

THE RALEIGH STAR AND NORTH CAROLINA GAZETTE.

THOS. J. LEMAY, EDITOR AND PUBLISHER

Vol. 38.

RALEIGH, N. C. WEDNESDAY JAN. 27, 1847.

THREE DOLLARS A YEAR IN ADVANCE.

Bank of the State of N. Carolina

THE Annual General Meeting of the Stockholders of the Bank of the State of North Carolina, will be held at their Banking House, in this City, on the First Monday in January next.

C. DEWEY, Cashier.

December 3, 1846.

Couch Making and Repairing.

LIFE subscribers respectfully inform the public that they will continue the Couch Making and Repairing business in all its branches at their old stand, and in the name of CLARK & TERRELL. They have in their employ, a number of excellent workmen, and will always be prepared to build or repair Carriages of every description in the best style. There are now on hand, several Carriages, which will be sold at moderate prices.

WILLIAM J. CLARK,
JAMES S. TERRELL.

Raleigh, Jan. 1st, 1847.

Franklin Academy.

THE Exercises of this Academy will commence on Monday, the 11th of January, under the charge of Miss Emma J. Patterson, who has been connected with the Learning Academy for the last four years, and was employed as a Teacher during the greater part of the last year. Miss Patterson is highly recommended by the principals of that Academy. Mr. & Mrs. Ray, and a number of other qualified teachers have been retained by the trustees of this place from them, which was perfectly satisfactory. Miss Patterson is therefore eminently qualified to teach the higher branches of English Education, together with French and Latin. We consider that as a Teacher of Misses, she will have no superior.

TERMS OF TUITION:

For the Primary branches, including Grammar, Geography, and Arithmetic, \$3 00
Higher branches, \$4 00
French, \$5 00
Music, \$5 00
Board can be obtained in the town and vicinity from \$4 00 to \$6 00 per month.

S. B. HAYWOOD,
J. H. WYNDHAM,
SILAS WINSTON,
E. T. FOWLER.

Franklin, 7th Jan, 1847.

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S. B. HAYWOOD,
J. H. WYNDHAM,
SILAS WINSTON,
E. T. FOWLER.

Franklin, 7th Jan, 1847.

We are authorized to announce

Gen. MICAHAHT HAWKINS
as a candidate to represent the people of the sixth Congressional District, composed of the counties of Warren, Franklin, Wake, Johnston, Edgecomb, Nash, and Halifax, in the House of Representatives of the next Congress of the U. States.

January 8th, 1847.

Winkleyville Vineyards and Nurseries.

The subscriber solicits a patronage in his line of business at Mr. Ben's Hotel, West of the Capitol, where specimens of his vines may be seen, & other articles seen by those desirous of being conversant therewith, while patronizing laudable American enterprise. And as to the pre-eminence superiority of his American variety of vine culture, reference is suggested to extracts thereon from the "North Carolina Farmer" and other Agricultural periodicals as cited in the Patent Office Report of 1845, from pages 948 to 948; and as to those familiar with that pre-eminence and the appreciated excellence of the subscriber's grapes and vines, reference is respectfully made to members of the Legislature from Halifax county; particularly to the Hon. John of the Senate, and Dr. W. B. BAXTER of the Commons.

Most respectfully,
SIDNEY WELLER.

Raleigh, Jan. 12th 1847.

Head of the Mason College.

THE next session of this institution will commence on Wednesday the 13th of January, 1847.

By order of the Faculty,
D. DUNCAN, Sec. of the Faculty.

Dec. 21st, 1846.

Philadelphia Garden Seeds.

The subscriber is prepared to furnish orders for VEGETABLE and FLOWER SEEDS, in any extent, in bulk or retail, put up in packages with printed labels and directions, on most favorable terms. His assortment comprises every desirable variety, and the best selected in Philadelphia, and the seeds are all warranted FRESH and GENUINE, being grown expressly under his own direction, or imported from the best sources in Europe. Catalogues and every necessary information may be obtained by addressing post paid.

HENRY A. DREER,
No 97 Chestnut Street, Philadelphia

Jan. 1847.

Agents wanted in the principal towns

through this State.

