



THE JOURNAL.

HUNTINGDON, PA.

Thursday Morning, Jan. 22, 1852.

J. SEWELL STEWART—Editor.

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V. B. PALMER. Is our authorized agent in Philadelphia, New York and Baltimore, to receive advertisements, and any persons in those cities wishing to advertise in our columns, will please call on him.

FOR THE PRESIDENCY IN 1852, WINFIELD SCOTT, OF NEW JERSEY.

FOR VICE PRESIDENT IN 1852, JAMES C. JONES, OF TENNESSEE.

See new advertisements.

We return thanks to the Hon. Wm. H. Seward, of the United States Senate, and the Hon. S. T. M. Bibb, H. M. Fuller and A. Parker, of the House of Representatives, for valuable speeches, documents, &c.

Also to Hon. R. A. McMurtrie and Maj. Geo. Raymond of the State's Senate, and W. B. Smith, Esq. and S. R. McCune, Esq., of the House, for valuable documents.

Our townsman, WILLIAM SNARE, whose death is announced in another column, was a soldier in the Mexican war, and participated in the battles of Palo Alto, Resaca de la Palma and Monterey. Previous to the battle of Buena Vista he was withdrawn from the army under Gen. Taylor, and placed under Gen. Scott, in his march to the capital. He was a brave soldier and a kind hearted man, universally esteemed by his acquaintances. He was buried on last Tuesday, with the honors of war, by the Huntingdon Guards, attended by a very large concourse of the citizens of the town.

KOSSUTH passed through this place in the cars, on last Saturday night. While the train detained about the usual time at the water-station, in reply to the cheering of the crowd on the platform, he made a short speech, expressing his thanks for the hospitable manner in which he was received by the people of this country. We arrived just in time to get an imperfect view of his face as he was about to retire from the platform of the car. We politely requested Sam. Karns, who appeared to be his Excellency's principal hat-holder, to permit us to enter the car in which he travelled; but he did not seem disposed to inform the inside door-keeper, who helped in the early period of his life to dispose of Morgan, that a gentleman of our dimensions was in waiting, anxious to touch the hem of the great Hungarian's garment. The consequence was, that our prayers, for virtue, liberty and independence, were within an ace of sticking in our throat. The train, however, soon moved off, and we in a short time recovered from the disappointment.

Officers of the State Legislature.

The following is a list of the Officers of the Senate and House of Representatives for the present session:

SENATE: Speaker—J. H. Walker. Clerk—John M. Sullivan. Assistant Clerk—J. C. Bomberger. Transcribing Clerks—Messrs. Benedict, Snyder and Raymond. Sergeant at Arms—Wm. P. Thomas. Assistants—John Essig and Wm. P. Brady. Door Keeper—Thos. H. Wareham. Assistant Door Keepers—J. R. Reigle, James McIlvaine. Messenger—Andrew Young. Assistant do.—Edward D. Evans.

HOUSE: In the House of Representatives, Wm. Jack was elected Chief Clerk, Wm. Pickering Assistant Clerk, and Wm. L. Gray, Charles Stockwell, Jno. A. Cummings and Richard H. Adams Transcribers; H. W. Krotzer Sergeant at arms, Jacob Coleman, Door Keeper, and Joseph Eslinger, Messenger. Speaker—John S. Rhey.

Proceedings of the Whig County Convention.

The Convention met at the Court House, on Tuesday evening, Jan. 13th, 1852. J. McCulloch was called to the chair and J. H. Winthrope appointed Secretary. The following delegates appeared and took seats in the convention:

Alexandria Borough: I. Graffius, Esq. Wm. Moore. Brady: I. Wolverton, Jesse Yocum. Barree: Sam'l. Cohen, P. Livingston. Cass: R. Read, D. H. L. Brown. Clay: A. Heeter, J. B. Logan. Cromwell: Dan'l. Teague, H. Hudson. Franklin: Alex. Ambrose, John Conrad. Hopewell: Adam Fouse. Huntingdon B: A. K. Cornyn, R. Stitt. Henderson: A. Allison, Geo. Numer. Morris: S. P. Wallace, Robt. Tussey. Petersburg: G. W. Whittaker, J. McCulloch.

Penn: John Garner, J. H. Winthrope. Porter: John Hewett, S. M. Green. Tod: Sol. Houck, J. Cresswell. Union: Ellet Smith, B. Glassgow. Walker: Thomas McCahan. Warriormark: John Beck, Hutchinon.

