THOMAS J. LEMAY,
EDITOR AND PROPRIETOR.

TERMS.

Subscription, three dollars per annum—half in advance

Persons residing without the State will be required to pay the whole amount of the year's subscription in advance

RATES OF ADVERTISING.

For every square (not exceeding 16 lines) thirty nine type first insertion, one dollar; each subsequent insertion, twenty-five cents.

The advertisements of Clerks and Sheriffs will be charged 25 per cent. higher; and a deduction of 33½ per cent. will be made from the regular prices for advertisers by the year.

☞ Letters to the Editors must be post-paid.

To the Public.

Persons wanting LINSEED OIL or FLOUR by the Barrel or Load, will write to the subscriber at Enos Mills, Orange county.

THO. W. HOLDEN.

July 5, 1842 27 3t

Standard will insert three times.

A GOOD OFFER.

We do most respectfully request all those who are indebted to us for books, who find under the pressure of the times, that their situation is such, that they are unable to pay for them will please return them and add a few old ones to pay for the use and damage of them and let us balance the accounts, and not at us with Bankrupt notices

TURNER & HUGHES.

Raleigh, Sept. 1842 35 tf.

TO THE PUBLIC.

Having incurred the expense of purchasing a new Printing Establishment, in order that I might be the better enabled to publish a neat paper and give satisfaction to my friends, I deem this a fit occasion to call upon them for assistance. It is indeed difficult for a village paper to sustain itself in times of great political excitement, against the efforts of party, to sink it in public opinion, unless its supporters come to the rescue. I ask no *stipulated sum*—no *private contribution*. All I ask of friends, is the vindication of my paper, when assailed in my absence, and assuring for it, as many subscribers as the *cause* and my *exertions* in the support of that *cause* are entitled to.

Will my friends refuse to exert their influence in behalf of one who for the last *nine years*, has toiled night and day in advocating correct principles? One born and raised among them—one who commenced the world without the advantages of *fortune or education*, and who has been bitterly opposed at almost every step in life? Notwithstanding this opposition he has overcome *difficulties*, surmounted *obstacles*, and given all his *energies*, to defend the interest of this community, and the prosperity of his country.

For fear of being intrusive, I conclude by returning my sincere thanks to my Patrons for their generous encouragement, and trust they will long continue to support the "ROANOKE REPUBLICAN."

CHAS N. WEBB.

Halifax, N. C. July 20, 1842.

Swaim's North Carolina Executor,

CONTAINING the Statutes and common Law of this State, together with the decisions of the Supreme Court, and all the necessary forms and precedents.

Intended as a convenient Manual, and safe guide to Executors, Administrators, Guardians, Juries and Commissioners appointed by the Courts, Clerks, Sheriffs, and all other public officers. In short, it is intended for the benefit of all persons, public or private, who are, or possibly may be interested in the proper management of the estates of deceased persons with the least trouble and expense possible, according to the laws now in force For besides the legal matter above mentioned generally, it embraces the kindred subjects of Wills of Land and Personal Property, Legacies Distributive shares of Estates, Rules of Descent, Partition of Estates Real and Personal, among those entitled, Dower and other provisions for Widows, &c. &c.

Among the Forms it contains, are—all the necessary Legal process, Wills, Bonds, Oaths, Deeds, Bills of Sale, Leases, Forms of Account, Petitions, Affidavits, Advertisements, Commissions, Notices, Writs, Returns, Reports, &c. &c.—in all near a hundred in number. And is believed, by good judges, to be the largest, as well as the most practical and approved collection of Forms now extant.

This book has just been published. It contains 248 octavo pages, (same size as those of the "North Carolina Justices") well bound in *law binding*; and, in consequence of the scarcity of money, as well as to place it within the reach of every person, it is now offered for sale at the low price of $1 50 by retail. Merchants and others who buy a quantity to sell again, can have a reasonable reduction in the price.