SEALERS proposals for printing

Laws and Journals of the late General Assembly, and for the printing to be done by the next General Assembly, as directed by the Revised Statutes, chap. 48, will be received at this office until the 4th of February next.

WILL HILL,
Secretary of State.

Register will please insert twice.

Mr Samuel Scantlin has recovered

damages in the District Court at Pittsburgh, to the amount of \$1500, for explosion of the steamboat Cutter, just as she was about to move from the wharf. The wife of Mr. Scantlin was scalded, and otherwise wounded by a number of small pieces of scales of iron driven into her limbs and body by the force of the explosion, one of which penetrated to the bone. She also received one or two contusions from bricks or other fragments sent with violence against her. From these effects she was confined to room for ten or twelve days when, from skilful medical attendance and nursing, she and her husband were enabled to pursue their journey. The decision of Judge Lewis was to the effect that carriers of persons are answerable only for injuries arising from their negligence or want of skill. It was in evidence in this case that the boilers of the Cutter were old, having been in use on two boats for five or six years before they were placed on board the Cutter. Hence the verdict for the plaintiff.

LEGISLATURE OF N. C.

DEBATE IN THE SENATE,

Wednesday, Dec. 23rd, 1846.

On the Preamble and Resolution, appropriating ten Thousand Dollars, to aid the North Carolina Regiment of Volunteers.

As we were necessarily absent from our table in the Senate, on the 23rd, we copy the following sketch of the debate of that day from the Register.

Mr. FRANCIS opened the debate. He is said to have done the thing after his own peculiar fashion. We were not in the Senate Chamber during this Speech, and on entering found

Mr. WADELL on the floor, maintaining the truth of the assertions in this Preamble, that the war was brought on by the action of the Executive. He maintained that the treaties with France and Spain, in regard to the boundaries of Texas, had nothing to do with the question. Mexico revolted from Spain—Texas revolted from Mexico. What Texas acquired by the sword, and could keep by the sword, was all she could call her own. She never had been able to reduce the territory between the Nueces and Rio Grande to submission. It has always been in the possession of Mexico, except a small district beyond the Nueces limited by the Desert, and which Mr. J. C. Ingersoll called the "Natural Boundary."

Suppose, said Mr. Wade, that South Carolina had succeeded in her scheme of Nullification, and afterwards had been annexed to England, with the exception of a few Counties on her Northern border, which she never could reduce, and which still remained part of the Union? Could England pretend that the old boundaries of South Carolina should still be regarded as the line boundary?

But 2nd. Suppose Texas had by her Declaration in Convention, or in Congress, pronounced the Rio Grande to be the true boundary. The Congress of the United States have since admitted in various ways in the intercourse with Mexico, that the boundary was still an open question. Was it not to be the subject of future negotiation? Was it not so resolved? And can the United States in the face of their own solemn Resolution, now claim the Rio Grande as a settled boundary? This is Punic faith with a vengeance.

But 3rdly. Suppose the United States was not stopped by this solemn act of hers, how has she regarded the subject since? Have not all our Secretaries of State—and John C. Calhoun among them—authorized our Ministers to Mexico to treat on the question of boundary as an open one?

4th. Mr. Polk, himself, by sending Mr. Slidell to treat on this very question, together with our pecuniary claims, makes it yet an open question.

5th. The first orders given to Gen. Taylor were "not to go beyond the Territory in actual possession of Texas," and held by her authority, and cautioned him against invading the "territory in dispute."

Still, in the face of all these admissions and orders, the President ordered the "Army of Observation" to move across this disputed ground to Matamoras, and to point their Cannon into her very streets, and blockaded the mouth of the Rio Grande. Is not this an aggression? Did not the war begin "by the act of the Executive?" Why, the very act of blockading her fort, is of itself such an act.

This is what the Executive has done. Now where does he find his authority? This Preamble only states that the War is by the act of the Executive. That is a simple assertion of a fact. But I go farther and say that the Act was unauthorized. The power to declare War—to adjust boundaries, and determine the limits of Territory as well as to annex, belongs to the Treaty-making power under the Constitution—and this is given to the President and Senate, two thirds of whom must concur.

