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### Incidents of Travel.

## THE HOLY LAND.

BY HARRIS MANTON.

CHAPTER I.—ENTRANCE.  
It was on Sunday, March 29th, that we were to enter the Holy Land. I had been too much engrossed by the objects which interested us at every step in Egypt and Arabia to think much of this beforehand, but when I came forth from our tent in the dawn of that morning, there was enough of novelty in the scene around me to make me feel that we were about to enter upon a new country and a new set of interests; and I became eager to know at what hour we were to pass the boundary which separated the desert from the Holy Land—the home of the old Faith from that of the new. We had followed the track of Moses from the spot where his mother placed his bulrush cradle to that on which he died; for to the east we should this morning see the mountains overhanging the Dead Sea; and among them the summit of Nebo, whence he looked abroad over the Land of Promise; and now we were to enter upon the country of Jesus—certain to walk in his very footsteps, and see what he saw—perhaps this very day. I never remember feeling such an interest in every wild-flower, in the outlines of all the hills, and the track of all the water courses.

We had left the stony desert behind us, and were encamped in a nook of the hill where the ground was green, and weeds grew thick. There was grass under my bed in the tent; and when I came out this morning, the dew was heavy on the daisies and buttercups and flowering mallows which grew abundantly on the turf. After breakfast, while the camels were being led, I walked in the early sunshine on a strip of sand overlooking the valley, impressing on my memory every feature of the landscape, and impatient of the rising ground to the north, which prevented my seeing where we were going. It was impossible to tell the exact moment; but within a mile or two we felt that we were indeed in the native land of Christ, and probably on his very track. His relations lived at Hebron; and during the first thirty years of his life he had probably visited them, after meeting them at the feasts at Jerusalem. He might have walked over the hills which swelled higher and higher as we advanced, and rested by the side of the wells which yawned beside our track. At any rate, the trees and flowers which began here to rise and spread from the stunted shrub of the desert to the dimensions of a tree; the scarlet anemone—with us a precious garden flower—which here strewed the ground for acres round; the cyclamen, which pushed forth its tufts of white and lilac blossoms from under many a stone and bush; and the poppy, mallow hemlock, and wild oats, which grew as thickly as in any English hedge. I did not know before that these weeds were as common here as with us; and never before did the sight of them give me so much pleasure. It would have been pleasant anywhere to meet these familiar weeds so far from home; but the delight to-day was to think that He and his disciples were as much accustomed to them as ourselves, and that a walk in the early spring was, in the pure country, much the same thing to them as to us.

But we soon came upon traces which showed that the expanse of pure country here was very small in those days, compared with what it is now. The towns must have been more thickly set here than in any country I ever was in. Patches and masses of ruins showed themselves on every hand so near each other as to indicate that the land must have been peopled to a degree now no where known. The first ploughing we had seen for many weeks was a striking sight to us; a mere scratching of the soil at the foot of the hills; but close by lay a heap of building stones, the remains of a town or village. Presently we saw a rude plough, with a single camel at work; and at hand was a long foundation wall, laid in a far distant century. On a height further on were the remains of a large ancient building, with two broken pillars standing, marking the sight of the Avar of scripture. Then, though there were water courses about every hill, wells began to abound; substantial, deep wells, built with a rim with holes in it, to receive the covering stone; such wells as tell of a settlement beside them. We stopped early this day—partly because it was Sunday, and partly because our Arab guards who know nothing of our Sunday; found a convenient place among the hills, somewhat sheltered from the cold wind; and here, a very few miles from the boundary, the gentlemen of the party discovered that we had sat down in the midst of what was once a large town, though the place appeared a mere stony tract like many that we had passed. In the morning early, I went out to see for myself, and was astonished at the extent of the ruins which I should not have observed while merely riding by. I could trace the lines of foundation walls for half

