the changes heretofore recommended.

A reference to the reports of the Adjutant General, Auditor General, Surveyor General, and Superintendent of Common Schools, will afford detailed information of the business of their several departments, and furnish views and suggestions of interest to the general weal.

The school system, although still imperfect, is rapidly improving in its general condition, and promises the beneficial results it was designed to accomplish. The education of the people, is the great question of the age, and as such it cannot fail to command your earnest and enlightened efforts for its speedy and successful success.

In the competition for trade and travel, no effort for the full repair of the canals and railroads of the State should be neglected. The deteriorating condition of many of these works, admonish us that the system of supervision is ineffectual to secure the return of which their construction gave confident assurance. In a system of divided responsibility in their management, the difficulty evidently exists. On a former occasion it was suggested to divide the State into Canal and Railroad districts, and allot to each a Canal Commissioner, to whom its entire control should be given.

A commercial connection between Philadelphia and Europe by steamships—an enterprise truly worthy the favoring regards of the whole Commonwealth and the countenance and aid of the national government by the extension of mail facilities—the completion of the great Railway communication now in rapid progress of construction to the navigable waters of the West, the thorough repair of the Cumberland Valley road, and the erection of various lines of Railway in the valley of the Susquehanna, must throw an amount of trade on the Columbia Railroad which will demand for its transit the entire capacity of that thoroughfare in a condition of perfect repair.

the controversy, and to direct the proper law officer of the Commonwealth, associated with the other distinguished gentlemen who professionally represent the State, to protect these interests before the judicial tribunal which has cognizance of the case under the Constitution.

In the various Railway projects now severally terminating at Philadelphia, Harrisburg, and Pittsburg, the people of the Commonwealth ought never to lose sight of that great Enterprise which, known as the Sunbury and Erie Railroad, was meant to connect the Susquehanna, the Delaware, and the Lakes. Beside the command of the trade of the Northern Seas secured by its construction, it would bring into market for sale and settlement vast bodies of unutilized and unimproved lands, and develop treasures of inexhaustible mineral wealth now wholly inaccessible.

The large indebtedness of the State, and the necessity for its reduction, forbid the policy on her part, of embarking in these various improvements. The debt of the Commonwealth was incurred in the erection of works which were largely conducive to the settlement and sale of the domain of the United States, and while she has secured no part of this common inheritance, other States have been liberally aided in the construction of their internal improvements by donations of public lands. It is a right on her part to demand a portion of these lands to aid in the completion of the important works partially completed and in contemplation.

A system of banking, based upon State stocks, under proper restriction, is recommended to the attention of the Legislature. It is thought the present banking facilities are unequal to the wants of the business community. The large amount of notation of banks of other States found in circulation among our people, the inability of the banks, with safety to their credit, to accommodate at all times the active bona fide business demands of the country, and the large operations in the nature of private banking daily transacted on severe terms to the borrower, demonstrate that increased facilities are demanded to secure a healthy development of our resources.

Any considerable extension of the present system is hardly to be anticipated, nor is it desirable, if a more permanent basis for such operations can be devised. Free banking upon a deposit and pledge of public stocks early recommended itself to favor. It is not liable to sudden expansions and contractions—more secure from failure—less obnoxious to counterfeiting and fraud, and offers undoubted security to the note holder. Should the stock required be the loans of the Commonwealth, it would appreciate their value, and also have a tendency to withdraw them from foreign countries, to which are annually sent millions of the public money to pay interest. A recall of these stocks, and the discharge of the interest to the resident citizens, would lead to the expenditure of an amount at home, thereby affording employment to the people in the improvements of the State, in the erection of industrial institutions, and in various works of beauty and taste. If this system is favorably regarded, a relinquishment of a portion of the interest on the stocks pledged would be directly advantageous to the Treasury.

The confidence felt in their security, and desire to use the relief notes, when kept in good condition, justify the belief that an issue of small notes from State institutions, founded on a deposit of stocks, would be highly acceptable to the people.

A reference to subjects, under the control of the National Government, has long formed part of the annual messages of the State Executives, and the custom has found favor not only by its consonance with the peculiar relations of the States to the General Government, but in the deep solicitude felt by individual citizens in the section of the latter an questions of pervading and direct interest to all. From the resolves of their Representatives in the councils of the States, the opinions and wishes of the people are often well collected, and hence your action is frequently of great moment. In obedience, therefore, to custom, and in order that the sentiments of our common constituency may have expression either through the Executive Messages or the action of the representatives, it is proper to refer to some of those questions of general interest, the disposal of which more especially belongs to the National Government.

A revision and alteration of the Revenue laws, so as to give adequate and permanent protection to the industry of the country, are demanded by the prostrate condition of the mining and manufacturing interests. The propriety of affording full protection to domestic industry, in the enactment of Tariff laws, has been fully discussed, that a mere reference to former views, is all that is deemed necessary at this time. In a late effort to amend the present Tariff, its failure may be fairly attributed to the omission of the last Legislature to give expression to the perfectly well understood wishes and expectations of the people. It is confidently hoped no such omission will mark the conduct of the present assembly.

A reduction in the rates of postage, and the construction of railway communications to the Pacific, were urged heretofore as worthy of friendly regard. Repetition of the views then presented is unnecessary, as time has only strengthened the conviction of the propriety and usefulness of the proposed measures. In relation to the extension of Slavery and the duty of faithful observance of her Federal obligations by the Commonwealth, the views expressed in former messages remain unchanged. There is nothing, in my judgment, in the history of the past, nor in the warnings of the future, to justify the abandonment of the principles, sacredly regarded from the foundation of the State, of non-intervention in the domestic policy of other communities, and of permitting no interference with our own. Fidelity in the discharge of Constitutional duty has distinguished our government and people, and if an opinion exists within, or has been mischievously propagated beyond our borders, that such is not the fact, it is conceived in error of our true history. Pennsylvania, her people, and her authorities, always have been loyal to the Constitution. They wish it neither to be evaded nor amended. They will not permit it to be resisted.