If there is no authority to cover the case in the Constitution, was there any act on the part of Mexico that justified this hot haste in commencing hostile operations. Was our Territory invaded? No Sir. Not until our troops had pointed their Guns into Matamoras, and blockaded their River, did she order an armed man to that quarter. If then the President performed these acts, if he had no authority for so acting in the Constitution, and if the action of Mexico did not render this course necessary, then the avowment in the Preamble is more than proved. "This was the substance of the argument to Mr. Wade, which was relayed by many apt illustrations, and enlivened by occasional bursts of indignant feeling upon the honors of the war into which we have been so hastily involved.

Having thus disposed of the argumentative portion of his Speech, and proved, as he hoped conclusively, by a plain statement of facts and logical deductions therefrom, that the avowment in the Preamble is true, to the letter, Mr. W. said he felt incumbent on him to reply, as he best might, to some things which had fallen from some of his friends over the way, which he feared could not be dignified by the name of argument. He was restrained by Parliamentary usage, and that high courtesy which had generally so distinguished debates in that Hall, from calling these ebullitions by the name which might be given out of doors by persons who felt themselves aggrieved.

Sir, it has been said on this floor, by those whose hearts, I am sure, are warm to be trusted that their heads, that we—the Whigs—are opposed to the War; that we are Federalists, and that we are—no, Sir, they have not quite called us "Traitors," but they have reiterated, somewhat softly and demitly to be sure, the language lately used by one in high places about aiding and comforting the enemy.

Opposed to the War, Sir! Who introduced this very Resolution which we are debating? Was it not done by a Whig? Has it not the hearty support of every Whig in this Senate? Have we not labored to press it through the Senate, that we may not be too late in giving the necessary aid and comfort to those who are to fight our battles?

Does this look like opposing the War? No, Sir, our friends have done us no notorious wrong. We have not opposed the War. I say here in my place, and I speak not only my own individual feelings, but I doubt not the feelings of every Whig within the sound of my voice, when I say that in our opinion, we have ample cause for War with Mexico. I but speak the sentiments of those with whom I have the honor to act, when I say, that the War must and ought to be vigorously prosecuted, until we bring the enemy to terms, & conquer an honorable peace. But we say that this War was wrong in the manner of its inception. We say that it belongs to Congress, only, to declare any War, and that the President commenced this War without consulting Congress, even while Congress was in Session. We say that the Executive, in so doing has given a vital stab to the Constitution. And when we urge the vigorous energetic prosecution of the contest, and will go far as the farthest, in furnishing men and munitions, we protest against the mode in which it commenced. The British, in our Revolutionary War, were forced to fire at a body of American Soldiers, who were pouring into them a most destructive volley, through a corps of their own best troops. They shot their faces through the hearts of their friends. We are not willing that the President should fire even at our enemy through the bowels of the Constitution. No, Sir. The President may command our arms, our purse, our hearts blood in this contest, but he must leave us freedom of thought, and of speech. Of what worth to us is the name of liberty, if our thoughts are to be fettered and suppressed, and our tongues allowed only to echo the praises of the President, upon pain of being branded with want of patriotism? Is this your boasted land of liberty? Have we not indeed fallen upon evil times, when the offer of our hands, our means, our lives, in our Country's cause, is counted as nothing may not relieve us from the foul charge of aiding and comforting the enemy, unless we add soft praises to the man, who, in our souls we believe, has trodden in the dust our glorious Constitution? Sir, I speak with pain of the acts of the President. He is my personal friend. An intimacy commenced in boyhood, and continued for twenty-five years with the distinguished man, whose acts I am forced to condemn, must render this opposition personally most painful. He has honored me with his friendship. Of his kind feelings, I have very late proofs. He knows I cannot and do not approve his course, in the inception of this war. And while I will not, and cannot impute to the Executive the corrupt motives from which some of my friends do not spare him, I do from the bottom of my heart disapprove the act. Were it done by my dearest friend on earth—by my father, I must be allowed to enter my solemn protest against it, as a palpable and most mischievous attack, upon the Constitution. And am I to be told, that I oppose the War and cripple the Government—and comfort the enemy?—God save the mark!