On motion, the convention proceeded to ballot for a Delegate to represent Huntingdon county in the Whig State Convention, which resulted in the election of Dr. J. P. Ashcom of Penn. Dr. J. McCulloch was chosen Senatorial Delegate, and Messrs. Thomas McCahan, John Hewett, Sam'l E. Shoemaker and S. M. Green were appointed Conferees to meet others from Blair and Cambria, and insist on his confirmation as the Delegate from this district.

The following Resolutions were offered and unanimously adopted:

Resolved, That this Convention in view of the great ability, the unbounded popularity, the distinguished service rendered the country in time of need do therefore recommend General Winfield Scott as the Whig Candidate for President in 1852.

Resolved, That the Delegates elected to represent us in the Whig State Convention are hereby instructed to vote for Gen. Scott first, for Gen. Scott last and for Scott all the time.

Resolved, That we are warmly in favor of the liberal views of the great Kossuth on the question of Intervention and are in favor of Hungary in her next contest having a clear field and a fair fight.

On motion, the proceedings were directed to be published in the "Huntingdon Journal."

On motion, the Convention rose. J. McCULLOCH, President. J. H. WINTROPE, Secretary.

A colored man, named Williams, was arrested in Lancaster last week as a fugitive slave. He was alleged to belong to a citizen of Virginia. Williams was brought to Lancaster from Philadelphia by Marshall Roberts on Wednesday last, in company with eight others, all charged with being concerned in the Sadsbury riot. All the prisoners were, upon examination, discharged the same evening; the evidence of their guilt being insufficient to authorize their detention. Williams was immediately arrested by Henry H. Kline, and hand-cuffed before he left the Prison walls. He was taken in a carriage to Penningtonville where the party awaited the arrival of the morning train of cars for Philadelphia. Whilst waiting in a room in the Hotel, Kline and his assistant fell asleep and the alleged fugitive escaped. We have not heard of his being re-arrested.—Independent Whig.

SHOCKING ACCIDENT.—Charles Waterman and August Wright were killed at Evansville, Indiana, on New Year's eve by the explosion of a cannon they were firing. A piece of the cannon, weighing 43 pounds, was thrown a distance of a square, when it broke through a brick wall and fell in the second story of the house.

The Cincinnati papers describe a new rat trap recently patented by a resident of that city: "It is so constructed that when Mr. Rat enters and reaches forth to snatch the bait, his weight acts upon a spring door, which suddenly opens and precipitates him into a dark chamber, in which he can see only one speck of light; from that he rushes into another chamber, and by doing so sets the spring of the trap door by touching a lever, and in this manner the trap is re-set and kept set for any length of time by the animals themselves, so that without any trouble but to the rats a whole box full may be caught."

A CALIFORNIA PLACER.—The St. Louis Intelligencer states that Col. Benton has received intelligence that Col. Fremont's quartz mine in California has been sold to a London company for one million dollars in cash, and that the money is ready to be paid in New York, as soon as the necessary title deeds are executed. Col. Benton is now on his way to New York to consummate the transaction.

Another Fatal Panic. SIX LIVES LOST.

A dreadful calamity, similar in its origin to that which so recently occurred in the Ninth Ward School house, took place between the hours of nine and ten o'clock last night, in the boarding house, No. 140 Canal street, set apart by the commissioners of emigration for the reception of newly arrived emigrants. The building is five stories high, and at the time of the calamity there were about four hundred and eighty inmates.

The City Hall bell having sounded an alarm of fire in the fifth district, some person on the upper floor cried "fire," others repeated the alarm, and the impression was immediately spread that some part of the house was in flames. The greater number of the inmates had retired to bed, and seized by sudden panic they rushed on the landings and stairways, in their night clothes, eagerly striving to reach the front door.

The pressure was so great that the balustrade gave way, and six persons were either suffocated or crushed to death, viz: Mary Swellingham, aged 20, born in Cork, Ireland; Mary Murphy, born in Queen's county, do; Peggy Whalen, aged 26, do, do; John Glennon, aged 14, do, do; John W. Dalton, aged 10, born in this city, and a boy, aged 12 years, whose name is unknown, but who is supposed to have been a native of Ireland.

