

THE WESTERN CAROLINIAN.

SALISBURY, (N. C.) MARCH 9, 1838.

[NO. XXXIX OF VOL. XVIII.]

BY JOSEPH W. HAMPTON.]

MONTAGUE'S BALM.

AN INDIAN CURE FOR TOOTH-ACHE.
This established reputation and celebrity in every part of the world for this medicinal remedy, has induced the inventor to offer it to the American Public. Arrangements have been made to supply agents in all the principal cities and towns of the U. States, so as to place it within the reach of those suffering from tooth-ache, with the most harassing of all such affections. When applied according to directions given on the bottle, it has never failed to afford immediate and permanent relief. It also cures the decay in defective teeth and prevents that serious which so frequently renders a strong tooth useless.

The application and remedy are simple, instant, and not unpleasant; and the large number of persons, in various sections of the country, that have already experienced such delightful and satisfactory results from the use of the Balm, are ready to bear (for the public good) their testimony to its unrivaled qualities.

It is an Indian remedy, obtained singularly and unexpectedly, and may be regarded by the civilized world as the most valuable discovery of the Red Man of the Woods.

H. B. MONTAGUE,
Petersburg, Virginia, Feb. 20, 1836.—14
PRICE \$1 PER BOTTLE.

FRESH PATENT DRUGS AND MEDICINES.

Just received, and for sale at THIS OFFICE, the following Invaluable Patent Drugs and Medicines, viz:

MONTAGUE'S VEGETABLE TONIC BITTERS,

FOR THE AGUE AND FEVER.
The Bitter of this Medicine has never been known to fail in effecting a permanent cure. At least any person purchasing and using the Bitters, and not satisfied as to its effects, by returning the Bottle, shall have back the price, \$2 per Bottle.

MONTAGUE'S Anti-Spasmotic Tincture, or MOTHER'S COMFORT,

For Diarrhea, in all of its various forms, Dysentery, Camp Colic, Cholera Morbus, Asiatic Cholera, After Pains of Lying-in Females; and in this it is the Mother's Comfort, in that it is the very best preparation for the summer diseases of children, that has yet been introduced into the dispensary of the distressed.
PRICE, 75 CENTS PER BOTTLE.

Bonaparte's (Camp) Expunging MIXTURE, FOR EXTRACTING

Grease, Tar, Turpentine, Paints, Oils, &c. from Carpets, Floors, Cloth, Hats, and Silks—by which Coat Collars are made to look as fresh as any part of the Coat.
PRICE 50 CENTS PER BOTTLE.
50 Directives on each Bottle for using.

WILLIAM W. GRAY'S INVALUABLE OINTMENT,

For Ulcers, Tumours, &c.
Can now be obtained of the patentee, at the office of the Raleigh Register.
Single Pot, 1-dollar—One dozen, 9-dollars.
WILLIAM W. GRAY,
Raleigh, October 8, 1836.

The above Medicine is for sale in Salisbury at the Store of JOHN MURPHY.

For five or six years previous to the Spring of 1834, a Negro man of mine had been much afflicted with an ulcerated arm and hand, which rendered him almost useless. The ulcer embraced that part of his arm from the elbow down, including his entire hand, which was literally a mass of putrefaction. A joint of one finger, and a part of the thumb, perished and dropped off. A more distressing and hopeless case I have never beheld. It was abandoned by his physicians as incurable, except by amputation of the hand.

The best medical treatment having failed to relieve the man, I placed him under the care of Mr. William W. Gray, in this place, who, with his Ointment, has effectually cured the case, although the Negro was frequently absent for weeks and months together. He has been entirely well for the last eight months, and I have good reason to believe will continue so.

WILLIAM BOYLAN.

ANOTHER GREAT CURE!

Raleigh, September 21, 1836.
I am now 58 years of age—when in my 14th year, I received a wound on my left leg, which became ulcerated, and continued so until the first of March last. It would occasionally heal up, and then break out again; but most of the time, it was in a very painful condition, the sore having extended to a large size, and become very deep. I tried many remedies to make a cure, without success, until I applied Gray's Invaluable Ointment, two pots of which have effectually cured my leg, and reduced it to its natural size. The cure would have been made much sooner, had I strictly attended to the directions for the use of the Ointment; but this I failed to do, while I took much exercise, and very imprudently used tight bandages. My leg has been well for more than six months, during which time, I have walked much, yet it remains firm and free from all soreness or inflammation. After having been afflicted for a period of forty-one years, I now enjoy the benefit of a sound leg again.
LEWIS HOLLOWAY.