Who now commands your Armies?—Whose blood has flowed like water on the plains and mountains of Mexico. Who compose the majority of those, who are now under arms in a foreign land, panting for combat with the perfidious foe? Who fill your ranks of Volunteers at home? Are there none of those much abused Whigs in the number? And will you tell these glorious patriots, the tale that you told us yesterday—that they oppose the War—that they give aid and comfort to the enemy.

We are told, Sir, by one Senator, (Mr. Thompson,) that if he thought as we did of the War, that he could never be induced to fight its battles. Perhaps he would not. But little knows that Senator of true Whig patriotism. If in his opinion, the War was improperly begun, or unjustly continued, he could not give it his support. Sir, Whigs repudiate such doctrine as unworthy of them, and unpatriotic. This War, however begun, has now the "Sanction of Congress," the only power that has the Constitutional right to decide this question, and they ask no more. It now commands their support. It may do for the Democratic Senator from Wake, to act upon his individual opinion, against the Constitutional authorities of the land. If he should deem a War unconstitutional—as he understands it, he could not give it his aid. Thank God! no Whig can be found bold and arrogant enough to stand to that doctrine. In Heaven's name what would it lead to? Would not each man, who happened to find himself disinclined to actual service, be suddenly filled with doubts of the Constitutionality or justice of the War? How would Constitutional claims be multiplied?—And how must the ranks be filled by reprobate Whigs—who are not so conscientiously troubled with conscientious scruples, but only ask to know that their Country is engaged in a War and needs their aid to respond to the call.

Mr. WADELL next alluded to the attempt made by some Senators to cast odium on the Whig party by sneeringly calling them Federalists. It seemed to be tauntingly used, as a term of reproach. Sir, said Mr. W. that name conveys no reproach to me. It was given to a pure band of patriots as ever lived. Federalists! who were the Federalists? George Washington and his glorious compatriots were all Federalists. The holy band, who sacrificed their fortunes and many of them their lives, for that liberty which we now enjoy, were Federalists, and shall we blush to be called by the name? I said Mr. W., (drawing himself up, and assuming an air of proud defiance,) I am the son of a federalist, and I glory in it. Most of my relations were Federalists during that severe struggle which achieved our Freedom. One of them yielded his heart's blood and his life at the head of his army on the plain of Germantown. A purer, or braver heart, never gave itself up to its Country. And should I be reproached as a Federalist? No Sir. Palsied be the tongue that dares say aught against that purest band of patriots that this Country, or any other Country, ever knew!

Mr. W. deprected with great earnestness the mad ambition which we seem to have inherited with our Saxon blood, to extend our Territory. He had much confidence in American virtue as well as valor. He knew that what man can do, is within the reach of true hearted Americans. The nation at heart was right. But Americans were men and not Angels—and even the Angels fell from ambition. He awfully feared that our innate love of conquest, would lead and allure us on to our ruin. This should not be a War for the acquisition of Territory, but for a redress of our national wrongs. Our very national pride—a feeling so cherished among us—may lead us astray and become a passion for foreign dominion.

He closed by a most beautiful picture, of the proud American Eagle, brought to the ground from its lofty flight, by an arrow feathered from his own wing.

A few of the thoughts of Mr. W. are here recorded, and so far as possible, in his own words; but his fine glowing features, his graceful action, his clear, sonorous voice, his air and attitudes, so expressive of pleasure, of tenderness, generosity, pride and lofty disdain, are beyond the art of pencil or pen. He must pardon this poor sketch, and escape similar inflictions hereafter, by doing himself the justice to write out his own efforts.

Mr. GILMER took the floor. He remarked that he would not have asked the indulgence of the Senate to be again heard on this Resolution, had not the gentleman from New Hanover (Mr. Ashe) made an attack on his constituents, the citizens of old Guilford, who had honored him with a seat in that Hall; and who, for their honesty, intelligence, purity of purpose, and steady loyalty to the Constitution, would compare with the constituents of any other Senator on this floor. Allowing the gentleman, in reply to the Senator from Orange, has disclaimed all

intention to utter any thing personal or offensive to Ex-Governor Morehead, or among the purest and best men in the State, and who he was proud to say was one of his constituents, yet his remarks were too nearly assimilated to certain other observations, which he saw in a certain paper on his desk, called "The North Carolina Standard," to escape a reply.