a mile; and building stones, overgrown with grass, lay in hillocks for a considerable distance round. The many caverns in the limestone rocks, now used as beds for the goats, were found to be the vaults of large buildings now gone to ruin. In a few minutes, we traced three temples, other such buildings, by their overthrown pillars. Our eyes being now opened, we this day saw more and more remains till we were convinced that all the way from the boundary to Hebron, the land was thick-set with towns, and swarming with inhabitants in the days of its glory—the days when the Teacher went up and down in it, mediating the changes which must make it what I have seen it now. Its hills and streams, its skies and flowers, are to-day what they were before his eyes; but where he saw towns on every height, and villages in every nook, there is now hardly left one stone upon another. A group of black Bedouin tents on a hillside, a camel or two browsing here, are all that relieve the utter solitude where there was then an innumerable throng of men.

As we advanced, on the Monday, the soil became richer, and field was joined to field, so that we began to look for the landmarks which are here used, instead of fences, to bound field property. We entered upon thickets and shrubberies where white roses, the cyclamen, convolvulus, and fragrant herbs abounded. Soon after noon a new scene opened upon us. On our left, hand lay a wide, deep basin among the hills, full of vineyards and olive-grounds, where the stones from the soil were built up into fences, and in almost every plot rose a garden-house. This was a sure sign that we were near a town; and as we rounded the hill on our right, we came in sight of the two eminences on which Hebron is built. There stood the town where John the Baptist was born, and here were the scenes which he must many a time have talked of with his cousin, in their boyish meetings at Jerusalem for the feast. Hebron, too, is only twenty miles from Bethle- hem; only twenty-six from Jerusalem; and in those days, when a large amount of yearly travelling was a solemn religious duty incumbent upon every family, it is scarcely possible but that relatives must have often visited each other, and that the lands and his parents must have come to Hebron.

The cave of Machpelah is there, and the burial-place of Abraham and his family was a sacred locality, and an object of pilgrimage of Jews of all ages. As we inquired for it, and walked round the inclosure, which the Mohammedans now permit no Christian to enter, I could not but think who might have been before us in the same quest.

### WHAT IS EDUCATION?

The great end of education is not to train a man to get a living. This is plain; because life was given for a higher end than simply to toil for its own prolongation. A comfortable subsistence is indeed very important to the purposes of life, but what it may. A man half-dressed, half-clothed, and fearing to perish from famine or cold, will be too crushed-in-spirit to do the proper work of a man. He must be set free from the iron grasp of want, from the constant pressure of painful sensations—from grinding, ill-requited toil. Unless a man be trained to a comfortable support his prospects of improvement and happiness are poor. But if his education aims at nothing more, his life will turn to little account.

To educate a man is to unfold his faculties—to give him the free and full use of his powers; and especially of his best powers. It is first to train the intellect, to give him a love of truth, and to instruct him in the processes by which it may be acquired. It is to train him to soundness of judgment, to teach him to weigh evidence, and to guard him against the common sources of error. It is to give him a thirst for knowledge, which will keep his faculties in action throughout life. It is to aid him in the study of the outward world, to initiate him into physical science, so that he will understand the principles of his trade or profession, and will be able to comprehend the phenomena that are continually passing before his eyes. It is to make him acquainted with his own nature, to give him that most important means of improvement, self-comprehension.

In the next place, to educate a man, is to train the conscience, to give him a quick, keen discernment of the right, to teach him duty in its great principles and minute applications, to establish in him inviolable principles of action. It is to show his true position in the world, his true relation to God and his fellow beings, and his immutable obligations laid on him by them. It is to inspire him with the idea of perfection, to give him a high moral aim, and to show how this may be maintained in the commonest toils, and how everything may be made to contribute to its accomplishment.

Further, to educate a man in this country is to train him to be a good citizen, to establish him in the principles of political science, to make him acquainted with our history, government and laws; to teach him our great interests as a nation, and the policy by which they are to be advanced; and to impress him deeply with his responsibility in this great trust—his obligations to disinterested patriotism as the citizen of a free State.

Again—to educate a man is to cultivate his imagination and taste; to awaken his sensibility to the beautiful in nature and art; to give him the capacity of enjoying the writings of men of genius, and to prepare him for the innocent and refined pleasures of literature.

