while others beleived it was, in all its branches restaint. In that arrangement they conceived the strength of nations in the darrangement they conceived the strength of nations in the darrangement they conceived the strength of nations in the darrangement they conceived the strength of nations in the distribution of the laborate darrangement they accepted the strength of the plant of the laborate darrangement they accepted the strength of the plant of the laborate darrangement they accepted the strength of the laborate darrangement they accepted the strength of the plant of the laborate darrangement they accepted the strength of the laborate darrangement and dangerous infraction of the Constitution. The the constitution of the laborate darrangement and dangerous infraction of the Constitution. The authorate darrangement and dangerous infraction of the Constitution. The authorate darrangement they are the laborate darrangement and dangerous infraction of the Constitution. The authorate darrangement and dangerous infraction of the Constitution of the strength of the laborate darrangement and dangerous infraction of the Constitution. The authorate darrangement and dangerous infraction of the laborate darrangement and dangerous infraction of the Constitution.

That a National Bank, a protective Tarif s now we seem of measure was therefore devised, calculated, it not insided, to withdraw jower gradually and sitently from the states of the prople, and by construction to approximate reaserment to European models, substituting an aristocracy a alth for that of order and titles.

Without reflecting upon the dissimilarity of our insti-mens, and the condition of our people and those of Euon the conceived the vain idea of building up in the lated States a system similar to that which they ad-Great Britain had a National Bank of and abroad. Great Britain had a National Bank of and financial powers of the nation; an institution ding almost kingly power and exerting vast influence ca all the operations of trade, and upon the policy of government itself. Great Britain had an enormous Elic debt, and it had become a part of her public policy organd this as a "public blessing." Great Britain had zas of the nation. By her combined system of policy, I tion from the Constitution. clandlords and other property holders, were protected sa the labour of the country for their advantage. Imitating this foreign policy, the first stop in establish the new system in the United States was the creation National Bank, not foreseeing the dangerous power decountless evils which such an institution might enpaches of the miscalled "American System," but feelthe embarrassments of the Treasury and of the busi- tionality. as of the country consequent upon the war, some of ter induced to yield their scruples, and, indeed settled arietions of its unconstitutionality, and to give it their

Baction, as an expedient which they vainly hoped might has a most unfortunate error, as the subsequent his morous branchos, ramified into the States, soon bro't an of the active politicians and influencial men in difat sections of itee country into the relation of debtors agricon ghout the mass of society a great number of inon, and to act in concert in cases of emergency .the cerrapt power of such a practical engine is no langer atter of speculation, having been displayed in number metaners, but most signally in the political struggles 1432-3 and 4, in opposition to the public will repre-

But the Bank was but one branch of the new aystem public debt of more than -120,000,000 exitted, and it est to be disguised that any of the authors of the new as did not regard its speedy psyment essential to the representate but looked upon its cantinuance as no While the debt existed, it furnished ill nent Nation Bank, and evident rendered taxation naart to the amount of the interest, exceeding \$7,000,-

ensuem which was a high protective Tariff. This are afford bounties to favored closses and particularly auts at the expense of all others. A proposition to athe whole people for the purpose of enriching a few. is no monstrous to be openly made. The acheme was, relore verled under the plausible, but delusive protext don articles imposed, and the latter the increased of similar articles produced at home, caused by tay. It is obvious that the position to be received he favored, would as a general rule, be increased in and diminished as those rates were reduced to the revcheme, profits sufficient to satisfy their cupidity; and the purpose of enlarging the expenditures, and exceeding a necessity for keeping up a high pro-a Tarist. The effect of this policy, was to interpose r wealth.

bother branch of this system was a comprehensive one of in ornal improvement, capable of indefinite samually as could be extracted from the foreign merce of the country. This was a convenient and essary adjunct of the protective Tariff. It was to be manual absorbent of any surplus which might at any

huckary to the same end, if it was not an essential period, obtained for distributing the proceeds of the softhe public lands among the different States. rexpedients were devised to take money out of the surv. and prevent its coming in from any other than a projective one. The authors and supportof the system were the advocates of the largest expenes, whether for necessary or useful purposes or not, use the larger the expenditures the greater was the at for high taxes, in the form of protective duties. eso several measures were austained by popular and plausible arguments, by which thousands The bank was represented to be an inresulted the all agent for the government; was to equa-vehanges, and to regulate and furnish a sound cur-vehanges, and everywhere, of uniform value. The vehicle tariff was to give employment to "Affierican at advanced prices; was to "protect home indusand furnish a ready market for the farmer. Interoprovements were to bring trade on to every neighod-enhance the value of every man's property .distribution of the land money was to enrich the a finish their public works, plant schools throughout borders, and relieve them from taxation. But the that for every dollar taken out of the Treasury for ects, a much larger sum was transferred from the itself the people to the favored classes, was continumicaled, as was also the tendency, if not the ulti-