A supply of the above valuable Medicine kept constantly for sale at THIS OFFICE.

NEW TERMS

TERMS OF PUBLICATION.

1. The Western Carolinian is published every Friday, at Two Dollars per annum if paid in advance, or Two Dollars and Fifty Cents if not paid before the expiration of three months.
2. No paper will be discontinued until all arrearages are paid, unless at the discretion of the Editor; and a failure to notify the Editor of a wish to discontinue, at the end of a year, will be considered as a new engagement.

TERMS OF ADVERTISING.

Advertisements will be conspicuously and correctly inserted, at one dollar per square for the first insertion, and 25 cents for each continuance. Court and Judicial advertisements will be charged 25 per cent more than the above prices. A deduction of 33 per cent from the regular prices will be made to yearly advertisers.

TO CORRESPONDENTS.

To insure prompt attention to Letters addressed to the Editor, the postage should in all cases be paid.

TEMPERANCE NOTICE.

The Union Temperance Society will hold its next quarterly meeting, on the first Monday in March next, at the house of the widow Wilhelm, ten miles east of Salisbury, on the main road leading to Brimley Ferry.—An address will be delivered by the Rev. Mr. Stibel.

By order of the President,
Wm. A. WALTON, Sec. BENJ. AREY.
Feb. 16, 1838.

J. & W. MURPHY,

Have just received and for sale, wholesale or retail,
100 BARS of Iron, Sweeds iron.
75 do. 41 do. do. do.

34 Nova Scotia Grand Stones.
4 Casks good Cheese.
20 Boxes Glass, 8 by 10.
10 Bags Cuba Coffee.
25 " strong scented Rio Coffee.
2 000 lbs. Spin Cotton, assorted numbers.
200 bottles Scotch Snuff, high toast.
6 Boxes Candles.
4 Casks good Rice.
7 Hhds. Prime Molasses.
40 Sacks, Liverpool Salt.
50 Painted Buckets.
Salisbury, Feb. 16, 1838.

CONGRESSIONAL.

Independent Treasury Bill.

SPEECH OF MR. CALHOUN, OF S. CAROLINA, IN SENATE,
Thursday, February 15, 1838.

Upon the bill "to impose additional duties, as depositaries, upon certain public officers, to appoint Receivers General of public money, and to regulate the safe-keeping, transfer, and disbursement of the public money of the United States."

I regard this measure, which has been so much denounced, as very little more than an attempt to carry out the provisions of the joint resolution of 1816, and the deposit act of 1816. The former provides that in the dues of the Government, and the latter that such banks only shall be the depositaries of the public revenues and fiscal agents of the Government; but it omitted to make provisions for the contingency of a general suspension of specie-payments, such as is the present. It followed, accordingly, on the suspension in May last, which totally separated the Government and the banks, that the revenues were thrown into the hands of the Executive, where they have since remained under its exclusive control, without any legal provision for their safe-keeping. The object of this bill is to supply this omission; to take the public money out of the hands of the Executive, and place it under the custody of the laws, and to prevent the renewal of a connection which has proved so unfortunate to both the Government and the banks. But it is this measure, originating in an emergency caused by our own acts, and that seeks to make the most of a change effected by operation of law, instead of attempting to innovate, or to make another experiment, as has been erroneously represented, which has been denounced under the name of the Sub-Treasury with such unexampled bitterness.

In lieu of this bill, an amendment has been offered, as a substitute, by the Senator from Virginia, furnished from the chair, (Mr. Rives), which he intrinsically is the first choice of himself and those who agree with him, and the second choice of those who agree with whom he is allied on this question. If I may judge from appearances, which can hardly deceive, he might have said their first choice, under existing circumstances; and had added, that, desiring of a National Bank, the object of their preference, they have adopted his substitute, as the only practical alternative at present.—We have, then, the question thus narrowed down to this bill and the proposed substitute. It is agreed on all sides, that one or the other must be selected, and that to adopt or reject the one, is to reject or adopt the other. The single question then is, which shall we choose? A deeply momentous question which we are now called on to decide in behalf of the States of this Union, and on our decision their future destiny must, in a great degree, depend, so long as their Union endures.

