

# RALEIGH STAR, and North Carolina Gazette.

"NORTH CAROLINA—Powerful in moral, in intellectual, and in physical resources—the land of our sires, and the home of our affections."  
VOL. XXXI } NO. 1.  
RALEIGH, N. C. WEDNESDAY, JAN. 1, 1840.

HUGH McQUEEN }  
THOS. J. LEMAY } Editors.

THOS. J. LEMAY,  
Proprietor.

TERMS.—  
Three dollars per annum  
in advance.  
Residing without the State will  
pay the whole amount of the year's  
in advance.  
ADVERTISING.—  
Square not exceeding 16 lines this  
first insertion, one dollar; each sub-  
sequent, twenty-five cents.  
Advertisements of Clerks and Sheriffs  
inserted at 25 per cent. higher; and a de-  
crease of 50 per cent. will be made for  
letters for advertisements by the year.  
The Editor must be paid.

## DR. W. EVANS' PILLS

"The Riches of Life is Health."  
The health and the ability to labor  
are the wealth of the great masses of the  
people, as in most other countries. To  
preserve that health by natural means  
moral and political reform, to fulfill  
the most important duty of the human  
organism, and universal approbation  
of the medicine has achieved throughout  
the States, the Canada, Texas, Mexico  
and India fully justify Dr. Evans' Pills  
as a conscientiously recommending them  
in attention of the afflicted.

Dr. Evans has spent much time in experi-  
menting different vegetable medicines, for  
the liver, and now offers his Pills as  
"the best, most convenient, and  
effective" that can be prepared for gen-  
eral use.

The quality of his vegetable Pills is that  
the alterative principle combined with  
the most powerful cathartics, so that  
they cleanse the stomach and bowels by  
regulating the liver, changing the  
secretions, strengthening the digestive  
organs, invigorating the circulation,  
and so on, to the nervous system.  
The pills are pleasant in their opera-  
tion, and do not produce any violent  
effects from their first dose. They can be  
taken with safety by persons of any age,  
and are the most powerful and the most  
effective of any medicine ever known.  
They clear the system of bad humors,  
and invariably produce health.

Dr. Evans' Pills are a sure remedy for  
sick and nervous headache, dyspepsia,  
a sickness of the stomach, heartburn,  
flatulency, fevers of all kinds, and  
all the complaints which attend the  
disorder of the liver, and the  
disorder of the bowels, and the  
disorder of the nervous system. They  
are in nervous and hysterical affec-  
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the reverse of all this. For hundreds of years,  
before that scourge of mankind, 'Mercury,' was  
employed in the healing art, Physicians used  
nothing but simple herbs. Even the Bible re-  
commends as the 'skillful physician' the who pre-  
scribes his medicines from herbs. Witness Ec-  
clesiasticus, chap. xlii.

Y. S. The skillful physician shall lift up his  
head; and in the sight of the great men he shall  
be in admiration.  
Y. 4. For he hath prepared his medicines out  
of the herbs of the earth, and he that is wise  
will not show them.  
MOFFAT'S VEGETABLE LIFE MEDI-  
CINES possess qualities of the most mild and  
beneficial nature. They are composed of arti-  
cles the most anti-poisonous, combined with in-  
gredients known as the only certain antidotes for  
fevers of every description. When the disease  
is produced either from cold, obstruction, bad  
air, swampy and camp situations, or putrid ma-  
laria, whether malignant or epidemic, or by other  
causes, these medicines are certain in their  
operation or effect. They are possessed of pec-  
uliar qualities which not only expel the disease out  
at the same time restore and invigorate the  
system. When first taken into the stomach  
they immediately diffuse themselves like va-  
por through every pore, producing effects at  
once delightful, salutary and permanent. When  
the spark of life begins to grow dim, the cir-  
culation languid, and the faculties paralyzed, these  
medicines are found to give a tone to the nerves,  
exaltate the animal spirit, invigorate the body,  
and reanimate the whole man.

THE LIFE MEDICINES have also been  
used with the most happy success in Nervous  
and diuretic diseases, Consumption, Asthma,  
Liver complaint, Rheumatism (chronic and in-  
flammatory), Dropsy, &c. &c.