olarcal power of the country. nded together that in their operation each sustained ned the others. Their joint operation was new burdens of taxation, and to encourage a largereased and wasteful expenditure of public money. the interest of the bank that the revenue collected go, because being the depository of the public mole larger the amount the greater would be the bank 4 It was the interest of the favored classes who arched by the protective tariff, to have the rates protection as high as possible, because the higher the prophe of all those sections and localities which hed to be beneficted by expenditures for internal imits, that the amount collected should be as large ible—that the sum disbursed might also be the fared by a protective tariff, large enough to yield a sufterenue from that source to meet the wants of the ment without disturbing or taking from them the inda: 60 that each of the branches constituting the had a common interest in swelling the public ex-They had a direct interest in maintaining the unpaid, and increasing its amount, because ald produce an annual increased drain upon the ur, to the amount of the interest, and render augagant expenditures, and thereby to increase the pubmage, and maintain a rich and expensive governat the expense of a taxed and impoverished people. had it continued to prevail must soon have w *pecific duties relating chiefly to our foreign reserved rights, and the people of their fust power manner the whole form and character of the Goauthorized construction of that instrument. indirect mode of levying the taxes, by a

on imports, prevents the mass of the people the popular will, and sought to shape and control readily preceiving the amount they pay, and the public policy. habled the few, who are thus enriched, and deceive and delude them. Were the taxas nate seasons of temporary spparent prosperity; of improperer motives. They have therefore interfer and often to the last hours of a session when they

powers" granted by the Constitution. The authority under which it has been attempted to justify each of them, is derived from inferences and constructions of the Constition, which its letter and it the upon few, were to prevail, the effect would whole object and design do not warrant. It is to be to change the entire character of the government. be conceived that such immence powers would have One only danger remains. It is the reductions of been left by the farmers of that Constitution. to that branch of this system, which consists in inter it been intended to confur them on the Federal ments to the people of particular a ctions and localit would have been done by plain and unequivocal stopping to calculate the inevitable consequences. grants. This was not done; but the whole structure of which the "American System" consisted, was reared on no other or better faundation than feet is produced by an adequate cause, if it be resusproductive policy which placed fetters and burdens forced implications and inferences of police, which citated and rivived, and firmly established, it requires any one set of representatives, or that the capacity and transmeled the productive industry of the lite authors, assumed might be declared by constructive for self government; which is admit-

But it has been urged that the national Band, efenriched by the enormous taxes which were levied which constituted so essential a branch of this com- the Distribution of the Land Money, and not only their representatives. bined system of measures, was not a new measure, the postponement to the distant future of the pay and that its constitutionality has been previously ment of the present national dobt, out its annual insanctioned, because a Bank had been chartered in 1791, and had received the official signature of President Washington. A few facts will show improvement branch of the "American System" rupon the country, nor perceiving the connexion which resident Washington. A few facts will show improvement branch of the "American System" as designed to form between the Bank and the other the just weight to which the precedent should be be not firmly resisted at this time, the whole series entitled, as bearing upon the question of constitu- of measures composing it, will be speedily re-estab-