☞ Apply at the Printing Office in Asheborough, Randolph county, N. C., or at the N. Carolina Book Raleigh

BENJAMIN SWAIM,
Author and Proprietor

December 8, 1841.

IF A GOOD PIANO FORTEE CAN

Be had of any one, North or South, there is no doubt but that it can be obtained of E. P. NASH Petersburg, Virginia, who has now on hand TWENTY-NINE INSTRUMENTS, of different prices, and is expecting FOUR more by the next packet. There is no risk in ordering Piano Fortes from the subscriber, as he feels himself every way bound to take back any instrument which perchance might prove defective

E. P. NASH, Petersburg, Va

March 22, 1843

PROSPECTUS
OF THE
MICROCOSM.

We enter to-day upon the 5th volume of our *little world*, which, soon after we had passed the 9th year of our age, we at a venture threw out among the Stars, and Suns and Worlds that roll and blaze in the universe of letters. We have endeavored to keep it strictly within its own proper orbit; and we believe it can tell that it has rushed madly against none, and has not even been brushed by the tail of a comet; that it still pursues its unoffending and unoffended course, animated with the hope, that under the patronage and smiles of the virtuous and the fair, it will one day or other shine as a star of the first magnitude. The task of conducting it, though arduous and expensive, has given us much pleasure, and, we trust, has afforded our readers some amusement and gratification. We promise renewed efforts to make our paper interesting; and we address ourself afresh to our labors, cheered by the conviction that whatever serves to give healthful exercise to the mind, or contributes in any degree to beguile us of our cares and promote cheerfulness and good humor, adds to the capital of human happiness, and cannot by the wise be lightly esteemed.

It will not, we presume, be displeasing to our readers to find the Microcosm, at the commencement of this new volume, in an enlarged form. As this improvement will greatly increase our labor and expense, without any additional tax to them, will it be unreasonable to expect that they will extend to us their assistance in procuring subscribers? We think not, and shall not be greatly surprised if we receive ere long from our friends in different quarters, long lists of names to be enrolled among our patrons, and if convenient, with the subscription money all snugly enclosed. We must also request those who are in arrears to make payment.

The subscription price is $1 50 per annum; and whoever will send us five subscribers, with the cash, shall receive the paper himself one year without charge.

We shall send a copy of this number to many who are not subscribers. Those who may not wish it continued, will please return it, and we'll take the hint

June 4, 1842

Address, Post-Paid
LEONIDAS B. LEMAY.
Raleigh, N. C.

NEW METHOD OF PROVING A GUN.

In the course of the examination of Lieut. Walker, before the Court Martial yesterday, he stated that, while engaged with the natives on Drummond's Island, "he told Mr. Field, who was one of the best shots among us, to demonstrate the efficiency of our arms."

Judge Advocate. Well, sir, how did you demonstrate the efficiency of your arms?

Witness. Oh, by shooting a native.

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. XXXIII — No. 38

RALEIGH N. C. WEDNESDAY, SEP. 28, 1842.

HOW CAN A PERSON JUDGE OF A PIANO BY THE OUTSIDE APPEARANCE?

ANY skillful Cabinet Maker can frame a beautiful Case, and these splendid outsides are frequently found to cover the poorest sort of insides—but it requires something more to make a good and durable ACTION, which is the most important matter connected with a Piano—a thing scarcely ever looked into—and how can a purchaser be a judge? The safest way is to take Pianos upon trial, and then you are sure to be on the safe side.

I have near THIRTY PIANO FORTES for sale at reduced prices, and I offer them upon trial—if they are good, keep them, if they are bad, return them.

E. P. NASH, Petersburg, Va.,
Dealer in Books and Piano Fortes.

19 tf

☞ *Opifer per Orbem dicor.* ☜

DOCTOR EVANS' MINISTERS TO THE DISTRESSED.

Evans' Camomile Pills.