In comparing the relative merits of the two measures, preparatory to a decision, I shall touch very briefly on the principles and details of the bill. The former is well understood by the Senate and the country at large, and the latter has been so ably and lucidly explained by the chairman of the committee in his opening remarks, as to supersede the necessity of further remarks on them at this stage of the discussion.—I propose, then, to limit myself to a more general summary, accompanied by a few brief observations.

The object of the bill, as I have already stated, is to take the public funds out of the hands of the Executive, where they have been thrown by operation of our acts, and to place them under the custody of law; and to provide for a gradual and slow, but a perpetual separation between the Government and the banks. It proposes to extend the process of separating to the year 1845, receiving during the first year of the series the notes of such banks as may pay specie, and reducing thereafter the amount receivable in notes one-sixth annually, till the separation shall be finally consummated at the period mentioned.

The provisions of the bill are the most simple and effectual that an able committee could devise. Four principal receivers, a few clerks, and a sufficient number of agents to examine the state of the public funds, in order to see that all is right, at an annual charge not exceeding forty or fifty thousand dollars, at most,

constitute the additional, official expenditure required, to perform all the functions now discharged by the banks, as depositaries of public money and fiscal agents of the Treasury. The simple apparatus will place the public Treasury in a certain measure independent of the banks, and preserve its honor and faith inviolate. If it be desirable to separate from the banks, the Government must have some independent agency of its own to keep and disburse the public revenue; and it must have such an agency, none, in my opinion, so dry and more simple, more economical, more efficient and safe, than that provided by this bill. It is the necessary result of the separation, and to reject it without proposing a better, (if indeed, a better can be proposed) is to reject the separation itself.

I turn now to the substitute. Its object is directly the reverse of that of the bill. It proposes to revise the league of State banks, and to re-organize our connection with them, which all acknowledge has contributed so much to corrupt the community, and to create a spirit for speculation, heretofore unknown in our history. The Senator in offering it, whether wisely or not, has at least acted consistently, in his advocacy at first in 1834, when the alternative was between it and the recharter of the late Bank of the United States. He then declared it seriously and manfully, against the fierce assaults of his present friends, as he now defends it, when those who then repudiated him have abandoned the measure. Whether wisely or not, there is something heroic in his subsequent and I commend him for it; but I fear I cannot say much for his wisdom and discretion. He acknowledged, with all others, the disasters that have followed the first experiment, but attributes the failure to various circumstances, and insists that a second experiment may succeed, after the first has failed; but the Senator must concede in return, that every failure necessarily weakens confidence, both in the experiment and the experimenter. He cannot be more confident of making his second trial, than he was in the first, and if I doubted the success then, and preferred the Sub-Treasury to his league of banks, he must excuse me still adhering to my opinion, and doubting the success of his second trial. Nor ought he to be surprised, that those who joined him in the first should rather say of trying the experiment again, after having been blown into the air, and burnt and scalded by explosion. But if the Senator has been unfortunate in failing to secure the co-operation of those who sided with him in the first trial, he has been compensated by securing the support of those who were then opposed to him. They are now his zealous supporters. In contrast to their course then and now, I intend nothing personal, I make no charge of inconsistency, nor do I intend to reply to it. My object is truth, and not to wound the feelings of any one, or any party. I know that to make a charge of inconsistency, not only the question, but all the material circumstances, must be the same. Change in either, may make a change of vote, and with a material variation in circumstances, we are often compelled to vary our course, in order to preserve our principles. In this case, I consider the circumstances, as far as the present allies of the bill are concerned, have materially changed, and the question was between a recharter of the late Bank, and a league of State banks; but now the former is the question, and the latter is between the league and a total separation from the banks. Considering the alternative, they may well take that which they rejected in 1834, without subjecting themselves to the charge of inconsistency, or justly exposing themselves to the imputation of change of principle, or opinion. I repeat them, then, of all such charges. The doubtless think now, as they formerly did, of the measure which they then denounced and rejected, but with a change of circumstances now compels them to support it. But in thus acquitting them of the charge of inconsistency, they must excuse me, if I should say myself of the fact, that their opinion remains unchanged, an argument in favor of the bill—agenuine substitute.—The choice is between them. They are on the opposite scales. To take from the one an effect, to add to the other; and any objection against the one, is an argument equally strong in favor of the other. I then do avail myself of their many powerful objections in 1834 against the measure which this substitute proposes now to revive. I call to my aid, and every objection, every objection they then derided, and every argument they then so successfully urged against it. They, no, me (for I was then not irreconcilably opposed to the measure) charged against it, and proved what we charged, that it placed the purse and the sword in the same hands; that it would be the source of boundless patronage and corruption, and fatal to its consequences to the currency of the country; and I now avail myself of these, and other objections, then urged by us, in as full force against this substitute, as if you were again to raise your places and repeat them now, and of course, so many arguments, in effect, in favor of the bill; and under their strength I claim your vote in its favor, unless indeed, still stronger objections can be urged against it. I say stronger, because time has passed the birth of all that was then said against the measure now proposed to be revived by this substitute. What was then a prediction is now fact. But whatever objections have been, or may be urged against the bill, however strong they may appear in argument, remain yet to be tested by the wearing test of time and experience. Whether they shall ever be realized, must be admitted, even by those who may have the greatest confidence in them, to be at least uncertain; and it is the part of wisdom and prudence, where objections are equally strong against two measures, to prefer that which has not yet been tried, and which has been tried and failed. Against this conclusion there is but one escape.