Great diversity of opinion upon the subject, existed in Congress. It is well known that President policy has produced, and be destined again to wit-Washington entertained serious doubts both as to the constitutionality and expediency of the measure; and while the bill was before him for his official approval or disapproval, so great were those doubts. that he required "the opinion in writing," of the or and final catastrophy of that dangerous and corrupt that he required "the opinion in writing," of the granon have abundantly proved. The Bank, and its members of his Cabinet, to aid him in arriving at a decision. His Cabinet gave their opinion, and were divided upon the subject-Gen. Hamilton being in favor of, and Mr. Jefferson and Mr. Randolph being opposed to the constitutionality and expediency of the Bank. It is well known, also, that President Washington retained the bill from Monday, the 14th, when it was presented to him, until Friday, the 25th of February-being the last moment permitted him y the Constitution to deliberate, when he finally yielded to it his reluctant assent, and gave it his signature. It is certain that as late as the 23d of February-being the ninth day after the bill was presented to him-he had arrived at no satisfictory conclision; for on that day he addressed a note to Gen. Hamilton, in which he informs him that "this bill was presented to me by the joint Committee of Congress at 12 o'clock on Monday, the 14th inst., and by request his opinion "to what precise period, by legal interpretation of the Constitution, can the this operated in harmony with the next branch of the President retain it in his possession, before it become a law by the lapse of ten days." If the proyer construction was, that the day on which the bill was presented to the President, and the day on which his action was had upon it, were both to be counted his action was had upon it, were not to be counted inclusive, then the time allowed him within which bresident of the United States; if he approve HE dent. If both houses represent the state and the people, so does the president represent the world be Constitutional for him to return it to the a measure to "protect home industry," and many of it would be Constitutional for him to return it to the apoply were, for a time, led to believe that a tax which House in which it originated with his objections, main fell upon labor, was for the benefit of the la-or who paid it. This branch of the system involves Gen. Hamilton, on the same day, returned an annear-ship between the government land the favored swer, in which he states: "I give it as my opinion that you have ten days, exclusive of that on which on articles imposed, and the latter the increased the bill was delivered to you, and Sundays; hence, in the present case, if it is returned Friday, it will be in time." By this construction, which the Preotton to the increase of the late rates of tax, improv- sident adopted, he gained another day for deliberation, and it was not until the 25th of February that | with his exalted trust, as by his oath of office, which tandard required by the wants of the government. he signed the pill: thus affording conclusive proof crates required to produce a sufficient revenue for the that he had at least obtained his own consent to sign mary expenditures of government, for accessary pur-s, were not likely to give to the private partners in culty. Additional light has been recently shed upon the serious doubts which he had on the subject, amounting at one time to a conviction that it was his duty to withhold his approval from the bill. -! This is found among the manuscript papers of Mr. real restriction upon the national course of the busiand trade of the country, and to advance the inter- the government by an Act of the last session of breach and resist them. The President is bound to of large capitalist and monopolists, at the expenses of Congress, and now for the first time accessible to approve or disapprove every bill which passes congrest mass of the people who were taxed to increase the public. From theze papers, it appears that Pregress, and is presented to him for his signature. The in his hands, actually requested Mr. Madison, at cape if he would. He has no election in deciding that time a member of the House of Representatives, upon bills presented to him; he must exercise his to prepare the draft of a Veto Message for him. Mr. February, 1791. A copy of this original draft in and if he failed to do this within ten days (Sindays accumulate in the Treasury, and of the taxes levied Mr. Madison's own handwriting, was carefully prenot for necessary revenue purposes, but served by him and is among the papers lately pur- ture. he avowed object of utfording protection to the favor- | chased by Congress. It is preceded by a note, written on the same sheet, which is also in Mr. Madi- two thirds of each house, and in that event the bill son's handwriting, and is as follows:

FEBRUARY, 21, 1791. "Copy of a paper made out and sent to the Presi-

Among the objections assigned in this paper to the bill, and which were submitted for the consideration of the President, are the following:

"I object to the bill, because it is an essential principle of the government that one power not de-legated by the Constitution cannot be rightfully ex- wishes and instructions. Any attempt of the Presi, the senators from the large states containing more reised; because the power proposed by the bill to be exercised is not expressly delegated, and because I cannot satisfy myself that it results from any express; power by fair and safe rules of interpreta-

The weight of the precedent, the Bank of 1791, and the sanction of the great name of Washington power to defend heir rights, the mere instrument of which has been so often invoked in its support, and the majority of Congress. A surrender on his part, greatly weakened by the development of these of the power with which the Constitution has infacts. The experiment of that Bank satisfied the vested his office, would effect a practical alteration country that it ought not to be continued, and at the of that instrument without resorting to the preend of 20 years Congress refused to re charter it .- scribed prices of amendments. It would have been fortunate for the country, and augn, of the system to build up an aristocracy of saved thousands from bankruptcy and ruin, had our induce congress to pass any bill, the President can control the masses of society, and monopolize public men resisted the temporary pressure of the have nothing to do. He must presume them to be times upon our financial and pecuniary interests, as pure as his own, and look only to the practical and refused to charter the second Bank. Of this the country became abundantly satisfied at the close | Constitution on the public good. of its 20 years duration; as in the case of the first Bank, it also ceased to exist; undor the repeated blows of President Jackson it reeled and feel, and that it assails the representative principles and the the disbursements made by the government should a subsequent attempt to charter a similar institution capacity of the people to govern themselves; that was arrested by the veto of President Tyler.