I will only add, that to educate a man is to bring out his powers of expression, so that he can bring out his thoughts with clearness and strength, and exert a moral influence over his fellow creatures.—This is essential to true enjoyment and improvement of social life.

According to these views, the laboring classes may yet be said to have few means of education, excepting those which Providence furnishes in the relations, changes, occupations and discipline of life. The great school of life, of Providence, is indeed open to all. But what, I would ask, is

done by our public institutions for the education of the mass of the people? In the mechanics nature of our common schools, is it ever proposed to unfold the various faculties of a human being, to prepare him for self-improvement through life? Indeed, according to the views of education now given, how defective are our institutions for such as well as poor, and what a revolution is required in our whole system of training the young!

Channing.

### THE ESSENTIALS TO PRODUCTIVE FARMING.

The following sixteen essentials for productive farming are from the pen of the editor of the American Farmer, which is, we believe, the oldest agricultural paper in the United States:—

1. Good implements of husbandry, and plenty of them, which should always be kept in perfect order.
2. Deep ploughing, and thorough pulverization of the soil, by the free use of the harrow, drag, and roller.
3. An application of lime, marl, or ashes, where calcareous matter or potash may not be present in the soil.
4. A systematic husbanding of every substance on a farm capable of being converted into manure, a systematic protection of such substances from loss by evaporation or waste of any kind, and a careful application of the same to the lands in culture.
5. The draining of all wet lands, so as to relieve the roots of the plants, from the ill effects of a super-abundance of water, a condition equally pernicious as drought, to their healthful growth and profitable fructification.
6. The free use of the plough, culvator and hoe, with all row-cultured crops, so as to keep down, at all times, the growth of grass and weeds, those pests which prove so destructive to crops.
7. Seeding at the proper time, with good seed, and an equal attention to time, with regard to the period of working crops.
8. Attention to the construction and repair of fences, so that what is made through the toils and anxious cares of the husbandman, may not be lost through his neglect to protect his crops from the depredation of stock.
9. Daily personal superintendence, on the part of the master, over all the operations of the farm, no matter how good a manager he may have, or however faithful his hands may be, as the presence of the head of a farm, and the use of his eyes, are worth several pairs of hands.
10. Labor-saving machinery, so that one may render himself as independent as possible of neighborhood labor, as a sense of the comparative independence of the employer upon such labor, begets a disposition of obedience and faithfulness on the part of the employed.
11. Comfortable stabling and sheds, for the horses and stock, all necessary outbuildings, for the accommodation of the hands, and protection of the tools and implements, as well as for the care of the poultry.
12. Clover and other grasses to form a part of the rotation of crops, and these to be at the proper periods ploughed in, to form pabulum for succeeding crops.
13. The clover field to be either plastered or ashed, each succeeding spring,—one bushel of the former, and six of the latter, per acre.
14. To keep no more stock than can be well kept, but, to be sure to keep as many as the farm can keep in good condition, as it is wise policy to feed as much as possible of the crops grown on the farm, and thus return to it that which has been abstracted from it.
15. To provide a good orchard and garden—the one to be filled with choice fruits, of all kinds, the other with vegetables of different sorts, early and late, so that the table may, at all times, be well and seasonably supplied, and the surplus contribute to increase the wealth of the proprietor.
16. The taking of one or more good agricultural papers.

### A HAUGHTY SPIRIT.

A young man commenced visiting a young woman, and she seemed well pleased. One evening he called when it was quite late, which led the girl to inquire where he had been. 'I had to work to-night,' he replied. 'Do you work for a living?' inquired the astonished girl. 'Certainly,' replied the young man; 'I'm a mechanic.' 'My brother doesn't work, I dislike the name of a mechanic,' and she turned up her pretty nose. That was the last time the mechanic visited the young woman. He is now a wealthy man, and has one of the best of wives for his wife. The young lady who disliked the name of a mechanic, is now the wife of a miserable fool—a regular vagrant about grog-shops—and she, a miserable girl, is obliged to take in washing in order to support herself and children.

