

WILLIAM C. DOUB, EDITOR AND PROPRIETOR.

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THE PRESIDENT'S VETO MESSAGE.

SPEECH OF HON. G. F. BADER, IN THE SENATE, MAY 11, 1854.

On the President's Message vetoing the bill granting land to the several States for the relief of the indigent insane.

Mr. President: The Constitution of the United States has provided that when the President shall have recommended to the House and Senate a bill...

er to dispose of the territory or other property belonging to the United States. The territory, therefore, is treated as the "property of the United States."

Now, sir, the United States, thus owning this territory, had what? Why, had like every other owner, the right to dispose of it—the jus disponendi—the power of alienation.

Now, what disposition have the United States made of this territory? They have granted to Congress the power to dispose of it. The jus disponendi, whether it was that which belonged to the United States in its political capacity as a nation...

It is manifest, then, Mr. President, that when the question arises with regard to the power of Congress, under the clause which stands in the Constitution, it is a question as to the power of the President, who affirms that there is any particular limitation upon this power of disposing of lands to show it. The power is exclusive in Congress. It is a question as to the power of Congress, not as to the power of the President.

Mr. President, I think that a substantial work of government, in relation to another subject, furnishes a very clear and safe ground for interpreting this grant of power, and supports the general view I have taken.

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other than those necessary and inevitable restrictions suggested by Mr. Calhoun, how does it happen that the power to dispose of the public lands, granted in equally broad terms, is not exercised in its fullness with the treaty-making power...

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domestic conduct, than a grant made by my honorable friend from Illinois, who sits beside me, [Mr. SIMMONS] to myself of \$10,000, to be applied for promoting and advancing my sons, for educating them, for giving them out as apprentices, for teaching them printing, or for giving me marriage portions to my daughters, would be an invasion of my right to control and direct my own family.

Mr. President, if there is any apparent force in the reasoning which I use to resist what has been done from almost the cradle of our government, I have before me a list of grants of land to States for various objects, approved by General Jackson and Mr. Polk during the time they were at the head of the government, in which such conditions, or conditions liable to equal objection, were imposed.

If these acts are looked through, it will be found that Congress uniformly undertakes to direct what shall be done with the property which grants, to what purposes shall be applied, and prohibits its being applied to any other purposes. These grants are innumerable. I have tables of them here, but I will not fatigue the Senate by going over them.

Mr. President, I think that a substantial work of government, in relation to another subject, furnishes a very clear and safe ground for interpreting this grant of power, and supports the general view I have taken.

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than saying that this, like all our powers, is a public trust, or we hold for the common benefit of the different members of the Union. Well, if we do not grant the lands, which we hold as a trust for the common benefit of the members of the Union, it is not a trust for whom we hold them as trustees? It is not a curious argument? It is first said that the United States are not owners of these lands, have no true property or dominion over them, but hold them in trust for the benefit of the members of the Union.

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constitutional vision of the prerogative of the President, and this being done, that every thing is accomplished which is necessary and it becomes a matter of no importance what becomes of the domain or what purposes it is practically applied to.

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