charter in 1816, did so upon the ground of the res- stitution, and that the executive veto is a "one man pect due to the precedent; and as he subsequently declared "the bank of the United States, though on fallacy of this objection, it is only necessary to conthe original questien, held to be unconstitutional re- sider the frame and true charecter of our system .-

ceived the executive signature.' that of 1816, would have been chartered but for the constitution, were co-ordinate, co-equal, and separ-States being the beneficirries in the distribution | embarrassments of the Government in its finances, ate, independent sovereignties and by its adoption and money, had an interest in hading rates of tax the derangement of the currency, and the pecuniary they did not lose that character. They clothed the quorum of the house of representatives, consisting of pressure which existed; the first, the consequence federal government with certain powers, and re- a single member more than half of the whole numof the war of the Revolution, and the second, the consequence of the war of 1812. Both were resorted to, in the delusive hope that they would restore | States, and the rights of the people, by the very one fourth of the people of the United States would public credit, and afford relief to the Government, and to the business of the country.

Those of our public men who opposed the whole result in serious injury to the best interests of the country. For a series of years their wise counsels were unheeded and the system was established. It was soon apparent that its practical operation was our admirable system of government, were conscious unequal and unjust upon different portions of the of the infirmities of their representatives; and, in in the administration of their government.

Its effects was "to make the rich richer and the poor in the administration of their government. few by taxing labor, and at the expense of the many.

nelly overthrown. The Bank has been succeeded by a practical system of finance, conducted and controlled solely by not to raise the revanue needed, but for protection the government; the Constitutional currency has been restored; the public credit maintained unimpaired, even in a period of foreign war; and the whole country has become satisfied that banks, national or state, are not necessary as fiscal agents of the government. Revenue duties have taken the place the protective tariff. The distribution of money derived from the sale of public lands have been abandoned, and the corrupting system of internal improvements, it is hoped, has been effectually checked.

It is not doubted, that if this old train of measures designed to take wealth from the many and beston mere inferences and doubtful constructions? Had | nal improvements, holding out as it does, induce-Government, it is but reasonable to conclude that lities, to embark the government in them, without This branch of the system is so inmately combined and linked with the others, that, as surely as a deand speedily draw after it the re-establishment of a National Bank, the revival of a Protective Tariff,

> I entertain the solemn conviction, if the internal ness all the evils, commercial revulsions, depres-

To guard against consequences so ruinous, is an entinued prosperity of the country.

withhold my constitutional sanction from two bills the other, which had pased the two houses of congress, involbranch of the 'American System,' and conflicting in and he, by the power of the qualified veto, a check their provisions with these views.

This power, conferred upon the President by the administration of the Executive department of the pledges himself in advance to approve them if passgovernment, deemed it my duty to exercise; and on ed by Congress. If he acts without due considerathis last occasion of making to congress can annual tion or has been influenced by improper or corrupt communication on the state of the Union, it is not motives,—or if from any other cause, Congress, or considerations which have governed my actions. I exercise that veto upon his recommendations, and deem this the more necessary, because, after the reject them, and there is no appeal from their decislapse of nearly sixty years since the adoption of the ion but to the people at the ballot box. These are has for the first time been drawn seriously in question by a portion of my fellow citizens. The constitution provides that "every bill which shall have shall, before it becomes a law, be presented to the objections to that house in which it shall have origiunted; who shall enter the objections at large in their journals, and proceed to reconsider it."

The preservation of the constitution from infrac tion, is the Presidents highest duty. He is bound to discharge that duty, at whatever hazzard of incurhim in opinion. He is bound to discharge it as well by his obligations to the people who have clothed him | which all other nations have been strangers. he may not disregard. Nor are the obligations of the President in any degree lessened by the preval-ence of views different from his own in one or both considerate" legislation that he is required to check but if at any time congress shall, after apparently full deliberation on measures which he deems subversive of the constitution, or of the vital interests of eident Wushington, while he yet held the Bank bill | constitution makes this his duty, and ee cannot esown best judgment. If he cannot approve, the con-Madison, at his request, did prepare the draft of stitution commands him to return the bill to the such a Message, and sent it to him on the 21st of souice in which it originated, with his objections;