Ye who dislike the name of a mechanic, whose brothers do nothing but loaf and dress beware how you treat young men who work for a living. Far better discard a well-fitted paper, with all his rings, jewelry, brazen-facedness, and pomposity, and take to your affections the callous-handed, intelligent and industrious mechanic. Thousands have bitterly regretted the folly, who have turned their backs on honest industry. A few lessons of bitter experience taught them a profitable lesson. In this country, no man or woman should be respected, in our way of things, who will not work bodily or mentally, and who curl up their lips with scorn when introduced to a hard-working man.

### SELF DEPENDENCE.

Most young men are so constituted as to be born poor, or to have a chance of getting into a good business, and to prepare him for the innocent and refined pleasures of literature. This is a mistake as to them, if we may judge from being a misfortune. It is really a blessing; what we ever more than ten to one against him the chance of plenty of money. Let any man look back twenty years and see who began their life with abundance of means, and see how they stand to the present day; how many have become poor, lost their places in society, and are passed by their boon companions with a look which plainly says, I know you not.

The unold public lands of the U. S. amount to 1,519,929,550 acres.

### MR. CALHOUN'S SPEECH ON THE TEN REGIMENT BILL.

IN SENATE, MARCH 16, 1848.

Mr. Calhoun said: After a very careful examination, I have not been able to find a single argument which, in my opinion, would justify the passage of this bill at this time, and under existing circumstances. I cannot but feel that those who have come to a different conclusion have overlooked the actual condition of the Mexican Republic, and the people of Mexico, in supposing that this bill was necessary either to intimidate or to coerce that Government into a ratification of the treaty recently acted upon here. If that Government were strong and vigorous, if the people of Mexico were united in resistance to us, and capable of sustaining a war in the event that the treaty shall not be ratified, there might be strong reasons for passing this bill. But such is not the case. On the contrary, the very opposite is true. The Government itself is little more than a shadow, without army and without revenue; the people in a state of distraction, with a large and powerful party in opposition to the Government, and for a continuance of the war—not in hostility to us, but in hostility to their own Government which they desire should be overthrown. The Government itself exists by our forbearance, and under our countenance; they have been induced to treat with us from the dread of their annihilation, and we to treat with them from the same consideration. For strange as it may appear, the very motives that induced Mexico to treat with us induced us to treat with her. She dreaded her annihilation, and so did we. It is difficult to say which would be subjected to the greatest evil in consequence of such an annihilation. The danger is not that the Mexican Government, in the event of the rejection of the treaty, would be able to resist, but it is that it may perish before she can ratify it. But, if I am mistaken in all this, one thing is clear; with these ten additional regiments we have the means of intimidating or coercing that Government to any extent we please; a single brigade may annihilate it. But even if we should choose to avoid this, we hold another power in our hands that is ample to induce her to ratify the treaty, provided there be any hesitation on her part. We would in that case have but to tell her that we will adopt the boundary agreed upon in the treaty, and thus save ourselves the vast sum of twenty millions of dollars, which rumor states that we are to give for the ceded territory. This consideration alone is sufficient, provided the Mexican Government can maintain itself until she shall have acted upon this treaty with the amendments that may have been made to it by this body.

In this view of the subject, I regard the passage of this bill, if it be intended either for the purpose of intimidation or of coercion, to be entirely useless—an unmeaning bravado. But if it were merely useless, as much as I may be averse to it, my aversion would not be near so great as it now is. It is worse than useless; it is mischievous here, for if this body, conversant with all the secret proceedings in reference to the treaty, and supported by the country to be fully informed of every thing in relation to the subject, should pass the bill now before it, it will be received by the public as an apprehension on our part that there is great danger that the treaty will not be ratified, and the effect upon our commerce and upon the money interests of the country will be highly injurious. It will be mischievous here, for the real danger that the Mexican Government has to fear is this: there is a large party in Mexico called Puros, which is unwilling to see a peace concluded between the Mexican Government and our country; unwilling, not because they are our friends or enemies, but simply for the reason that they wish to see that Government annihilated and the power placed in their hands. Now, if the impression produced there by the passage of the bill should be that there is danger that the treaty will not be ratified, it will arouse and animate that party to double exertion in order to fulfil their object.