In this paper, the Editor, reviewing the debate on this Resolution, uses the following false, slanderous, and insulting language:—"On Monday, able and conclusive arguments were delivered on the American side of the question by Dr. Cameron, of Cumberland, and Gen. Wilson, of Edgecomb. The Senate was also addressed on Monday, by Messrs. Gilmer, Woodfin, Ewing and Russell, in favor of the Preamble." What does the Editor of this paper mean, when he styles the debate on the other side, "American?"—the word intended to attract particular notice! He attempts to do indirectly, what his cowardice would not permit him to do openly, directly and boldly. Let us read a little further: In speaking of the loss of the amendment to the amendment offered by Gen. Hawkins, of Warren, he says: "What did they (speaking of Whig Senators,) say by that vote? Why, that Mexico is not in the wrong, and that as a consequence, our country is!—We leave the Federal members of the Senate to get out of the predicament the best way they can." Here, Mr. Speaker, the Editor of that paper tells a wild and deliberate falsehood. A falsehood, knowing it to be so when he penned the article. A simple statement of Gen. Hawkins' amendment, voted down by Whigs, will prove it. How does the Preamble commence? Thus: "Whereas by the action of the Executive, and the subsequent sanction of Congress, the Republic is involved in a foreign war." The amendment of the Senator from Edgecomb, proposes to strike out the words "by the action of the Executive," and the subsequent sanction of Congress," which would make the Preamble read—"Whereas, the Republic is involved in a foreign war," &c. The gentleman from Warren, proposes to amend the amendment by adding after the word "Whereas," the words, "by the action of the Mexican Government." How would the Preamble thus read? "Whereas, by the action of the Mexican Government, and the subsequent sanction of Congress, the Republic is involved in a foreign war." True, the last amendment would leave out of view the President altogether, and throw the whole matter on the Mexican Government and Congress—an assertion untrue and ridiculous—and yet Whig Senators are charged with being enemies to their own country and friends of Mexico because they voted down this senseless amendment. Some gentlemen do not understand, for the want of mental ability; others, for the want of honesty. What candid, honest man, having reasonable sense, could have put such construction on this vote?

Mr. G. remarks, that it was useless to attempt to get off by simple disclaimers. It has become too common to attack the motives and character of gentlemen, by using offensive and unpopular epithets.

Suppose, said Mr. G., in alluding to the views which the Senator from New Hanover had submitted on this question, and in doing which, he is doubtless as honest as gentlemen, on this side—he should, in every instance, when his name occurred, add, by way of meaning nothing, the words—Anti-American, Tory, Federalist and the like! would he be content with the polite disclaimer, that he meant nothing personal? Such politeness had the less excuse in this debate, for the reason, that it had been conceded in the outset, that Mexico had nothing to plead in her favor; that she had not kept her faith; that she was grossly at fault, and had slighted our claims, contemned the authority of our Government, and had not, and was not likely to receive, a stripe across. And Mr. G. said, that in order to avoid misrepresentation as to his true position, he had supposed the case of a Sheriff, who should overtake his prisoner, one acknowledged to be guilty of barbarous, willful, murder, and without awaiting the forms of a legal trial, should hang him. Would any honest man say that the Sheriff would not be guilty of murder? Should he be deterred from speaking his truth, for fear of being thought friendly to the first offender? The murderer dies, as he deserved, and yet his executioner is a felon—the conduct of both, to be condemned by all who consider it of importance to society, to preserve inviolate the Law and the Constitution.

Mr. G. asked, why had the Senator dragged into his debate, his constituents, the Editors of the "Greensborough Patriot," and Gov. Morehead? He would be much obliged to know, what lying tongue had told him, that Gov. Morehead had any interest in, or control over that paper? What had the Communication in that paper read by him, to do with this debate? Where is the connection? Suppose, said Mr. G., I should read extracts from some Northern Democratic paper, in which the war is denounced, out and out, and then insist that the gentleman and his whole party entertain some sentiments? Would he condemn it just? The gentle-