Right or wrong he may be overruled by a vote of becomes a law without his sanction. If his objecttions be not thus overruled the subject is only postponed or is referred to the states, and the people for dent at his request, to be ready in case his judgment their consideration and decision. The Presidents should timily decide against a bill for incorpora- power is negative merely, and not affirmative. He ting a National Bank, the bill being then before can enact no law. The only effect therefore, of his withholding his approbation of the bill passed by Congres issed by congress is to suffer the existing laws to remain unchanged, and to the delay occasoned is only that required to enable the States and the people to consider and act supon the subject in wishes and instructions, 'Any attempt of the President to yield his canction to measures whiche cannot approve would be a violation of the spirit of the Constitution, palpable and flagrant; and if successful, would break down the independence of the executive department, and nake the President elected by the people and clothed by the constitution with

With the motives or considerations which may

But it has been urged by those who object to the exercise of this undoubted Constitutional power, there is greater safety in a numerous representative Mr. Madison, in yielding his signature to the body than the single executive created by the conpower," despotic in its churacter. To expose the Ours is not a consolidated empire, but a confedera-It is probable that neither the Bank of 1791 nor ted Union. The States, before the adoption of the "American System" at its commencement, and That the majority should govern, is a general printhey may oppress the minority.

Happily for themselves, the people, in framing

stang chough, gud that to wield its resources successfully in an direct levy upon the people, as is the case in the numerical revulsions; of unperspectates, and especially in war, more power should be contracted must hands. This sucreased power they did not seek that the could not occur.

States, this could not occur.

The who's systen was resisted from its inception, and depression of the great interests of agriculture, navigation, and so throw the whole power of nations into the bands should be a system was in all its branches and a President of the United States. The majorities of all the voters in their respective distributions into the strongth of nations in the respective distributions while others believed it was, in all its branches and the laws which may be a disposed of in the house, and by houses but little exceeding the number necessary for a quorum, and depression of the great interests of agriculture, navigation, and commerce; and general pecuniary suffering, and of in their several States, a House of Representatives, and a President of the United States. The majorities of all the voters in their respective distributions in the first several states and a President of the United States. The majorities of all the voters in their respective distributions and dangerous infraction of the Constilaw; nor can the House of Representatives immediately elected by them; nor can the Senate; nor can both together, without the concurrence of the President, or a vote of two-thirds of both Houses.

The true theory of our system is not to govern by the acts or decrees of any one set of representatives. The Constitution imposes checks upon all branches of the Government, in order to give time for error to be corrected, and delusion to pass away; but if the people settle down into a firm conviction different from that of their representatives they give effect to their opinions by changing the public servants. The checks which the people impased on their public servants in the adoption of the constition are the best evidence of their capacity for self government. They know that the men whom they elect to public stations are of like-infirmities and passions with tied by co-ordinate authorities and constitutional limitations. Who that hosiwitnessed the legislation of Congress for the last thirtp years, will fav that he knows of no instance in which measures not demanded by the public good have been carried? Who will deny that in the State tions, in derogation of the general interest, banks have been chartered, systems of internal improvement have been suggested-repressing their growth and impairing their energies for years to come.

After so much experience, it cannot be said that absolute, unchecked power is safe in the hands of any one set of representatives, or that the capacity er of the President in congress, are guaranties which of the people for self government, which is admit-ted in its broadest extent, is a conclusive argument pected. Without these guaranties, all their interests to prove the prudence, wisdom, and integrity of would be at the mercy of majorities in congress, re-

The people, by the Constitution, having commanded the President as much as they have commanded and its exercise upon proper occasion demanding it, the legislative branch of the Government, to exercise upon proper occasion demanding it, cute their will. They have said to him in their constitution, which they require he shall take a solemn onth to support : 'if Congress pass any bill which he shall not approve, he shall return to the House in lished, and the country will be thrown back from its which it shall have originated, with his objections present high state of prosperity which the existing thereto. In withholding from it his approval and signature, he is executing the will of the people constitutionally expressed, as much as the Congress sions of prices, and pecuniary embarrassments, which passed it. No bill is presumed to be in acturough which we have passed during the last 25 cordance with the popular will until it shall have passed through all the hands of the government requisite to make it a law. A bill passed by the bject of high national, importance, involving the House may be rejected by the Senate, and one passed by the Senate may be rejected by the House. In I have felt it to be an imperative obligation to each case both houses exercise the veto power on