But I consider it not only useless, not only mischievous in the light which I have indicated, but it will be a costly bravado. I take it for granted that the honorable chairman of the Committee on Military Affairs does not intend simply that this bill shall pass this body; that would be unworthy of his character. He then expects that it will also pass the other branch of Congress and become a law, and that the force will be raised and employed, if the treaty should fail, in carrying on the war with Mexico. Well, if it passes—and I must consider it in that light—in that case, what will be the result? Men; they will have no apprehension of going to Mexico or fighting future battles; the sentiment will turn out to be a money speculation; each recruit will receive for his enlistment his bounty in hand, amounting to one hundred and sixty acres, his bounty in money, equal to twelve dollars, the usual issue of clothing, amounting at the present price to about twenty-one dollars. Estimating the bounty to be about one dollar and a quarter an acre, would make the whole \$2,000,000. These sums alone would be equal to two millions of four hundred thousand dollars. Add to this the pay and emoluments of the officers, the pay to the soldiers, the expense for subsistence, and that for recruiting, and the whole sum will be found to be not less than three millions of dollars, to which the passage of this bill would subject the Government. To this must be added the vast patronage which the appointment of five hundred officers and this great additional expenditure would confer on the President; and that, too, on the very eve of a Presidential election, when the patronage of the Government is brought into the highest degree of activity. Such increase of patronage is a great evil, as every man of every party will readily acknowledge, if he would candidly express his sentiments; for, if there is anything on which all are agreed, it is that Executive patronage is already enormous, and ought not to be increased.

Now, I submit to my friends on this side of the chamber, who have indicated a disposition to pass this bill, whether they are willing to incur this heavy cost and subject the country to this great evil by passing this bill, which I have shown to be a useless bravado, unbecoming a great and magnanimous people.

But not only object to the passage of the bill at this time, and under existing circumstances, but I take higher ground. I am opposed to the

bill under all circumstances. I would have voted against it if a treaty had not been made, and for reasons that to myself are conclusive, and which I will now proceed to state.

Sir, we all know the origin of this bill. It was reported early in the session, and originated in the message of the President recommending a vigorous prosecution of the war, and its leading and main object was to carry that recommendation into effect. If, then, we pass this bill, we give, according to my humble conception, a pledge to the Executive and to the country that if the treaty fails we will resort to a vigorous prosecution of the war. I, for one am unwilling to give this pledge; unwilling, because I think it ought not to be given, and unwilling, because, if given, I am of the impression it never will be redeemed.

It ought not to be given, for reasons which I have assigned fully on an former occasion, and which I shall only briefly repeat on this. A vigorous prosecution of the war would be the annihilation of the Mexican Government, leaving no Government with whom to treat. The effect of that would be the entire subjugation of the country, throwing upon us one of two alternatives: either to create a Government by our own authority with which to treat—and this, I trust, no one who duly appreciates the true principles of our system of government will ever adopt—or to hold it under our subjugation as a conquered country, to be governed as provinces, or to be incorporated into the Union.

Now, as I am utterly opposed to this for reasons which I stated at large on the occasion referred to, and which it is not necessary here to repeat, I for one cannot give this pledge. Nor can I give it because I have not the least expectation that it would ever be redeemed. The sentiment of the whole country is remarkably changed in reference to the war. There was at that time a large party in the country who were in favor of taking the whole of Mexico. I have but to appeal to the proceedings of public meetings, and to declarations repeatedly made in the public journals to prove this. But that sentiment is changed. And why is it changed?—Because the people were not aware at that time of what would be the consequence of a vigorous prosecution of the war. If it was an appeal to their manly pride. But as soon as they saw the consequences, that the result would be as I have stated, they drew back and put the seal of their reprobation upon it, not only for the present, but for ever. With this strong disapprobation of the war on the part of the people, it would be an idle dream to suppose that in the event of failure of the treaty, this war would ever be renewed to be carried on vigorously.