For further particulars of the above medicine,  
see Moffat's good Samaritan; a copy of which  
accompanies the medicine. A copy can also be  
had on application at the office of W. M. PECK,  
Raleigh, N. C., agent for the sale of the medi-  
cine.

A liberal deduction made to those who pre-  
fer to sell again. French, German, and Span-  
ish directions, can be obtained, on application  
at the office of the proprietor, W. H. Moffat—  
No 367, New York.

Dr. Wm. Evans Celebrated  
Camomile and Apperient Anti  
Bilious Pills.

For Consumption, Coughs, and Colds, bil-  
ious diseases, liver complaint, dyspepsia, bil-  
ious diseases, piles, ulcers, female weakness,  
and all diseases of hypochondriacal, low spir-  
its, palpitation of the heart, nervous irrita-  
bility, nervous weakness, four albus, semina-  
weakness, indigestion, loss of appetite, heart-  
burn, general debility, bodily weakness, eph-  
rosis or green sickness, flatulency, hysterical  
faintings, hysterics, headaches, hiccup, sea  
sickness, nightmare, rheumatism, asthma, tic  
doloureux, cramp, spasmodic affections, and  
those who are victims to that most excruciat-  
ing disorder Gout, will find relief from their  
suffering, by a course of Dr. Evans' medi-  
cine.

Dr. Wm. Evans' Soothing Syrup  
For Children Teething—Prepared  
by Himself.

TO MOTHERS AND NURSES.

The passage of the Teeth through the gums  
produces troublesome and dangerous symptoms,  
it is known by mothers that there is great irri-  
tation in the mouth and gums during this process.  
The gums swell, the secretion of saliva is in-  
creased, the child is seized with frequent and  
sudden fits of crying, watchings, starting in the  
sleep, and spasms of peculiar parts; the child  
throws up with extreme violence, and thrusts its  
fingers into its mouth. If these precursive  
symptoms are not speedily alleviated, spasmodic  
convulsions universally supervene, and soon  
cause the dissolution of the infant. If mothers who  
have their little babes afflicted with these dis-  
tressing symptoms, would apply Dr. William Evans'  
Celebrated Soothing Syrup, which has preserved  
hundreds of infants when thought past recovery,  
from being suddenly attacked with that fatal  
malady, convulsions.

A Real Blessing to Mothers.  
Dr. W. Evans' Celebrated Soothing  
Syrup, For Children Cutting their  
Teeth.

This infallible remedy has preserved hundreds  
of Children, when thought past recovery from  
convulsions. As soon as the Syrup is rubbed on  
the gums, the child will recover. This preparation  
is so arranged, as to be pleasant to the child,  
and will not refuse to let its gums be rub-  
bed with it. When infants are at the age of four  
months, though there is no appearance of teeth,  
one bottle of the Syrup should be used on the  
gums, to open the pores. Parents should never  
be without the Syrup in the nursery where there  
are young children, for if a child wakes in the  
night with pain in the gums, the Syrup immedi-  
ately gives ease by opening the pores and healing  
the gums; thereby preventing Convulsions, Fe-  
vers, &c.

Dr. Evans' Soothing Syrup.  
To the Agent of Dr. Evans' Soothing Syrup:  
Dear Sir—The great benefit afforded to my suffer-  
ing infant by your Soothing Syrup, in a case of  
obstinate and painful dentition, must convince  
every feeling parent, how essential an early appli-  
cation of such an invaluable medicine is to relieve  
infant in agony and torture. My infant, while  
teething, experienced such acute sufferings, that  
it was stupified with a convulsion, and my wife  
and I were obliged to send for a child-woman to  
relieve the babe from anguish; but we procured a  
bottle of your Syrup; which as soon as applied to  
the gums a wonderful change was produced, and  
after a few applications the child displayed obvious  
relief, and by continuing in its use, I am glad to  
inform you, the child has completely recovered,  
and no recurrence of that useful complaint has  
since occurred; the teeth are emanating daily  
and the child enjoys perfect health. I give you  
my cheerful permission to make this acknowl-  
edgment public, and will give any information  
on this circumstance.