This tonic Medicine is for nervous complaints: general debility, indigestion and its consequences, a want of appetite, distention of the stomach, acidity, unpleasant taste in the mouth, nervous symptoms, languor when the mind becomes irritable, desponding, thoughtful, melancholy and dejected. Hypochondriacism, consumption, dimness of sight, delirium and all other nervous affections, these Pills will produce a safe and permanent cure.

Prepared by DR. EVANS, 100 Chatham st. New York, and for sale in this place at

N. L. STITH'S
Apothecary Store.

Raleigh, March 25, 1842. 13 tf.

TO THE PUBLIC.

The Fall Session of my school, will commence on the 15th of next month, and close on the 15th of December following. A full and complete course of academical instruction will be imparted. Students prepared for the University.

D. W. KERR

Junto, N. C., June 11. 25 4t.

University of Pennsylvania.
MEDICAL DEPARTMENT.
Session of 1842-43.

THE Lectures will commence on Tuesday, the 1st of November, and be continued, under the following arrangement, to the middle of March ensuing.

Practice and Theory of Medicine, by NATHANIEL CHAPMAN, M. D.

Chemistry, by ROBERT HARE, M. D.

Surgery, by WILLIAM GIBSON, M. D.

Anatomy, by WILLIAM E. HORNER, M. D.

Institutes of Medicine, by SAMUEL JACKSON, M. D.

Materia Medica and Pharmacy, by GEO. B. WOOD, M. D.

Obstetrics and the Diseases of Women and Children, by HUGH L. HODGE, M. D.

A course of Clinical Lectures and Demonstrations, in connexion with the above, is given at the very extensive and convenient Infirmary called the Philadelphia Hospital.

Clinical Medicine, by W. W. GERHARD, M. D.

Clinical Surgery, by Drs. GIBSON and HORNER.

Dr. Horner continues in public attendance at the said Hospital until August 1st; and as the tickets of admission are issued for one year from November 1st, they remain valid for his course, and the other service of the house, until the time expires.

Clinical Instruction in Medicine is also given from the 1st day of November to the 1st day of March by Dr. Wood, in the Pennsylvania Hospital, an institution which is well known as one of the finest and best conducted Infirmaries in the United States.

The rooms for Practical Anatomy will be opened October 1st, and continued so to the end of March They are under the charge of Paul Beck Goddard, M. D., Demonstrator, with a supervision on the part of Dr. Horner.

Copious additions to the very extensive cabinets of Anatomy, Materia Medica, Chemistry, Surgery, and Obstetrics, have recently been made, and are in progress; the policy of the school being to give to its instructions, both Didactic and Clinical, a character as practical and influential as possible in imparting a sound Medical education.

The Professor of Materia Medica, besides his Cabinet, has an extensive and well furnished Conservatory, from which are exhibited, in the fresh and growing state, the native and exotic Medicinal Plants. W. E. HORNER, M. D.,
Dean of the Medical Faculty.

253 Chesnut Street, Philadelphia.

August 1st, 1842. 29 16w

NOTE.—A considerable number of the distinguished graduates of the school who are in connexion with the Medical Department of the Guardians of the Poor, and with the different Dispensaries and Beneficiary establishments of the city, give Clinical and Elementary Instruction through the year, in private, and in their rounds of practice, to such gentlemen as desire it.

THE WHIG ALMANAC
AND
UNITED STATES REGISTER,
FOR 1843.

WILL BE PUBLISHED on TUESDAY, September 20th, and ready for delivery to order It will contain,

1. AN ALMANAC FOR 1843 full and complete, with all the usual calculations, &c. &c.
2. THE PRINCIPLES AND MEASURES OF THE WHIGS, A plain and condensed statement of the points of difference between the contending parties in this country, embracing an exposition and defence of the views of the Whigs—(original)
3. An EXPOSITION AND DEFENCE OF THE PROTECTION OF HOME INDUSTRY, showing its Policy, Necessity and Benefits to the Laboring Men of this Country, and how it contributes to the Prosperity and Welfare of the People; (original, written expressly for this work;
5. OFFICIAL RETURNS OF ALL IMPORTANT ELECTIONS, in the several States and Counties of the Union, from 1836 downwards, including especially the vote of every State and County in the Presidential contest of 1840.
6. ANECDOTES, MISCELLANIES, &c.—A great variety;
7. TIMES OF HOLDING ELECTIONS in all the states, the number of Members of Congress and Electors of President to which each is entitled, &c &c.