But it may be asked, what shall be done?—My answer is plain and simple. Only one thing can be done. To fall back and take the line of the treaty to tell the Mexican people that we intend to hold it; that we are satisfied if they ratify it. Nor can it be objected that it costs more, for it would take fully as large an army, and at as great a cost, to protect Mexico under the treaty against the Indians falling on our side of the line under the treaty, as to protect ourselves against the Mexicans by assuming the line without the treaty, not to take into estimate the twenty millions of dollars which would be saved by adopting the latter.

The whole affair is in our own hands; whether the treaty fails or not, we still have the complete control, if we act with wisdom and firmness, and avoid what I set above all things, a system of menace or bravado in the management of negotiation. I had hoped that that system had been abandoned forever. It nearly involved us in a war with England about Oregon. It was only prevented by the wisdom and firmness of this body. It was resorted to in our negotiations with Mexico, and the march of the army under General Taylor to the Rio Grande was but intended to sustain it. Unfortunately, circumstances prevented the Senate from interposing in the case of Oregon, and this was the consequence.

But, Mr. President, the vigorous prosecution of the war is not the only object of this bill. It is the primary, the principal one. But there is another one—secondary, it is true; though not much less important. The bill was intended in part to carry into execution a system of imposts and taxes which the President of the United States had imposed on Mexico. The army, including the force to be raised by this bill, was intended to be used for collecting the duties and imposts; for that purpose it was to be spread all over Mexico, as has been officially announced.

Now, I hold that we cannot pass this bill without sanctioning the act of the President in this respect, and that I for one never can do, because I am under a deep conviction that the President has no right whatever to impose taxes, internal or external, on the people of Mexico. It is an act without the authority of the constitution or law, and eminently dangerous to the country. Thus, thinking that neither the constitution nor law gives him any such authority, I would not be true to my trust if I were to vote for the bill. I would have been glad to have avoided it at the present time. My friends around me know that I was anxious that this bill should not be pressed upon us now, not that I desired to shun the responsibility of the expression of my opinions, but because I preferred postponing it until after the treaty was ratified, and when there could be no cry of giving aid and comfort to the enemy. But it is forced upon me, and if there be any responsibility in expressing my opinion at this time, it ought of right to fall, not on me, but upon those who without any necessity have forced this upon us.

But to return to the thread of the argument.—I ask, where can the President find the authority for imposing these taxes? Can it be found in your constitution? If so point it out. Can it be found in your law? If so point it out. No such authority is to be found in either. But it may be said it is comprehended, under the implied powers of the Executive—that is, the powers necessary and proper to carry out those expressly delegated to him. If so point out the power which it is intended to carry into execution.—But let me say gentlemen in advance, if you do this you will not remove the difficulty. If you should succeed in showing that it is an implied power, which I hold to be impossible, you must still point out an act of Congress to authorize its exercise. The framers of the constitution, in their great sagacity, have taken care to insert a provision in the constitution investing Congress amply with the power to pass all laws necessary and proper to carry into execution not only its own powers, but those vested in any department or office of the Government. I refer to what is

usually called the residuary clause, which provides that Congress shall have power to pass all laws necessary and proper to carry into execution the foregoing powers, that is, powers vested in Congress; or powers vested in any of the departments or officers of the Government. There, if it is an implied power, it becomes a congressional power by this express provision, and must have the sanction of Congress for carrying it into effect.

But it may be said that the President is commander-in-chief of the army in Mexico, and that it is an essential part of the power of the commander-in-chief to impose a system of taxation in the enemy's country. If, indeed, it be an essential part of the power it cannot be separated from it without destroying the power itself, and it must of course belong to him as commander-in-chief in the United States as well as in Mexico, or in any other conquered country. But it is manifest that it cannot exist within the limits of the United States, because the constitution expressly invests the same not in the President, but in Congress. But to this it may be said there is a distinction between exercising the power in the U. States and exercising it in Mexico, or any other place beyond the boundary of the United States, where our army may be operating. To this I answer by asking, why so? What makes the distinction? What possible reason can be assigned why the power may be exercised in the one and not in the other? Who can answer these questions?