Congress, and each house of Congress, hold uning the principle of the internal improvement der the Constitution a check upon the President, upon Congress. When the President recommends measures to Congress, he avons in the most solemn deemed inappropriate to review the principles and either house of Congress, shall differ with him, they constitution, the propriety of the exercise of this proper checks. None will be found to object to andoubted constitutional power by the President, them, or to wish them removed. It is equally important that the constitutional checks of the executive upon the legislative branch should be preserved. If it be said that the representatives in the popuassed the house of representatives and the senate, lar branch of Congress are chosen directly by the sents in the executive department the whole people of the U.S., as each member of the legislative de-

partment represents portions of them. The doctrine of restriction upon legislative and restrictive power, while a well settled public opinon is enabled within a reasonable time to accomning the displeasure of those who may differ with plish its ends, has made our country what it is, and has opened to us a career of glory and happiness to

In the exercise of the power of the veto, the pres ident is responsible act only to an enlightened public opinion, but to the people of the whole Unit n who elected him, as the representatives in the leghouses of congress. It is not alone thasty and in islative branches, who differ with him in opinion, are responsible to the people of particular states or districts. To the president the exercise of this power would be to repeal that provision of the constitution which confers it upon him. To charge that its complain of the constitution itself.

round that it checks and thwarts the public will upon the same principle, the equality of representation of the States in the Senate, should be spricken, out of the Constitution. The vote of a senator from Delaware has equal weight in deciding upon the most important measures, with the vote of a Senator from New York, and yet the one represents a State containing; according to the existing apportionment of representatives in the house, representatives of of but one thirty-fourth part of population of the

other. By the constitutional composition of the Sonate najority of that body from the smaller states represent less than one fourth of the people of the Union. There are 30 states: und r the existing apportion ment of representation there are 240 members in the house of representatives; 16 of the smaller states are represented in that house by but by 50 members and yet the senators from those states constitue a majority of the senate; so that the President may recommend a measure to Congress and it may roceive the sanction and approval of more than threethan three fourths of the whole population; and yet the measure may be defeated by the vote of the senntors from the smaller states. None, it is presumed, can be found ready to change the organization of the Senate on this account, or to strike that body practically out of existance, by requiring that its ac tions shall be conformed to the will of the more numerous branch.

Upon the same principle that the veto of the President should be practically at olished, the power of glorious system of well regulated self government the Vice President to give the casting vote upon an | will crumble into ruin-to be succeeded, first by equal division of the Senate, should be abolished al-30. The Vice President exercises the veto power as effectually by rejecting a bill by his casting vote as the President does by refusing to approve or sign it. The power has been exercised in some instaneffect of their moasures, when compared with the ces by the Vice President, the most important of which was the rejection of the bill to re-charter the Bank of the United States in 1816. It may happen that a bill may be passed by a large majority of the House of representatives, and may be supported by the Senators from the largest states, and the Vice President may reject by giving his vote with the Senators from the small states; and yet none, it is presumed, are prepared to dony to him the exorciso of this power uneer the constitution.

But it is in point of fact untrue, that an act pass ed by congress is conclusive, evidence that it is an emenation of the popular will. A majority of the whole number elected to each house of congress constitutes a quorum, and the majority of that quorum is competent to pass laws. It might happen that a served all others, including their own sovereinnty, ber elected, might passa bill by a majority of a sinto themselves. They guarded their own rights as gle vote, and yet in that case a fraction more than limitations which they incorporated into federal con- be represented by those who voted for it. It might stitution, whereby tee different departments of the happen that the same bill might be passed by a mageneral government were checks upon each other. jority of one of a quorum of the Senate, composed of Senators from the 15 smaller states, and a single takes necessary. The operation and necessary throughout its progress foresaw and predicted that ciple, controverted by none; but they must govern senator from a sixteenth state, and if the senators whole system were to eucourage large and it was frught with incalculable mischiefs, and must according to the constitution, and not according to voting for it happened to be from the eight of the an undefined and unrestrained discretion, whereby smallest of those States, it would be passed by the votes of Senators from states having but fourteen Representatives, and containing less than 1-16th of