THE WHIG ALMANAC will contain about 64 large and closely printed pages, on fine white paper neatly printed, and stitched in a printed cover. It will be sold for cash inflexibly at 12½ cents per single copy, $1 per dozen, $7 50 per hundered, or $65 per thousand. Orders enclosing cash are respectfully solicited by

GREELEY & McELRATH Publishers.
Tribune Office, Aug. 10, 1842.

☞ Three copies will be sent to any Editor who will publish the above advertisement and send us a marked copy of the paper.

A German emigrant named Peter Hines was killed on board of the canal boat Rose, on the 7th inst, near the Monroe Springs, Monroe county. The boat was passing under a bridge, and a large chest was forced upon him, as he was heaving it, crushing him to death instantly. A large flouring mill at Plattsburg N. Y. was totally destroyed by fire last week causing a loss of $10,000, on which only $4 000 was insured.

A Real Blessing to Mothers.

Dr. Wm. Evans' American soothing Syrup for children teething,

Prepared by Dr. Evans, 100 Chatham st.

And for sale at

N. L. STITH'S
Apothecary Store

Raleigh, March 25, 1842. 13 tf.

NOTICE.

SEALED Proposals will be received at the Executive Office of North Carolina, in Raleigh, until the 25th of May next, for making and constructing a STANDARD YARD MEASURE, and a complete sett of *Standard Ounce Weights*, for each county in the State, (ay seventy-one) corresponding exactly with the Standard Yard Measure and Ounce Weights furnished the State of North Carolina by the Secretary of the Treasury of the United States, and now in the Executive Office for inspection; to be encased in Cases of Mahogany or Walnut, similar to those in the Office, and each Case to be enclosed in a strong box for safe transportation, and to be delivered to the order of the Governor in Fayetteville, Raleigh, or other place to be agreed upon, on or before the 1st November next. The Governor reserves to himself the privilege of declining the bids, if he does not approve them. As it is believed the MATRIX to the Yard Measure may be dispensed with, Proposals will be received for that, with and without the Matrix.

JOHN M. MOREHEAD.

Raleigh March 25, 1842. 71 3w.

NOTICE.

J. J. UPCHURCH Respectfully informs the citizens of Raleigh and its vicinity that he has taken a shop at the "PEOPLE'S HOUSE" and is prepared to execute any work in his line of business, such as Engraving, Letter Cutting, Brand and Stamp making, Gun and Lock Smithing, Cane mounting, repairing Umbrellas and Parasols, &c. All of the above will be executed in the neatest manner and at the shortest notice, on reasonable terms.

The Subscriber is very solicitous for jobs, as he is a young man and very desirous of establishing himself in a business that will be useful to the community and profitable to himself. He therefore hopes his friends and the public will try him and give him a chance to "earn his bread by the sweat of his brow"

N. B. Cast Steel Letters and Figures always on hand for sale. J. J. UPCHURCH.

Raleigh, Sept. 14th, 1842. 36 1f

SPEECH OF MR. RAYNER,
OF NORTH CAROLINA,

On the veto of the Revenue Bill by the acting President, and on the proposition to so amend the Constitution as to restrict the veto power of the Executive.

Delivered in the House of Representatives, United States, August 18, 1842.