The following named persons were seriously injured, and conveyed to the hospital:—John Hawk, leg and arm broken; Eliza Savage, shoulder dislocated; Lucy Cushing, injured internally; Wm. Whalen, shoulder dislocated; John Egan, body injured; Catharine Sweeney, body injured; a woman, name unknown, arm broken and other injuries.

Alderman Barr, acting Coroner, summoned a jury, this morning, and commenced an inquest upon the bodies of the deceased, at the Sixth Ward Station House. The testimony of the witnesses examined during the forenoon, goes to show that the building was not on fire, and that the calamity is attributable solely to a sudden panic, created in the manner we have described.—N. Y. Com. Adv., Jan. 13.

VETO OF THE "OBSTRUCTION BILL."

On Thursday Gov. Johnston sent into the Senate of Pennsylvania his objections to the passage of the bill of last session, for granting the use of our jails to the safe keeping of Fugitive Slaves. It is as follows:—

To the Senate of Pennsylvania:—

SENATORS.—An act entitled "An Act to repeal the Sixth Section of an act, entitled an act to prevent kidnapping and preserve the public peace, prohibit the exercise of certain powers heretofore exercised by Judges, Justices of the Peace, and Jailors of this Commonwealth, and to repeal certain Slave Laws," has been held under advisement since the adjournment of the last Legislature.

In obedience to the Constitution, I returned this bill to the Senate, where it originated, without my approval, and with my reasons for withholding it. To those reasons, founded on the clearest sense of duty and of official responsibility, I invite your candid attention. They are now for the first time given, because now, for the first time since the passage of this act, has an opportunity offered to confer with those to whom my reasons may be important, and with whom they may be operative. The section proposed to be repealed is in these words, "It shall not be lawful to use any jail or prison of this Commonwealth for the detention of any person claimed as a fugitive from servitude or labor, except in cases where jurisdiction may lawfully be taken by any judge, under the provisions of this act; and any jailor or keeper of any prison, or other persons who shall offend against the provisions of this section, shall, on conviction thereof pay a fine of five hundred dollars; one-half thereof for the use of this Commonwealth and the other half to the person who prosecutes, and shall moreover, thenceforth, be removed from office, and be incapable of holding such office of jailor or keeper of a prison at any time during his natural life." It is part of a law passed in the year 1847, under the Executive Administration of my predecessor, and by votes unanimous or nearly so, of both branches of the Legislature. The bill under consideration is confined to the repeal of the section prohibiting the use of our prisons as places of detention for fugitives from labor. If the legislation proposed authorizes the use of the prisons, it is in repugnance to the Constitution of the United States as expounded by the Supreme Court. By a decision made in de-

rogation of the local statutes of Pennsylvania, the Supreme Court of the United States, held in so many words that all State legislation on the subject of the recalculation of fugitives from labor, whether to obstruct, or to aid it, to hinder or promote it, is absolutely and entirely prohibited. The legislation of Congress supersedes all State legislation on the subject, and by necessary implication prohibits it.

The States cannot enact auxiliary provisions on the subject. This is the very language. If, therefore, an act of Assembly were passed authorizing the several Bounty Commissioners to erect safe houses of detention for persons claimed as fugitives from labor, under such regulations as the Legislature or its agents might prescribe, for the reception and safe keeping of the inmates, a law would be unconstitutional, and consequently void, and any single disinterested citizen of a county might have it so declared. I am unable to see any difference in this respect between the special construction of such places of detention regulated and controlled by State authority, and State agents, and the permission to use those already erected and regulated by general laws. It is the State law interfering in the question of the alleged fugitive and his claimant and such laws the Supreme Court of the United States have pronounced unconstitutional. It is not the legislation of Pennsylvania that has closed our jails against the reception of such fugitives but a formal decision of the Supreme Court, declaring our former statute on this subject unconstitutional; a decision, which until reversed, is binding on every department of this government.

Nor were the certain consequences of this doctrine, thus solemnly adjudicated, unforeseen. The present Chief Justice of the United States, an eminent jurist, and a citizen of the State of Maryland, in dissenting from the opinion of the Court, expressed his belief that these very effects would be produced, and foretold the time, when State agency being repudiated, and State prisons closed by this very decision, "the territory of the neighboring States would become open pathways for fugitives from labor." These are his words, and they conclusively show in what light he understood the judgment thus pronounced. I am aware it has been alleged that the point herein mentioned, as decided, did not arise in the case. It is answered, that the Judges of the Court, in their several decisions, declared otherwise.