It has been intimated that on questions connected with the institution of Slavery, and the rendition of fugitives from labor, there have been indications of a disregard of her Constitutional obligations. To the clause of the Constitution relative to fugitives from labor, and the legislation under it, there avowed aversion to domestic slavery, implied obedience to the law may be made, not only implicit, but cheerful, it is proper to refer to some of the difficulties in relation to the subject now existing in the public mind. The clause of the Federal Constitution relative to fugitives from labor involves three propositions: 1. That involuntary servitude or slavery may exist in the States of the Union by constitutional recognition. 2. That the escape of the person so held shall not operate as a discharge from such servitude or labor. 3. That on the claim of the party to whom such servitude is due, there must be a rendition of the fugitive.

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To interfere by Legislative enactment, or otherwise, to destroy or in any way affect the right of property recognized in the first proposition, would be a daring violation of the clear obligations of the Constitution. No human being can pretend that by this Commonwealth such an interference has ever been attempted. Whatever may be the feelings of the people in opposition to the further extension of Slavery, and the consequent increase of anti-republican and sectional representation in the National Legislature, no effort has ever been made to disturb or destroy the vested rights of citizens of other States; and when those rights may be endangered by the escape of a slave beyond the limits of the State, where the relation is acknowledged, our citizens have acted on the principle, that no sympathy with individual suffering ought even to weaken their sense of duty to the plain requirements of the organic law.

In the adjustment of rights and official duties under the last proposition, more difficulty has been found to exist. By whose agency is the fugitive to be given up? What force is to be given to the word "claim" as used in the Constitution? Is not the delivery of the fugitive to be made only through the agency of the National government? These have been vexed and mooted questions. The final decision of the Supreme Court of the United States in a case to which Pennsylvania was made a party, and the recent fugitive Slave law, gave a judicial and legislative interpretation to this clause of the Constitution, which cannot be misapprehended. The power and duty of enacting laws to carry into effect the Constitutional provision, being ruled to be in Congress and in Congress only, any interference on the part of the State authorities is unauthorized and without binding force.

If the Constitution implies a duty to be performed by both National and State Governments, and vests each with power over the subject, the farmers of that instrument failed to express in clear terms, as in other cases, the obligations of the parties. The latitude of construction required to give such powers to the State legislatures, would authorize the passage of laws, and the enactment of regulations, upon every delegated power of the National Government, without regard to the action or non-action of Congress. The General Government is admitted to be one of ascertained powers, but it ceases to be so the moment concurrent jurisdiction vests in State Sovereignties. In the practical workings of the system of concurrent jurisdiction such evil would arise.—Thirty-one Sovereignties might prescribe different rules of action—each meant to make effective national legislation, and the dangers resulting from conflicting enactments, and the consequent destruction of harmony and order, could not fail to alarm the patriot. When power over a subject matter is vested by the constitution in Congress, and the power has been exercised, the authority of the States has been judicially declared, as above stated, merged and abolished. This is the rule of law as well as that of common sense.

An opinion has been expressed by men of eminent legal learning and patriotism, that legislative action on the part of the States is expedient to aid in the execution of the powers of the general government. In this opinion I cannot concur. To admit the position would imply an inability on the part of the national government to execute its powers, and would prove destructive of the theory so zealously maintained by our republican fathers, that the National and State governments are independent sovereignties, each acting within its proper constitutional sphere.

It was doubtless a conviction of the soundness of the foregoing views, which induced my predecessor, Governor Shunk, to sanction the act of the 3d March, 1847. The power to act on the subject of the extradition of fugitive slaves being thus vested solely in the National Government, it is the plain duty of the citizens to submit to its enactments under the Constitution. To act differently would be clearly rebellion to Government.

If the word "claim" was intended to express an ascertained right of property to the person of the fugitive vested in the claimant, then much of the difficulty surrounding the question is settled, and the mere demand for the person of the fugitive fixes his destiny by the terms of the constitution. His extradition would be determined without proof of ownership on the part of the claimant, and without evidence of the identity or flight of the person claimed. If, however, the term used in the constitution, signifies a challenge of the property, belonging to the claimant, and withheld from him—and the enactments which subjects requiring proof of right to substantiate the claim, and the concurring decisions of the Supreme Court, affix this meaning to the term, then the question arises, how, and through whom, shall the claim be made, and by what evidence sustained?

In the adoption of the proper remedy to assert this clear right, patriotic citizens may differ, and the privilege to maintain and express that honest diversity of opinion must not be impaired. To surrender it, under violent threats and denunciatory clamor, would be an abandonment of the deeply cherished privilege of liberty of thought and speech. When the enactments of the National Congress, fail to convince the people of their justice and propriety, it is their duty to seek their modification and amendment. The recently-enacted fugitive slave law, while it remains a statute, demands the support of all the citizens, and unless our written constitutions are worthless parchments, until the judiciary declare it otherwise, must be esteemed a constitutional enactment. Are its defects of such nature as to warrant the public in urging its amendment?

That part of the law which authorizes the creation of a new and irresponsible tribunal under the name of Commissioners, is liable to exception. Waiving the inquiry whether the Judicial power of the United States can be vested anywhere but in regularly-organized courts, with the records of courts, there are objections of serious import to the insti-