After some personal explanation between Mr. Rayner and Mr. Wise, Mr. Rayner went on to say, that he had listened attentively to the reading of the two minority reports on the veto message, on yesterday, and also to the speech of the gentleman from Virginia (Mr. Wise) today, and thus far he had heard nothing that deserved the name of argument. The impregnable positions of the report of the distinguished gentleman from Massachusetts (Mr. Adams) had not been answered, and could not be answered. Both of the minority reports of Messrs. Gilmer and C. J. Ingersoll, as well as the speech of the gentleman from Virginia, (Mr. Wise,) consisted, in the main, of a personal attack on the author of the report; and an attempt to disparage, by ridicule and vituperation, that which they could not answer by argument. The gentleman from Virginia, dreading the effect of this report on the country, has attempted to prejudice the popular mind against it, by denouncing it as a partisan paper, prepared with a view to ulterior results, by 'the acknowledged leader,' as he says, of the Whig party. What ground is there (said Mr. R.) for such a charge as this? If there is a member of this House, who is free from the bias and influence of parties as organized here, it is the gentleman from Massachusetts. Every gentleman who hears me knows that there is no member of the Whig party in this House who so often differs with and votes contrary to his party as the gentleman from Massachusetts. The gentleman from Virginia, in the wildness of his imagination, has conjured up this report into another great abolition movement; and, for the purpose of disparaging it in the South, has attempted to identify it with the peculiar opinions of the gentleman from Massachusetts on the subject of slavery. Is this a fair way of combatting argument Suppose the gentleman from Massachusetts does entertain peculiar notions about the right of petition—notions which I disapprove of and which I have heretofore combatted to the extent of my power—yet, does that disqualify him for a dispassionate consideration of a great question of constitutional law, involving rights of an entirely different character?

But, if it were true that the gentleman from Massachusetts were our leader, still we should have the benefit of unity of counsel and of action. We should be led by *one* leader; whilst the discordant materials of the Locofoco Tyler party are led by *two* commanders, with different purposes, and distracted counsels. If it were true that we had selected a leader who is tainted with the sin of abolition, still we should have nothing to fear in a contest with the coalition party, who have *two* leaders. One of whom, (Mr. C. J. Ingersoll,) I learn, does not hesitate to say, had he lived in the days of the Revolution, he would have been a tory: and the other, (Mr. Gilmer,) a nullifier of the South Carolina school. And when the conflict does come, no matter how it is to be decided, whether by argument or by an appeal to the God of battles, still I think we may rest secure. If by argument, we surely have no cause of alarm, after hearing read the puerile productions of our enemy's leaders—their puny efforts either to evade or ridicule truths they could not answer. If by physical force, if by a contest of *game*, those, who know the gentleman from Massachusetts, those who have so often witnessed his undertaken courage and unabating ardor, must admit, that, if his followers will obey him, victory must ultimately ensue to us; for, although he might be whipped, he never could be conquered.