The Chief Justice, who was present, and took part in the hearing, and whose dissenting opinion furnishes his views of what was decided, says: "But as I understand the opinion of the Court, it goes further, and decides that the power to provide a remedy for this right is exclusively vested in Congress, and that all laws upon the subject by a State, since the adoption of the Constitution, are null and void."

Justice Wayne says, "In that opinion it is decided: 3 That the legislation by Congress upon the provision, as the supreme law of the land, excludes all State legislation upon the same subject; and that no State can pass any law or regulation, or interpose such as may have been law or regulation when the Constitution of the United States was ratified, to superadd, to control, qualify, or impede a remedy enacted by Congress for the delivery of fugitive slaves;" then adds, after a learned argument sustaining this view: "I consider the point I have been maintaining more important than any other in the opinion of the Court;" alleging, as confirmation, that this was a point decided, that only three of the nine Judges composing the Court, dissented.

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

This judgment of the Supreme Court of the United States determines the law, for my guidance, and for yours, whatever may be our individual convictions upon the subject. If then a prison cannot be built, under State laws, for the detention of fugitives—if a prison already built, and subject to State regulations and rules, respecting its inmates, cannot be used; and

if in short, all State legislation, of whatever kind, is prohibited by a solemn decree of the Supreme Court—is it not more than idle to pass an act restorative of laws thus expressly declared and known in advance to be unconstitutional? The writ of habeas corpus would run into these unconstitutional places of detention: the federal Judiciary would themselves have to decide the question. The State Judges, in counties where there is no United States Judge, and where the fugitive is committed by a mere Commissioner, would be required to issue the writ of right; and that which the friends of this repeal have claimed as a great boon to the claimants, would be worse than a mockery. The claim he now has on the Marshal, and his sureties for indemnification for the escape of his servant, would be converted into a barren claim against a county jailor, whose first duty would be to discharge a prisoner thus held if he claimed his liberty. Not so was the law formerly, and before it was decided that all State legislation on the subject is prohibited—not so will it be hereafter, if the principle of the decision of the Supreme Court be practically carried out, and this whole vexed and vexatious subject be left to the administration of the United States officers.

The Act of Congress of the 18th September, 1850, commonly known as the Fugitive Slave Bill, would seem to favor the same views entertained by Judge Story, and pronounced in the decision to which reference has been made. Its whole tenor shows this, and more than one of its detailed provisions confirm it. The custody of the fugitive, by State authority is almost forbidden.

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

In counties where there is no Marshal, the agent of the commissioner is charged with the exclusive custody of the fugitive, and is allowed, by the 8th section, his expenses for keeping him in custody and providing him with food and lodging during his detention.

Surely no one can pretend to say, that this is not a full and exclusive exercise of federal power on the subject. If so, the principle of constitutional law, to which I have referred is interposed, and the legislation of a State to transfer this custody to a local prison is prohibited. Is it not then most conducive to peace and good order, and the harmonious administration of the law, that this whole subject be left where the Constitution places it, in the hands of the United States authorities.

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

WM. F. JOHNSTON. EXECUTIVE CHAMBER, Harrisburg, Jan. 7, 1852.

Kidnapping Case.

The Westchester Village Record gives the particulars of what it describes as a frightful case of kidnapping. It is stated that some time on Tuesday last, a person from Maryland, accompanied by an assistant, visited the premises of Joseph C. Miller, and took from his house a young colored girl named Rachel Parker, who is said to be a free girl. They drove up to the door and as the girl came out they seized her, forced her into the vehicle and drove off. Mr. Miller and a number of the neighbors followed, and the next day found the girl in the city of Baltimore, when a charge of kidnapping was preferred against the individual who carried her off, and he was bound over for a hearing. Miller and his friends started in the cars on their return; but at Perryville, Mr. M. was missing, and he was subsequently found in the woods, hanging to a tree dead. The Baltimore papers speak of Mr. M. as having committed suicide, while the Record intimates that he was murdered. "That paper also says:—'This daring and high-handed outrage, in the midst of a peaceful community—entering the domicile of a citizen of Pennsylvania, without legal process, armed with pistols and bowie knives, and stealing from his premises a free person—demands immediate and full punishment. If this state of affairs is to continue, the freedom of our Commonwealth are to be made slaves at the will of the negro-stealer.'"