It may be said, that we are sometimes compelled, in the midst of the many extraordinary circumstances in which we may be placed, to prefer that which is less so; because the former may more probably lead, in the end, to some desired result, than the latter. To apply the principle to this case, it may be said that the substitute, though of itself objectionable, is to be preferred, because it would more probably lead to the establishment of a National Bank than the bill, which you believe to be the only certain remedy for all the disorders that afflict the currency. I admit the position to be sound in principle, but it is one exceedingly bold and full of danger in practice, and ought never to be acted on, but in extreme cases, and where there is a rational prospect of accomplishing the object ultimately aimed at. The application, in this case, I must think, would be rashness itself. It may be safely assumed, that the success of either, whichever may be adopted, the bill, or the substitute, would be fatal to the establishment of a National Bank. It can never put down a successful measure in its place; and, of course, that which is most likely to fail, and re-organize the country into all the disasters of a disordered currency, is that which would most probably lead to the restoration of a National Bank; and to prefer the substitute on that account is, in fact, to prefer it because it is the worst of the two. But are you certain

that another explosion would be followed by a bank? We have already had two; and it is far more probable, that the third would impress, universally and indelibly, on the public mind, that there was something radically and incurably wrong in the system, which would blow up the whole concern, National Bank and all.

If I may be permitted to express an opinion, I would say, you have pursued a course on this subject unfriendly both to yourselves and country. You are opposed both to the league of banks, and the Sub-Treasury. You prefer a National Bank; and regard it as the only safe and certain regulator of the currency, but consider it, for the present, out of the question, and are therefore compelled to choose between the other two. By supporting the substitute, you will be held responsible for all the mischief and disasters that may follow the revival of the pet bank system, as it has been called, with the almost certain defeat of your first and cherished choice; and those you oppose will reap all the benefits of the power, patronage and influence, which it may place in their hands, without incurring any portion of the responsibility. But that is not all. The success of the substitute would be the defeat of the bill, which would, in like manner, place on you the responsibility of its defeat, and give those you oppose, all the advantage of having supported it without any of the responsibility that would have belonged to it, had it been adopted. Had a different course been taken—had you joined in aiding to extend the custody of the laws over the public revenue, in the hands of the Executive, where your own acts have placed it, and for which you, of course, are responsible, throwing the blame at the same time on those whom you substitute the present disordered state of the currency, the burden of the responsibility, you would have laid ready to profit by events. If the Sub-Treasury, contrary to your expectations, succeeded, as patriots, you would have cause to rejoice in the unexpected good. If it failed, you would have the credit of having anticipated the result; and might then, after a double triumph of sagacity and foresight, have brought forward your favorite measure, with a fair prospect of success, when every other had failed. By not taking this course, you have lost the only prospect of establishing a National Bank.

Nor has your course, in my opinion, been fortunate for the country. Had it been different, the currency question would have been decided at the called session; and had it been decided then, the country would this day have been in a much better condition—at least the manufacturing and commercial section to the North, where the derangement of the currency is felt the most severely. The South is comparatively in an easy condition.

Such are the difficulties that stand in the way of the substitute at the very threshold. Those beyond are vastly greater, as I shall now proceed to show. Its object, as I have stated, is to revive the league of State banks; and the first question presented for consideration is, how is this to be done? how is the league to be formed? how stimulated into life when first formed? what, after it has been revived, would be the character of the league or combination? To these and other questions we must turn to its provisions.