The report of the gentleman from Virginia, (Mr. Gilmer,) although moderate and respectful in tone, is an ingenious evasion of the issue presented in the report of the majority. It is an arraignment of the motives and conduct of the Whig majority in this House. It is an attempt to throw all the blame of this protracted and fruitless session on the political majority here. It is a labored defence of the acting President, and an open advocacy of Executive supremacy. The gentleman has the merit of surrendering to power gracefully, at least. His report exhibits no reluctant yielding up, but a full, free, and unqualified surrender of the constitutional rights of the Legislature, at the feet of the Executive. I should have supposed that the ordinary *esprit du corps* common to all associated bodies, would have induced him to pause, at least, in an issue between the Legislature and the Executive; but instead of this, he not only defends every act of the acting President in his unprovoked war on the Legislative body, but has even gone out of his way to attempt to show that these assumptions by the former, are in accordance with the principles which he has heretofore professed. The gentleman says in his report: 'With regard to the constitutional convictions of the present incumbent of the Executive office, on some of the subjects to which they have been applied, it is undoubtedly true that they were known to those by whom he was nominated and elected to the second office of the Government, and by many of whom he is now bitterly denounced for being what they in the election proclaimed him to be." This may answer very well for the purposes of declamation, but does it accord with the facts? The acting President has arrested the action of Congress by four *positive* vetoes within one year—twice on the two Bank bills of the last session, and twice on the two Revenue bills of the present session; and one *quasi* veto on the Apportionment bill. In regard to his 'constitutional convictions' on the subject of a National Bank, in addition to his public sanction of the views expressed by General Harrison in his Dayton speech, we have the testimony of some of the best men in the country, that declared both at the Harrisburg convention and during the canvass afterwards, that he had changed his opinions on the constitutionality as well as necessity of such an institution. It is further proven, by the published testimony of members of the highest standing in this and the other House, that he not only expressed his approbation of the second Bank bill of the last session, but that some of its most material provisions were suggested by himself; and I learn there is now a gentleman on this floor, (Mr. Stuart, of Virginia,) who has in his possession a plan of a bank, interlined in the hand-writing of the acting President himself, so as to make it conform to his views. What were his 'constitutional convictions' on the subject of distribution of the land proceeds, as 'known to those by whom he was nominated and elected"—and the insertion of the section concerning which, is urged as one of the principal reasons for vetoing the Revenue bill? And this brings me to the consideration of the reasons given the message returning the bill, out of which have grown the report of the committee, and the resolution proposing such an amendment of the Constitution as will restrict the veto power, both of which have been so violently assailed.

Let us briefly examine the reasons assigned by the acting President in this last veto message returning the Revenue bill, and see whether they are in accordance with his 'constitutional convictions,' as known to those by whom the bill was passed. In addition to the reasons assigned in this last message, he tells us, 'for some of the reasons which have brought me to this conclusion, I refer to my previous messages to Congress.' What those reasons are, or in which of his messages they are contained, he does not deign to inform us; and I cannot imagine why he has left us to wander through the wild jargon of his previous messages; unless for the purpose of falling back upon these undefined reasons, in case the absurdity of those contained in the present message should be exposed. Being left in the dark as to the reasons referred to 'in previous messages,' we are left to deal with those contained in the last.

In the first place, he tells us that the bill unites two subjects, which, so far from having any affinity to one another, are wholly incongruous in their character.' Have gentlemen paid proper attention to the startling usurpation of power here assumed by the Executive? Are we to be told that the Executive is to revise and reject legislative enactments, merely on account of incongruity? Are we not to be allowed to mature our legislation in our own way, when it is not even intimated that we are exceeding our constitutional authority? So far as we have the constitutional power to act, we certainly have the power to frame our measures in such way, as, upon deliberation, we may think most advisable. So long as we act within our constitutional limits, we must have the right to come to such compromise as our conflicting opinions require, and the good of the *whole* country may demand; otherwise there is an end of our legislative functions. Whether there be an incongruity between the subjects embraced in this bill, is a mere matter of taste; and if the Executive can veto a bill upon a question of taste, why may he not veto it upon an objection of grammatical error—even when the same did not effect the meaning or validity of the act at all? If upon the ground of 'incongruity,' why not upon the ground of want of deliberation, which he might suppose necessary—that it was passed through the House by the operation of the 'previous question?' What would the Executive say, if the Senate were to reject a treaty he might send them for concurrence, or this House were to refuse to make an appropriation to carry it into effect, simply because it referred to subjects incongruous in their character—as for instance, the Maine boundary and the right of search—neither of which either House might disapprove, but to which we might object, because they were embraced in the same treaty? And suppose the House of Representatives were to distinctly assume the position, that they never would recede till the subjects were separated, and the 'incongruity' removed. Would not the Executive have a right to say, would not the country say, it was an interference with Executive authority on our part, not warranted by the Constitution? If incongruity, between the different subjects embraced in a bill, is a sufficient cause for the exercise of the veto, there is hardly any bill of any length that passes our body, to the ordinary course of legislation, that would not be liable to this objection. Look at the bill which has lately passed the House and is now before the Senate, making appropriations for contingencies—you find items for the pay of temporary clerks, and items making appropriations for claims under Indian treaties. Is there no incongruity there? How many of your bills provide for certain specified objects, 'and for *other purposes?*'