W. M. JOHNSON.  
A gentleman who has made trial of Dr. W.  
Evans' Soothing Syrup, in his family, (in case  
of a teething child,) wishes to state that he  
found it entirely effectual in relieving pain in the  
gums, and preventing the consequences which  
sometimes follow. We cheerfully comply with  
his request.—[N. York Sun.]

We believe it is generally acknowledged by  
those who have tried it, that the Soothing Syrup  
for Children Cutting Teeth, administered in nu-  
merous cases, is highly beneficial for the pur-  
poses for which it is intended. Highly recom-  
mended, at any rate, who have made use of  
it, do not hesitate to give its virtues the sanction  
of their names.—[Boston Traveller.]

A severe Case of Teething with  
Summer Complaint.

It is a singularly interesting case, re-  
ported by the Indolent American Soothing Syrup  
of Dr. W. Evans, Mex. Melbourne, residing at  
No. 8, Madison street, called a few days since  
the medical office of Dr. W. Evans, 100 Chatham  
street, N. Y., and purchased a bottle of the Syrup  
for his child, who was suffering from a severe  
case of teething, and the process of dentition, be-  
coming more and more violent, its bowels  
were exceedingly loosed, and no food could be  
retained on the stomach. It was immediately  
applied, and the alarming symptoms entirely  
ceased, and by continuing the use of the Syrup  
the gums, the bowels in a short time became

quite natural. As a tribute of gratitude for the  
benefit afforded the child, the mother came of  
her own accord, and freely sanctioned publicity to  
the above. Pray be particular in applying at  
100 Chatham street, as there are several exten-  
sive advertisements. No other place in the city  
has the genuine for sale.

Important to Mothers.—Children generally  
suffer much uneasiness from the cutting  
of their teeth. Whatever dangerous or fatal  
symptoms attend this process of nature they are  
produced invariably from the highly irritated and  
inflamed condition of the parts—therefore the  
principal indications of cure are to abate the in-  
flammation, and to soothe, soothe, and relax the  
gums. If that is effected the infant is preserved  
from subsequent fever, inflammation, spasmodic  
cough, twitching of tendons, convulsions, and  
other dangerous consequences. If mothers, nurses, or guardians have their babies  
tormented with painful and protracted dentition,  
and this notice attracts their attention, they should  
not be deterred from purchasing a bottle of  
EVANS' SOOTHING SYRUP

for Children Teething, the incomparable virtue  
of which, in completely relieving the most dis-  
tressing cases (when applied to the infant's gums  
as directed) is invaluable. The remedy has re-  
stored thousands of children when on the verge  
of the grave, to the embraces again of their dis-  
tressed parents, attacked with that awful and mor-  
tiferous malady—convulsions.

AGENTS.  
Wm. M. Mason & Co. Raleigh.  
S. Hall, Newbern.  
J. M. Redmond, Yarrowburgh;  
H. D. Mechen, Washington;  
F. S. Macchall, Halifax;  
Spotswood & Robertson, Petersburg;  
C. Hall, Norfolk;  
A. Duval, Richmond;  
Lewis Johnson, Washington, D. C.  
Merriam & Mearns, Baltimore.

DOINGS IN TENNESSEE.

There has been a series of events  
occurring in Tennessee, and especially in  
the Legislature thereof, within the  
last three or four weeks, some of which  
are exceedingly laughable, and others  
well fitted, as the Montreal Courier  
said a few days ago, to make a sensi-  
ble man "grope and dash his feet  
against a stone wall." The beginning  
was farcical—but the ending turned  
out anything but a farce.

The play was opened by the intro-  
duction of a batch of instructing res-  
olutions, six in number; but the fun was  
all built upon the second, which was a  
point-blank direction to the senators of  
the State in Congress to vote for the  
sub-Treasury in all its parts and provi-  
sions. When this resolution was  
read up and gravely proposed a substitute  
in the words following, to wit:

Resolved, That a corporation is much safer than  
any individual agent, however responsible he  
may be, because it consists of an association of in-  
dividuals who have thrown together their aggregate  
wealth, and are bound in their corporate character to  
the extent of their whole capital stock for the de-  
posit, and that is the opinion of this General As-  
sembly that the heaviest security which the wealth-  
ful individuals can give would not make the  
public deposits safe at the point of a large col-  
lection.