managing Committee charging Gov. Morehead and his constituents, with maintaining the blood stain on the American flag, published in the "Greensborough Patriot." What did he mean by charging Gov. Morehead in connection with the war? Had not the "Standard" and "The North Carolina Standard" and "The Standard" head had some interest in the war, he should have concluded, at least, to mention in his own imputations, the names of the Editors of that paper—they controlled their own columns—they spoke for or more, to govern their actions, and have no partners in interest, or in their management. Although he considered the publication of the Communication imprudent and ill-advised, so far as the Editor may have endorsed its sentiments, Mr. G. admitted them to be at war with the Whig feeling and sentiment, yet he felt authorized to say, for the Editor of that paper, that he was a gentleman of elevated worth, good and true;—that loved the institutions of his country, and one, who would sacrifice as much to sustain them, as any individual in the State. And Mr. G. further declared it as his honest opinion, that Lyndon Swain, although he differed with him, so far as he may be considered as endorsing the views of his Correspondent, that in this he was in error, doubtless honestly so, yet he sincerely believed he would, in the end, do more to encourage Volunteers, and sustain the honor of his country, than many, who are now so clamorous against his patriotism. If the gentleman had been as industrious as to do this Editor justice, as injury had had examined other columns of his paper, he would have found him calling on the country to contribute their lives and limbs towards sustaining and equipping our Volunteers—authorities to do some thing effective and substantial—to aid, in such way as may be judged by our deeds, and by our sound, but hollow exclamations of patriotism. Mr. G. said, that he considered the gentleman's use of unpopular names, and allusions applied to his constituents, as a feeble effort to join chorus with that insulting and contemptuous expression, discovered in the late Message of President Polk, wherein he, with offensive charges, all who will not say that he commenced the war by Constitutional authority, with giving aid and comfort to the enemy. Although they stand ready to shed their blood and treasure to sustain his war, yet they give aid and comfort to the enemy, if they refuse praise to him in all that he has done or caused to be done. If they have the independence to say that his Majesty accords, he immediately applies to them the words that define high treason—"aid and comfort." Who, said Mr. G., has been so guilty in giving aid and comfort to Mexicans, as the President himself? In that same message he admits, that Santa Anna, that bloody tyrant, Mexico's most experienced and war like General, was by his permission to return to the head command of this very enemy;—in speaking of the return of this treacherous and perfidious warrior, whom to mention is to hate and despise for his barbarity and cruelty to his own countrymen, many of whom he permitted to be murdered in cold blood, when prisoners of war, the President uses the following language:—"When orders were issued to the Commander of our Naval forces, in the Gulf, on the fifteenth day of May last, only two days after the existence of the war had been recognized by Congress, to place the Coast of Mexico under blockade, he was directed not to obstruct the passage of Santa Anna to Mexico, should he attempt to return." After this, how dare any sycophantic worshipper of James K. Polk, in an unfeeling judgment, as a fruitless effort to touch the enviable reputation of JOHN M. MOREHEAD, whose name the Senator from New Hanover has so inexcusably dragged into this debate. For all who know that sterling man, will join readily in the belief, that had he been the Executive, instead of Mr. Polk, rather than to have permitted Santa Anna to pass in safety our Naval forces, to aid and comfort the enemy, he would have ordered him to be hung—yes, hung up by the heels. Mr. G. said he valued the political character of his constituents as he did his own, and that he would, as he hoped, in a becoming manner, resent all imputations against their integrity. They had never failed, on proper occasions, to come to the rescue of their country. They furnished their soldiers, good and true, in a memorable struggle of the Revolution—a period when Triggery was admitted by men, who would now treat it with reproach, as being more than a name. Then, as now, had Guilford Whigs to contend with enemies within, as well as without; and in that bloody strife at Guilford Court House, when most of our Militia chose rather the part of president than of honor, one Company from Guilford, among whom were many of Mr. G's blood relations, stood aloof on ground that shook with the enemy's Artillery, to receive the first charge and execute the order given—a Company commanded by one who died of the wounds then received, and in whose veins flowed blood common with his own.

Mr. G. said, he imputed no bad motive, or want of patriotism, to those who differed with him in political opinion. It was ready and willing to express his candidness in their honesty—after all they had done

for their Country, and in their honest and patriotic opinions, that they were ready and willing to express his candidness in their honesty—after all they had done

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