But if it is the case—if the President can exercise in Mexico a power expressly given to Congress, which he cannot exercise in the U. States, I would ask where is the limit to his power in Mexico? Has he also the power of making appropriations of money collected in Mexico, without the sanction of Congress?—This he has already done. Has he the power to apply the money to whatever purpose he may think proper, and among others to raise military forces in Mexico without the sanction of Congress? That also he has already done.—But if there be no limitation, then his powers are absolute and despotic in Mexico, and he stands in the two fold character of the constitutional President of the United States and the absolute and despotic ruler of Mexico. To what must this conclusion lead? What may he not do? He may lay taxes at his pleasure either as to kind or amount; he may establish the rules and regulations for their collection; he may dispose of them, without passing the Treasury to any object or for any purpose he may think proper, and his authority in respect to Congress or any other authority in any respect whatever in doing all this. He may, of course, raise armies, and pay them out of the proceeds of the taxes; he may wage war against the neighboring countries to the south of him at his pleasure, and extend his authority by force of arms, whatever extent he may desire; or he may sail a fleet and assail the islands of the South Sea, or he may direct it against Japan, or other country he may think proper. Nay, under any such circumstances, he might be authorized to make it the instrument of his subjugation. Against all this there is no remedy, and can be none if he has the power which must necessarily result from the principles which would invest him with the power of laying taxes.

But it may be asked, what are the limitations upon his power as commander-in-chief? This answer is an easy one. His power is to command the army. Let us put a true value upon words. To command in chief is to have the supreme control in conducting and directing the army in its military operations. Such is its power, and its only power. It is a restricted one, of which the constitutional legislation of the country furnishes many evidences. The very act which recognizes war with Mexico vests him with the power of using the army and navy for its prosecution, clearly indicating that the power of using them for that purpose required the authority of law. If we look back into all the declarations which have been made by this Government, we shall find that they all, in like manner confer the same power on the President. Besides, if we turn to the laws in reference to suppressing insurrections, it will be found that they expressly authorize the President to use the militia and the army for the purpose—showing, in like manner, the prevailing opinion heretofore that the sanction of law was necessary, to use military force for this purpose as well as for carrying into effect a declaration of war. Such also is the case in reference to repelling invasion. If there be any power which one would suppose would belong to the President, as commander-in-chief, it would be that of establishing rules and regulations for the government of the army; but if we turn to the constitution, we shall find even that power is conferred by express provision upon Congress; all going to show within what narrow limits the constitution and the laws restrict the power of the President.

But it may be asked, has the conqueror no power to impose taxes upon a conquered country?—Yes, he certainly has. When an army invades a country and subdues it, in whole or in part, the conqueror has a right to impose taxes and collect them. But the question occurs, under our system of Government, who is the conqueror? I answer, the people of the United States are the conquerors. It is they who have conquered Mexico; not the President, not the generals, not the army. They are but the instrument, by which the conquest has been effected. And it is the people of the United States that have the right to impose taxes. But who represents the United States—whose organ through which they act? I answer, this Government, the Federal Government, consisting of the Executive, the Legislative, and the Judiciary Departments. The question then is, to what extent the President represents exclusively the United States in the conquered country? The answer is to no other extent than as commander-in-chief, in all other respects almost Congress is the sole representative, and to them especially belongs, by express delegation, the power of laying and collecting taxes, and of appropriating them to such objects as the constitution warrants, unrestricted, extending as far as the United States authority extends, without restriction or distinction. Now, when ever a country is conquered, even in part, and held by the conquering Power, the sovereignty of the country thus held is for the time suspended, and that of the conquering substituted in its place; as, of course, in our case the authority of the Government in its departments attaches to it as if it part of the United States itself, each in its