But, if there were any thing in this objection of 'incongruity,' it is too late for the acting President to raise it now. He is estopped by both his previous acts and his publicly expressed opinions. He signed the land distribution bill of the last session, although it contained the 'incongruous' clause relating to an increase of duties above 20 per cent. Is it more incongruous to insert a section relating to the public lands, in a tariff bill, than it was to insert a clause in the land bill, relating to an increase of duties? If it was not objectionable to limit the operation of the land distribution bill, to an increase of duties above twenty per cent., is it more so to remove that limit, in a bill providing for such increase of duties? Certainly not. And we heard no such objections on the passage of the land bill. In his veto of the provisional tariff bill, the acting President says, speaking of the connexion between the land bill and an icrease of duties, 'this connexion, thus meant to be inseparable, is severed by the bill presented to me.' Here he complains that the bill did "sever" the two subjects, which 'were meant to be inseparable,' by the land bill, which he had approved; and, in this last veto message, he complains there is an 'incongruity' in 'uniting the two subjects.' In the first veto, he objects that we had 'severed a connexion' which was 'meant to be inseparable;' and in the last, he objects that we have not separated the two subjects, 'incongruous in their character.'

The message says further, 'It thus imposes on the Executive, in the first place, the necessity of either approving that which he would reject, or rejecting that which he might otherwise approve.' Is not this strange language, is it not monstrous, from the chief Executive officer of a free Government to the assembled representatives of the people? Is not all legislation the result of a compromise of opinions? And in a country of such vast extent, and such diversified and conflicting interests as ours, without such compromise, legislation would be utterly impracticable. What bill is there, of any importance, connected with a variety of interests, in which any Executive would not find something to disapprove of; but which, nevertheless, he feels it is his duty to sign, rather than reject the whole? Take any sort of a tariff bill that could possibly be passed here, even without this obnoxious 27th section, and does the acting President suppose he would be likely to approve of every section—of every rate of duty on every article? And would he veto any tariff bill unless it was so framed as not to impose on him 'the necessity of either approving that which he would reject, or rejecting that which he might otherwise approve?' Do any of his advocates suppose he will approve every item in the bill for the re-organization of the army? He certainly will not, for it abolishes the office of Commissary General of Purchases, now filled by one *Mr. Tyson*, and also cancels the armorers, one of which is filled by one *Mr. Cooper*? And yet, will it be pretended he should veto the bill for, by signing it, he will be under the necessity of approving that which he would reject? Suppose the harbor bill should contain some item which may conflict with his special notions of State rights, must he reject the whole bill, and thus leave the other great sectional interests of the country to suffer? Such a doctrine puts an end to every thing like freedom of legislation here. How is it to be supposed that any great question, affecting a variety of interests, on which such conflicting opinions are entertained, ever can be matured so as rationally to correspond, in all its parts, with the opinions of the Executive? How can we ever meet his views in every particular, difficult as we find it to agree among ourselves, unless we surrender every thing like freedom of opinion, and tamely call on him to prepare every measure and submit it to us for adoption? Again he says:

"Various measures, each agreeably only to a small minority, might, by being thus united, (and the more, the greater chance of success,) lead to the passing of laws of which no single provision could command a majority in its favor."