the whole population of the Union. This extreme case is stated to illustrate the fact the a plane, cheap and simple confederation of country, and upon the people engaged in different delegating to them the power of legislation, they that the mere passage of a bill by congress is no the mere passage of a bill by congress is no that and protection of the government. It fostered and against the effects of hasty action, of error, of com- sent the majority of the people of the Union, or truly into a consolidated empire, depriving the States elevated the money power, and enriched the favored bination, and of possible corruption. Error, selfish reflect their will. If such an extreme case is not received make the states of the states elevated the money power, and enriched the favored bination, and of possible corruption. Error, selfish reflect their will. If such an extreme case is not nese, and faction have often sought to lend asunder likely to happen, cases that aproximate to it are of this best of checks, and subject the government to constant occurance. It is believed that not a single tent would be changed, not by an amendment of poorer." Its tendency was to create distinctions in the control of fanatics and sinister influences; but law has been passed since the adoption of the control of fanatics and sinister influences; but law has been passed since the adoption of the control of fanatics and sinister influences; but law has been passed since the adoption of the control of fanatics and sinister influences; but law has been passed since the adoption of the control of fanatics and sinister influences; but law has been passed since the adoption of the control of fanatics and sinister influences; but law has been passed since the adoption of the control of fanatics and sinister influences; but law has been passed since the adoption of the control of fanatics and sinister influences; but law has been passed since the adoption of the control of fanatics and sinister influences; but law has been passed since the adoption of the control of fanatics and sinister influences; but law has been passed since the adoption of the control of fanatics and sinister influences; but law has been passed since the adoption of the control of fanatics and sinister influences; but law has been passed since the adoption of the control of fanatics and sinister influences; but law has been passed since the adoption of the control of fanatics and sinister influences; but law has been passed since the adoption of the control of fanatics and sinister influences; but law has been passed since the adoption of the control of fanatics and sinister influences; but law has been passed since the adoption of the control of fanatics and sinister influences; but law has been passed since the adoption of the control of fanatics and sinister influences. society, based on-wealth, and to give to the favored their efforts have only satisfied the people of the stitution upon which all the members elected to both classes undue control and sway in our government. wisdom of the checks which they have imposed, and houses have been present and voted. Many of the It was an organized money power, which resisted of the necessity of preserving them unimpaired.

| It was an organized money power, which resisted of the necessity of preserving them unimpaired. | most important acts which have passed Congress | most important acts which have passe The people of the United States are not blind to have been carried by a close vote in these houses. the fact that they may be temporialy mieled, and Many instances of this might be given; indeed our Under the permicious workings of this combined that their representatives, legislative and executive, our experience proves that many of the most importhe to yield the political power of the counsystem and measures, the country witnessed altermay be mistaken, or influenced in their action by tant acts of congress are postponed to the last days,

tricts, and it may happen that a majority of that house may be returned by a less aggregate vote of the people than that received by the minority.

If the principle insisted on be sound, then the con-

stitution should be so changed that no bill shall become a law unless it is voted for by members representing in each house a majority of the whole people of the Union. We must remoddel our whole system, strike down and abolish, not only the solitary check lodged in the executive branch, but must strike out and abolish those lodged in the senate also, and thus practically invest the whole power of government in the majority of a single assembly; a majority uncontrolled and absolute, and which may become despotic. To conform to the doctrine of the right of majorities to rule inbependentof the checks and limitations of the constitution we must revolutionize our whole system. We must destroy the constitutional compact by which the several states agreed to form a federal Union, and rush into consolidation which must end in monarchy or despotism. No one advocates such a proposition, and yet the doctrine maintained, if carried out, must lead to this result, One great object of the constitution in conferring upon the President a qualified negative upon the le-

gislation of congress, was to prevent minorities from injustice and oppression by majorities. The equality of their representation in the senate, and the veto powpresenting larger states. In the smaller and weaker states, therefore, the preservation of the power tion and entered into the Union, securing to them-selves an equal representation with the Larger states in the Senate, and engaged to be bound by a constitution, framed by congress, upon the express condi-tion and none other, that they should be approved by the President or past, his objections to the contrary

postitution, I have on three occasions, during my from his opinions, gives his voice in their favor, and make his formal approval a mere mockery, and wol'd

ounded upon an idea respecting the popular will, which, if carried out, would annihilate state sovereignty, and substitute for the present federal goverument a consolidation directed by a supposed numerical majority. A revolution of the government would be silently effected, and the states would be ubjected to laws to which they had never given

their constitutional consent.
The supreme court of the United States is invesled with the power to declare, and has declared, acts of congress, passed with the concurrence of the senate and house of representatives, and the approval of the President, to be unconstitutional and void; and yet none, it is presumed, can be found who will be disposed to strip this highest judicial tribunal under the constitution of this acknowledged power-a powes necessary alike to its independence and the rights of individuals.

For the same reason that the executive veto should, according to the doctrine maintained be rendered nugatory, and be practically expunged from the constitution this power of the court should olso be rendered nugatory and be expunged, because it restraines the legisptive and exceptive will; and pecause the exercise of such a power by the court may be regarded as being in conflict with the capacity of the people to govern themselves .-In deed, there is no more reason' for striking this power of the court from the constitution than there is that of the qualified veto of the President; because the decision of the court is final, and can never If the presidential veto be objected to upon the tion to it: whereas, the veto of two thirds of both houses of Cogress, or by the people stitle polls.