It provides that the Secretary of the Treasury shall select twenty-five specie-paying banks, as the fiscal agents of the Government, all to be respectable and substantial; and that the selection shall be confirmed by the joint vote of the two Houses. It also provides that they shall be made the depositaries of the public money, and that their notes shall be receivable in the dues of the Government; and that in turn, for these advantages, they shall stipulate to perform certain duties, and comply with various conditions, the object of which is to give to the Secretary of the Treasury full knowledge of their condition and business, with the view to supervise and control their acts as far as the interest of the Government is concerned. In addition to these, it contains other and important provisions, which I shall not enumerate, because they do not fall within the scope of the objections that I propose to urge against the measure.

Now I ask what does all this amount to? What but a proposal on the part of the Government, to enter into a contract or bargain with certain selected State banks, on the terms and conditions contained. Have we the right to make such a bargain in the first question; and to that, I give a decided negative, which I hope to place on constitutional grounds, that cannot be shaken. I intend to discuss it, with other questions growing out of the connection of the Government with the banks, as a new question, for the first time presented for consideration and decision. Strange as it may seem, the questions growing out of it, as it has existed, have never yet been presented or investigated in reference to their constitutionality. How this has happened, I shall now proceed to explain, preparatory to the examination of the question which I have proposed.

The union of the Government and the banks was never legally solemnized. It originated shortly after the Government went into operation, not in any legal enactment, but in a short order of the Treasury Department, of not much more than half a dozen lines, as if it were a mere matter of course. We thus glided imperceptibly into a connection, which was never recognized by law till 1816, (if my memory serves), but which has produced no more important after consequences, and has had a greater control over the destiny of this country, than any of the mighty questions which have so often and deeply agitated the country. To it may be traced, as their seminal principle, the vast and extraordinary expansion of our banking system, our excessive import duties, unconstitutional and profuse disbursements, the protective tariff, and its associated system for expending what it threw into the Treasury, followed in time by a vast surplus, which the utmost extravagance of the Government could not dissipate, and finally, by a sort of retributive justice, the explosion of the entire banking system, and the present wretched condition of the currency, now the subject of our deliberation.

How a measure, fraught with such important consequences, should at first, and for so long a time, have escaped the attention and investigation of the public, deserves a passing notice. It is to be explained by the false conception of the entire subject of banking, which at that early period universally prevailed in the community. So erroneous was it, that a bank note was then identified in the mind of the public with gold and silver, and a deposit in bank was regarded as under the most safe and sacred custody that could be devised. The original impression, derived from the Bank of Amsterdam, where every note or certificate in circulation was honestly represented by an equal and specific quantity of gold or silver in bank, and where every deposit was kept as a sacred trust, to be safely returned to the depository, when demanded, was extended to banks of discount, down to the time of the formation of our Government, with but slight modifications. With this impression, it is not at all extraordinary that the deposit of the revenue in banks for safe-keeping, and the receipt of their notes in the public dues, should be considered a matter of course, requiring no higher authority than a Treasury order; and hence a connection with all the important questions belonging to it, and now considered of vast magnitude, received so little notice, till public attention was directed to it by its recent rupture. This total separation from the system,

in which we now find ourselves placed, for the first time, authorizes and demands that we shall investigate freely and fully, not only the consequences of the connection, but all the questions growing out of it, more especially those of a constitutional character; and I shall, in obedience to this demand, return to the question from which this digression has carried me so far.

Have we, then, the right to make the bargain proposed? Have we the right to bestow the high privileges, I might say, prerogatives, on them of being made the depositaries of the public revenue, and of having their notes received and treated as gold and silver in the dues of the Government and in all its fiscal transactions? Have we the right to do all this in order to bestow confidence in the banks, with the view to enable them to resume specie-payments? What is the state of the case? The banks are deeply indebted to the country, and are unable to pay; and we are asked to give them these advantages, in order to enable them to pay their debts. Can we grant the boon? In answering this important question, I begin with the fact, that our Government is one of limited powers. It can exercise no right but what is specifically granted; nor pass any law, but what is necessary and proper to carry such power into effect. This small pamphlet (holding it up) contains the Constitution. Its grants of power are few and plain; and I ask gentlemen to turn to it, and point out the power that authorizes us to do what is proposed to be done, or to show that to pass this substitute is necessary to carry any of the granted powers into effect. If neither can be shown, what is proposed cannot be constitutionally done; and till it is specifically pointed out, I am warranted in believing that it cannot be shown.