A mingled expression of wonder and  
contempt for the audacity of the mover  
—Mr. Anderson—rested upon the vis-  
ages of the majority, and some of them  
even smiled at what they considered  
his folly in proposing that which, he  
must know, would be instantly voted  
down; but the smiles were quickly  
changed to blank looks of chagrin and  
confusion, when it was whispered about  
that the resolution was verbatim a re-  
petition of a certain declaration once  
made on the floor of Congress by—no  
less a personage than his excellency  
Governor Polk, now the most stren-  
uous denouncer of all corporations as in-  
safe and irresponsible.

What was to be done? The majority  
could not, in conscience, repudiate the  
doctrine so boldly advanced by their  
file-leader—but neither could they vote  
in favor of the amendment, because, if  
they did, they voted against the sub-  
Treasury. There was silence among  
them for a time, while the mischievous  
Mr. Anderson looked gravely on, en-  
joying his joke and their dilemma; but  
at length a Mr. Youkum whispered,  
"lay it on the table." The hint was  
caught at, and the perplexing substi-  
tute was laid on the table accordingly.

But Mr. Anderson was ready with  
another, as follows:  
Resolved, That we have confidence in the ability  
and capacity of the State banks to perform all  
the duties of fiscal agents for the Government.

This time the majority members were  
suspicious; and, by rubbing up their  
memories a little, some of them called  
to mind the origin of the sentiment—  
one of General Jackson's annual mes-  
sages. "Lay it on the table," again  
murmured Mr. Youkum, himself scarcely  
able to maintain his gravity; and laid  
on the table it was.

But Mr. Anderson's budget was not  
yet exhausted. He was on his legs in  
a moment, with this resolution as a sub-  
stitute.  
Resolved, That the Independent Treasury is  
disorganizing and revolutionary, and subversive of  
the fundamental principles of our Government, and  
of its entire pacific from 1798 down to this day;  
and that it is as palpable as the sun that the effect  
of the sub-Treasury would be to bring the public Treas-  
ury much nearer the actual custody and control of  
the President, and expose it to be plundered by a  
hundred hands where one under the late system  
could reach it. In such event, we should feel  
that the People had just cause for alarm, and ought  
to give their most watchful attention to such an  
effort to enlarge Executive power, and put in its  
hand the means of corruption.

"Where does that come from?" ques-

ed one of the majority to his neigh-  
bor, and the vexatious answer was,  
"from the columns of the Globe—the  
official paper—the organ of the party  
at Washington." This time risibility  
could not be restrained, a snigger ran  
through the house, and Mr. Youkum's  
"lay it on the table" was scarcely au-  
dible, so whimsical was the dilemma  
in which he and his friends were involv-  
ed. They succeeded, however in slay-  
ing it on the table," and, after that, in  
passing their whole batch of resolu-  
tions.

It would seem moreover, that some of  
them were disposed to make up for  
their past annoyances by giving a fin-  
ishing touch to their triumph. It was  
not enough to endorse the sub-Treas-  
ury only—but they must needs tack on  
another resolution, endorsing the whole  
policy of the Administration, past,  
present, and to come—the *sic volo, sic  
jubeo* of the President being the essen-  
ce of their political creed, as became faith-  
ful knights of the collar. So they com-  
pleted their batch with the following:

Resolved, That this General Assembly doth  
heartily approve of the leading measures and policy  
of the Administration of Andrew Jackson and  
Martin Van Buren, and our Senators in Congress  
are hereby instructed, and our Representatives re-  
quested, to support, in good faith, the leading  
measures and policy as brought forward and ad-  
vocated by the present President of the United States,  
and to use all fair and proper exertions to carry out  
and accomplish the same.