West Nottingham township is the extreme southwestern part of Chester county, and is bounded by Maryland on the south. It is distant some thirty miles from West Chester.

Mr. Miller was a very respectable citizen, highly esteemed in his neighborhood, a farmer by occupation, and leaves behind a wife and five or six children to mourn their loss. He recently filled the post of assessor and collector, and other public positions in his own township.

From the Daily News, of the 16. Arrivals from California.

The steamship El Dorado arrived at New York on Wednesday night from Chagres, bringing the California mails of Dec. 16th, 60 cabin passengers and 150 in the steerage. She also brings \$1,082,907 in gold dust on freight, and \$300,000 in passengers' hands.

She brought no later news, than was received by the Daniel Webster. The steamship Union arrived at N. York yesterday morning from Chagres and San Juan.

She brings California dates one day later than were previously received. The Union brings 150 passengers and four days later news from Jamaica.

It is reported that Admiral Seymour had ordered the brig Express, now stationed at San Juan, to Kingston, for the purpose of holding a Court of Enquiry as to the firing into the Prometheus.

The Union left Chagres on the 30th, and was detained 24 hours at Kingston, for coal and water, making the passage in the remarkably short time of 8 days and 19 hours.

All was quiet at Chagres when the Union left.

The Georgia had not arrived up to the sailing of the Union, though we since learn that she was not to leave Havana for Chagres until the 6th inst.

Panama papers of the 2d have been received.

The steamship Republic was one month in making the distance from San Francisco to Panama.

The British war steamer Driver arrived at Panama on the 28th of December, on her way to England from California.

The Panama Journal estimates that there were three thousand passengers in that city during the week.

The captain of the schooner Rio, advertised in the Panama papers for \$3000 bounty bond, to complete the voyage.

The papers contain nothing later from Chili and the Southern portion of California.

The Alla California, of Dec. 16th, received by this steamer, gives the following as the statement of gold by the steamer Panama:

Table with 2 columns: Destination and Amount. To New York, \$1,081,766. London, 149,000. New Orleans, 36,244. Total, \$1,267,000.

Hon. G. M. Miles, Judge of the Southern District of California, died of consumption at San Jose on the 14th of December. The deceased was a member of the Convention which framed the State Constitution.

Three of the persons concerned in the shooting of Sheriff Buchanan, have been arrested and confined at Marysville.

The Nevada Journal recommends a division of the waters south of the Yuba river, so as to cause them to flow through the gold diggings of that great mining town.

A plan is proposed for the construction of a solid aqueduct sufficiently capacious to carry the main body of that stream. It is estimated that the cost of the work is three millions of dollars.

The Sonora Herald is of opinion that the miners generally in the vicinity of Union Creek are doing well.

DISTRESSING OCCURRENCE.—In Bern township, Berks county, seven miles above Reading, on last Sabbath, a young lady, named Miss MILLER, aged twenty years, met with an untimely death. Wishing to visit a neighbor on the opposite side of the Schuylkill, at KENIG'S Ferry, Miss MILLER walked on the ice until she had reached the middle of the river, when the ice broke, immersing her in water up to the armpits; and seizing hold of the edge of the ice, she kept herself from sinking altogether.

Her cries brought the neighbors to the shore, and a boat was obtained for her relief, but none had the courage to enter it for her rescue. Those on shore looked on for more than an hour, when the poor girl, becoming exhausted and frozen, slipped off and disappeared under the ice. Even after she had given up her hold on the ice, she swam on the surface for some time, and yet no effort was made to save her life. In a few hours the body was recovered, and an inquest held by Ald. MILLER, of Reading.—Phila. Sun.

EDITORIAL TRIALS.—The editor of the American Mechanic has encountered trials unknown to ordinary men. Hearken unto his wailings: "Owing to the facts that our paper maker disappointed us, the mails failed and deprived us of our exchanges, a Dutch peddler stole our scissors, the rats ran off with our paste, and the devils went to the circus, while the editor was home tending babies, our paper is unavoidably delayed beyond the proper period of publication."

PRICES CURRENT.

Table with 2 columns: Item and Price. PHILADELPHIA, Jan. 21, 1852. Flour per bbl. \$5 00. White Wheat per bushel 1 00. Red do 91. Rye 71. Corn 61. Oats 59. Cloverseed 4 75.