Certainly, sir, certainly. What is the object of legislation, of deliberation, of discussion here, but for the purpose of harmonizing and compromising conflicting opinions? It may safely be asserted that no great measure ever passes this or the other House which is entirely agreeable, in all its parts, to any one member. We are all compelled to yield something for the common good of the whole. Admit that that tariff bill, as vetoed by the Executive, was not, in all its various parts, exactly agreeable to any one member of either House—admit that it is composed of 'various measures; each agreeable only to a small minority'—yet, sir, I insist that it is only by blending different opinions upon these 'various measures' that we can possibly arrive at any practicable result. This, so far from being an objection to the measure, is a recommendation. It is the common ground on which a majority has been able to meet and harmonize, after weeks of the most patient and laborious examination and comparison of opinions. And if we are all willing to surrender something of our individual opinions for the *common* welfare of our *common* country, for the *greatest good* of the *greatest number*—are we to be taunted and insulted by the Executive for having reached a compromise as the result of our labors, which may not be entirely unexceptionable to him in *all* its parts? And what is far worse, are we tamely to submit to it?

The second objection urged by the acting President against this bill, is as follows:

"2. While the Treasury is in a state of extreme embarrassment, requiring every dollar which it can make available, and when the Government has not only to lay additional taxes, but to borrow money to meet pressing demands, the bill proposes to give away a fruitful source of revenue; which is the same thing as raising money by loan and taxation, not to meet the wants of the Government, but for distribution—a proceeding which I must regard as highly impolitic, if not unconstitutional."

Sir, has John Tyler lost his reason, or does he suppose we have lost ours? Here again he is estopped by his own previous course and recorded opinions. He here speaks of the public lands as 'a fruitful source of revenue'—but the question is, do they *rightfully belong* to the General Government, as a source of revenue, at all? The record here convicts Mr. Tyler of the grossest inconsistency, or the most shameful hypocrisy. In the year 1839, Mr. Tyler, as chairman of the committee appointed on this subject in the legislature of Virginia, reported and voted for the following resolutions—

"1. *Resolved*, That the lands which were ceded by the several States to the United States were ceded in trust, for the common benefit of all the States; and this General Assembly doth earnestly urge upon Congress the speedy adoption of some equitable plan for the distribution of the net proceeds of the sales thereof among the States."

"2. *Resolved*, That the lands acquired by the United States by purchase are held in trust for the common benefit of all the States; and this General Assembly doth declare the opinion that the most just and equitable plan for disposing of the net proceeds of the sales thereof is by distributing the same in just proportions among all the States."

Mr. Smith, of Isle of Wight, proposed to amend this substitute by striking out the whole thereof after the word '*Resolved*,' and inserting an amendment, so as to cause it to read:

"*Resolved*, That the application of the proceeds of the sales of the public lands of the U. States to the general purposes of the Government, in carrying into effect the powers granted by the Constitution, is that disposition of them which is most equitable, and which will most effectually and equally ensure to the use and benefit of all the States."

The question then recurred on the adoption of this amendment of Mr. Smith, in lieu of the substitute; and it was determined in the negative—ayes 34, noes 88—Mr. Tyler voting in the negative."

Here Mr. Tyler takes the distinct ground that the lands ceded were ceded *in trust*,' and that the lands purchased are 'held *in trust*,' 'for the common benefit of all the States'—and 'that the most just and equitable plan for disposing of the nett proceeds of the sales thereof,' is by distributing the same in just proportions among all the States." Now, if the land proceeds be a '*trust fund*,' to be appropriated 'for the common use and benefit of all the States,' as insisted by Mr. Tyler—and if 'the most *just and equitable* plan for disposing of the nett proceeds of the sales thereof, is by *distributing* the same in just proportions among all the States'—*can* this General Government, *has it the right*, to dispose of them in paying its own debts? Will any lawyer, will any one who pretends to the name of a lawyer, insist, if Mr. Tyler's reasons, as set forth in these resolutions, be correct, that this Government has the rightful authority to apply the proceeds of these lands to the ordinary purposes of revenue? To state the question is to present the whole argument.

Perhaps it may be said that Mr. Tyler did not speak with reference to such a state of things as exists at present; that he contemplated distribution only so long as the duties from imports should yield sufficient to defray the expenditures of the Government; and that the duty to dispose of this 'trust' fund in the most just and equitable manner, should yield to the still higher obligation to preserve inviolate the compromise act. Here again he is met