But the instructions were not yet  
quite out of the woods. Mr. Revuan, a  
Whig member, had got another shot  
ready for them, and he let them have  
it just before the vote was taken  
on the whole matter, in the follow-  
ing additional preamble and resolu-  
tion:

Whereas in the year 1820, at the suggestion of  
the venerable Nat. Macon, a committee was ap-  
pointed in the Senate of the United States to take  
into consideration the reduction of the patronage of  
the Gen. Government, of which committee Thomas  
H. Benton was chairman, and Martin Van Buren &  
Hugh L. White, and other distinguished friends of  
Gen. Jackson, were members; and whereas said  
committee made a report accompanied by six bills,  
which report and bills are recognized as the sound  
and wise basis of the present constitution

of the Government, and our representatives are re-  
quested, to use all fair and honorable means to ad-  
vance the principles of that report carried out in the  
administration of the Government; and also to secure  
the passage of said bills, which are of the following  
titles, to wit:

1. A bill to regulate the publication of the laws  
of the United States and the public advertisements.
2. A bill to secure in office faithful collectors and  
disburers of the public revenue, and the dis-  
placement of defaulters.
3. A bill to regulate the appointment of postmas-  
ters.
4. A bill to regulate the appointment of cadets.
5. A bill to regulate the appointment of midship-  
men.
6. A bill to prevent the military and naval offi-  
cers from being dismissed at the pleasure of the  
President.

This was worse than either of the am-  
endments, practically, although less  
perceptibly in the teeth of what the ma-  
jority were doing and proposing at the  
moment. It was a blow at executive  
patronage and influence—a shaft aimed  
at the very vitals of the party in power,  
and feathered from the wings of the  
party's largest birds. What was to be  
done with it? "I move the previous  
question," shouted one of the members;  
and by the aid of the previous question  
this new stumbling block was disposed  
of.

N. Y. Commercial Advertiser.

For the Raleigh Star.

The controversy in regard to the right  
of the New Jersey members to seats in  
the House of Representatives, which now dis-  
tracts that House, and threatens to agitate  
the country, is of deep interest and may  
well claim, as it receives, the attention of  
the whole people. A few reflections, how-  
ever, I think must show, that it is not  
very difficult to decide. By the constitu-  
tion of the United States, Congress may,  
if it think proper, make regulations as to  
the time, place and manner of holding elec-  
tions for Representatives. Unless and  
until Congress shall make such regula-  
tions, the time, place and manner of elec-  
tions, "shall be prescribed in each State  
by the Legislature thereof." Art. 1, sec.  
4, Con. U. S. Congress has never passed  
any law, or established any regulations,  
upon the subject. But each State, in ob-  
edience to the injunction in the clause of  
the constitution before referred to, has  
enacted laws, directing when, where, and  
in what manner elections shall be held for  
members of congress, and how the result  
shall be certified to the House of which  
they are members. These regulations are  
not required to be uniform; and we there-  
fore find that the manner, not only of elec-  
tions, but of certifying the choice of the  
majority is different, in different States.  
In Virginia, for example the certificates of  
the sheriffs are by her laws made the sole  
evidence of a title to a seat in the House  
of Representatives in the Congress of the  
United States, if it is election to either  
branch of the State Legislature; while by  
the laws of other States, as North Caroli-  
na and New Jersey, the returns of the sher-  
iffs are not sufficient to shew membership  
in the House of Representatives, as they  
are in the State Legislatures, but the Gov-  
ernors of the States are empowered and re-  
quired to issue a commission certifying the

appointment of each person as a repre-  
sentative. In these latter States, there-  
fore, the Governor appointed the return-  
ing officers, for members of Congress; and  
their returns, made in due form, are en-  
titled to at least as much respect in the  
body to which they are sent, as are those  
of the sheriffs in the General Assembly.  
In ascertaining how much that should be  
we can be at no loss, if the history and  
practice of Parliamentary Assemblies in  
England and America be taken as our  
guide. The rule in the British Parliamen-  
tary is laid down in the following plain lan-  
guage, which cannot be misunderstood or  
misapplied. "If a sheriff shall return one  
—for knight of the shire who was unduly or  
not at all elected, yet he that is so re-  
turned remains a member of the House  
—till his election be declared void." Lex  
Parliamentaria 229.—a work every where  
cited by Mr. Jefferson in his Manual, as a  
book of authority. Can an instance be  
found in the proceedings of the Legisla-  
tures of any of the States where a person  
who bore the certificate of the sheriff, has  
not been allowed to take his seat as a mem-  
ber, either on the ground of fraud in the  
elections, false returns, or any other of  
the numerous causes which give rise to  
contested elections? On the contrary has  
not the uniform practice been, both in the  
State Legislatures and in Congress, to re-  
ceive in the first place, him who had the  
formal and legal evidence of title to a  
seat, and to refer all questions of contest-  
ed seats, no matter how arising, to the de-  
cision of the House after it is organized as  
a Legislative body? If such high regard is  
paid to the certificate of the sheriff, much  
more would it seem to be due to the com-  
mission of the Governor under the great  
seal of the State. It is the most authentic  
and solemn emblem, by which persons  
claiming to be members from one State can  
accredit themselves to their fellow mem-  
bers from other States whom they meet,  
for the first time on the floor of Congress.