Our reason is often confounded by a mere name.—An act, in the minds of many, may become of doubtful constitutional authority, when applied to a bank, which none would, for a moment, hesitate to pronounce grossly unconstitutional, when applied to an individual. To free ourselves from this illusion, I ask, could this Government constitutionally bestow on individuals, or a private association, the advantages proposed to be bestowed on the selected banks, in order to enable them to pay their debts? Is there one who bears me who would venture to say, yes, even in the case of the most extensive merchant or mercantile concern, such as some of those in New York, or New Orleans, at the late suspension, whose embarrassments involved entire sections in distress? But, if not, on what principle can a discrimination be made in favor of the banks? They are local institutions, created by the States for local purposes, composed, like private associations, of individual citizens, on whom the acts of the State cannot confer a particle of constitutional right, under this Constitution, that does not belong to the humblest citizen. So far from it, if there be a distinction, it is against the banks. They are removed farther from the control of this Government than the individual citizens, who, by the Constitution, are expressly subject to the direct action of this Government in many instances; while the State banks, as constituting a portion of the domestic institutions of the States, and resting on their respective rights, are entirely beyond our control; so much so, as not to be the subject of a bankrupt law, although the authority to pass one is expressly granted by the Constitution.

On what possible ground, then, can the right in question be placed, unless indeed, on the broad principle that those local institutions, intended for State purposes, have been so extended, and have so connected themselves with the general circulation and business of the country, as to effect the interest of the whole community, so as to make it the right and duty of Congress to regulate them; or, in short, on the broad principle of the general welfare? There is none other, that I can perceive; but this would be to adopt the old and exploded principle, at all times dangerous, but pre-eminently so at this time, when such loose and dangerous conceptions of the Constitution are abroad in the land. If the argument is good in one case, it is good in all similar cases. If this Government may interfere with any one of the domestic institutions of the States, on the ground of promoting the general welfare, it may with others. If it may bestow privileges to control them, it may also appropriate money for the same purpose; and thus a door might be opened to an interference with State institutions, of which we of a certain section ought at this time to be not a little jealous.

The argument might be pushed much farther. We not only offer to confer great and important privileges on the banks to be selected, but, in turn, ask them to stipulate to comply with certain conditions, the object of which is to bring them under the supervision and control of this Government. It might be asked, where is the right to purchase or assume such supervision or control? It might be repeated that they are State institutions, incorporated solely for State purposes, and to be entirely under State control, and that all supervision on our part is in violation of the rights of the States. It might be argued that such supervision or control is calculated to weaken the control of the States over their own institutions, and to render them less subservient to their popular and local interests, for the promotion of which they were established; and too subservient to other, and, perhaps, conflicting interests, which might feel but little sympathy with those of the States. But I forbear. Other, and not less urgent, objections claim my attention. To dilate too much on one would necessarily sacrifice the claim of others.

I next object, that whatever may be the right to enter into the proposed bargain, the mode in which it is proposed to make it is clearly unconstitutional, if I rightly comprehend it. I am not certain that I do; but if I understand it rightly, the plan is for the Secretary of the Treasury to select twenty-five State banks, as described in the substitute, which are to be submitted to the two Houses to be confirmed, or rejected, by their joint resolutions, without the approval of the President; in the same mode as they would appoint a chaplain, or establish a joint rule for the government of their proceedings.

In acting on the joint resolution, if what I suppose be intended, each House would have the right, of course, to strike from it the name of any bank and insert another, which would in fact vest in the two Houses the uncontrollable right of making the selection. Now, if this be the mode proposed, as I infer from the silence of the mover, it is a plain and palpable violation of the Constitution. The obvious intention is, to evade the veto power of the Executive, which cannot be, without an infraction of an express provision of the Constitution, drawn up with the utmost care, and intended to prevent the possibility of evasion. It is contained in the 1st article, 7th section, and the last clause, which I ask the Secretary to read:

"Every order, resolution, or vote, to which the concurrence of the Senate and House of Representatives may be necessary, (except on a question of adjournment) shall be presented to the President of the United States, and before the same shall take effect, shall be approved by him, or being disapproved by him, shall be repassed by two-thirds of the Senate and House of Representatives, according to the rules and limitations prescribed in the case of a bill."

Nothing can be more explicit, or full. It is no more possible to evade the Executive veto, on any joint vote, than in the passage of a bill. The veto was vested in