The whole people of New Jersey cannot  
conveniently go to Washington to proclaim  
with one voice whom they have chosen to  
represent them there. And if assembled  
on Capitol Hill, they could not be heard,  
under the compact of the present constitu-  
tion, by the people of New Jersey have de-  
clared to the people of all the other States  
that they will not ask to be heard viva voce  
at the opening of each Congress in an-  
nouncing who shall be her Representatives  
therein, but that those whom she sends will  
bear a letter missive from the highest offi-  
cer in the State attested by his signature  
and the great seal. These she requires to  
be received on her part by members from  
the other States, as they may hope to be  
received and recognized by her members,  
and the evidence of election, which their  
States may have severally prescribed. If  
this evidence be rejected, no certificate  
from any subaltern officer can be received  
—no law provides for that—nothing less  
than testimony of sworn witnesses, liable  
to cross-examination, can be admitted to  
decide the right. But who can compel  
a attendance of witnesses? What officer  
shall issue or serve a summons, or ar-  
rest and bring before the assembled mem-  
bers an obstinate witness? Who shall ad-  
minister to him an oath when he appears?  
The Parliamentary law and usage tell us  
clearly how all these things may be done.  
After a House has been constituted by the  
usual and regular course, but we read  
of no mode of effecting them before the ap-  
pointment of a Speaker and other officers.  
I much question their right to punish for  
contempts, or to make any order binding  
any person whatever, before they are thus  
constituted, their mandates can only com-  
mand obedience when issued by their pre-  
siding officer under their orders; and they  
cannot substitute for this, their own ac-  
clamations, however loud, even though they  
were unanimous.

This mode of admission in the first  
instance exists of necessity. Otherwise it  
is an easy matter to prevent the organiza-  
tion of the House altogether and to dis-  
solve the Government. If the members  
of one State are objected to, by those from  
another, and for that reason are made  
to stand aside, and allowed no part in the  
business of the House, they have but to  
retaliate on their accusers, or charge an  
undue certificate on others, and they must  
abide by the same rule. And if the chal-  
lenges should extend to a majority, nothing  
can be done for want of a quorum.  
And thus the ridiculous and puerile spec-  
tacle would be presented of one half of  
the Representatives of a great nation  
standing "prisoners base" on one side of  
the Hall, and the other half, powerless to  
redeem them from thralldom, or to do any  
act for the public welfare. Each mem-  
ber has a perfect right to ask of another,  
"what constitutes you (in this preliminary  
stage of our proceedings) a judge over  
me?"—the answer if given in candor  
must be "the commission which I bear  
from the proper authority in my own State."  
He has an unquestionable right to rejoin,  
—"by a similar commission I have like  
powers over you, and equal privileges with  
you in every particular." The right to a  
seat then, does not depend upon the fact,  
that there is no adverse claim, for these  
might be made from the worst motives and  
without pretence of justice, against every  
member of the House. But upon the re-  
turn made by the officer appointed orthat

purpose by the laws of the State—until the  
House is organized, and until after such  
organization it shall by resolution vacate  
the seat of a member, this return is not  
merely *prima facie* but conclusive evidence  
for all practical purposes—the member in  
the mean time is not only privileged  
from arrest but may sit and vote like other  
members.

In Jefferson's Manual, page 115, it stated  
"Even in cases of treason, felony and  
breach of the peace, to which privilege  
does not extend as to substance, yet in  
parliament, a member is privileged as to  
the mode of proceeding. The case is  
first to be laid before the House, that it  
may judge of the fact and of the grounds  
of the accusation, and how far forth the  
"manner of trial may concern their privi-  
lege—otherwise it would be in the pow-  
er of other branches of the government  
—and even of every private man under  
pretence of treason &c. to take any man  
—from his service in the House, and so on  
—many, one after another, as would make  
the House what he pleaseth—Declara-  
tion of the Commons on the King's de-  
—clarating Sir John Hotham a traitor—  
"So when a member stood indicted for  
"felony it was adjudged that he ought to  
"remain of the House till conviction. For  
"it may be any man's case who is guiltless  
"to be accused of felony or the like  
"crime." In the latter days of the Stu-  
arts it seems to have been one of the de-  
vices of the crown for the suppression of  
freedom, to prefer criminal accusations  
against the liberal members of Parliament,  
with the hope of thus excluding them from  
the Legislature and stifling their voice in  
the cause of their country. Hence arose  
the necessity for that jealous provision to  
secure the attendance of members against  
all improper interference, without the  
House, which has just been recited.

Whether at this time and in this country,  
"any other branch of the Government or  
any private men" is desirous to take men  
from their service in the House and so  
many as would make the House what he  
pleaseth? I know not. It is quite certain,  
however, if any such desire were entertain-  
ed, it might be as effectually accom-  
plished, by allowing members to be exclu-  
ded, on a bare allegation of a false return  
of election, as by accusing them of crimes,  
which would render them liable to arrest  
and consequent exclusion. To all this  
it is objected that each House shall be the  
judge of the election returns and qualifi-  
cations of its members—see 5, art. 1st Con.  
This is at once admitted, but I think it  
has been already shewn, as well as demon-  
strated by the late experiment in the  
House—that this power of judging cannot be  
effectually exercised until the House is  
fully organized.

the returning officer may be guilty of fraud  
or falsehood, and these charges have been  
unscrupulously bestowed on the Governor  
of New Jersey. In a Representative Re-  
public, such as our Government the people  
exercise many of their powers by means of  
agents—these may abuse and pervert their  
powers, but their acts are nevertheless  
binding for the time being. To secure  
a faithful discharge of duty from the  
returning officers in elections for Con-  
gress, these are guarantees equal in force  
to those which are taken for the perfor-  
mance of any other official duties—the sher-  
iffs and inferior officers for failure or false-  
hood in making returns are liable to in-  
dictment and perhaps to action also. The  
Governor of a State is responsible to public  
opinion and liable to impeachment and  
disgraceful dismissal from office, if he  
shall be so far-fest to all sense of charac-  
ter as to certify a willful falsehood or to  
suppress the truth.

The only inconvenience which can pos-  
sibly result from giving credit to the cer-  
tificate, is that persons not duly elected  
may hold seats in the House for a brief in-  
terval until an investigation of the truth-  
fulness of their title can be had in the legal  
and customary method. Whereas if  
members with such certificates are not ac-  
credited, whole districts, nay even sov-  
ereign States may be divested of their Rep-  
resentation in one branch of Congress for  
an equal if not longer time, upon merely  
fictitious or whimsical allegations of fraud  
or falsehood in the election returns.

My purpose has been merely to consider  
the question involved in this contest as  
one of Parliamentary law, and to demon-  
strate what it is the duty of the House to  
do in the present circumstances, without  
knowing any of the facts attending the  
election, or the returns. It is proper, how-  
ever, to state, that I deem it altogether  
probable, that it will be shewn upon exam-  
ination, that the course I have indicated  
as the correct and only legal one to be  
pursued at present, will accord with the  
truth and justice of the case upon its merits.  
As these certificates to the members  
from New Jersey were given more than  
twelve months ago, since which time, the  
whole subject has been freely discussed  
among the people of that State; and the  
Governor and council who furnished them  
have been triumphantly re-elected to the  
offices which they then held.

HAMDEN.

The celebrated geologist, Dr. Buck-  
land, declared at the late meeting of the  
British Association for the advancement  
of science, that "the world appeared to  
him a temple of Deity, and if rightly in-  
terpreted, such would be the sense and  
feeling of every Christian lover of science,  
in his investigation of the glorious works  
of the Creator of all." It seems, there-  
fore, that Dr. B. finds nothing in geology  
to favor atheism or infidelity. This we be-  
lieve is the experience of all eminent geo-  
logists.

Phil. North American.