It is obvious that no preserve the system estab-lished by the Constitution, each of the could nate branches of the government-the Executive, the begislature and the Judiciary-must be left in the exercise of its appointment powers. It the Executive or the Judicial branch be derived of power con, ferred upon either, as checks on the Legislature the preponderance of the latter will become disproportionate and absorbing, and the others impotent or the accomplishments for which they were estabished. Organized, they were, by the constitution they harmonized together harmoniously for the public good. If the Executive and the Judiciary shall be deprived of the constitutional powers invested in them, and of their due proportions, the equilibrium of the system must be destroyed, and ensulidation of unchecked despotic power exercised

by majorities of the Legislative branch. The executive, legislative, Judicial -each constiute a seperate, coordinate department of the government; and each is independent of the others .-And the performance of their respective duties under the constitution, neither can, is its legislatve action, control others. They each act upon their several respondibilities in their respective spheres; but if the boctrine now maintained be correct, the Executive must become practically subordinate to the legislative, and the judiciary must become subordinate to both; and thus the whole power of the government would become merged in a single department. Whenever, if ever, this shall occur, our

anarchy, and finally by monarchy or despotism. I am far from beleiveing that this doctrine is the sentiment of the American people; and during the short period which remains for me to administer the executive department, it will be my aim to maintain its independance, and discharges its duties of either of the other departments, of government. The power of the Eccutives as exercised by the first and most illustrations of my predecessors, and by four of his successors who preceded me in the administration of the government, it is beleived in no instance prejudicially to the public interests, has never been exerciseed. No President will ever desire bunnecessarily to place his opinion in opposition to that of Congress: he must always exercise the power reluctiontly, and only in cases when his convictions make it a matter of stern duty which he cannot escape. Indeed there is more danger that the President, from the repugnance he mustalways feel to come into collision with Congress, may fail to exercise, in cases where the preservation of the Constitution, or the public good may demand it, than he will exercise it unnecessarily or wan-

During the period I have administered the Executive Department of the Government great and important questions of public policy, foreign and domestic, have arisen, upon which it was my duty to act. It may indeed be truly said that my administration has fallen in evotful times. I have felt most sensibility the weight of the high responsibil-ity devolving upon the. With no other object thathe public good, the enquring fame and permanant prosperiment of my country, I have persued the convictions of my own best judgment. The impartial arbitrament of enlightened public opinion in the present and the futur will determin how far the public policy I have maintained, and the measures have reccomended, may have tended to advance of relard with public prosperity at home, and to elevate or decress the estimate of our national character

Invoking the blessing of the Almighty upon your deliberations at your present important session my ardent hope is that in a spirit of harmony an concert, you may be gided to wise results; and such glory of our beloved country.

JAMES K. POLK.

WASHINGTON, December 5, 1848.

THE WEEKLY OBSERVER

ERIE, PA,

SATURDAY MORNING, DECEMBER 9, 1849.

THE MESSAGE -The last annual message of President Polk occupies our columns, this week, to the exclusion of almost every thing else. Of course, we have not had time to read it carefully, much less to comment upon itthe reader can do that for himself.

TELEGRAPHING THE MESSAGE, - The President's Message commenced being telegraphed to Buffalo, via Pitteburgh and Cleveland, on O'Reilly's line, on Tuesday evening at 6 o'clock, and at the time of writing this, (Wednesday evening) was not finished. We would have made arrangements to have obtained a copy that way. but it cost more dimes than we could afford to pay, When we obtain a General Banking Law, with four or five Banks in town, and the people learn to appreciate and pay for such expenditures, we'll telegraph all "Old Zack's" messages, both written and verbal. Not within the recollection of the "oldest inhabi-

gine," The "sail" is "free" to all intents and purposes -so much so that we guess Van Buren himself could find no cause to grumble on that score. At all events it is so "free" that it makes a much better "run" than he did.

tant" was there ever such a time for mud in "these dig-

Did the parties permit we could introduce this week to our readers the names of a large number of ladies who have used the celebrated Remedy, which has become so complete. It withe people's medicine. Vaughu's Vegrable Lithoutripte Miture. The Indies we refer to have been suff.ring for years under a complete derangement of the system, weak back, and spinal diseases, weakness of the kidueys, pain in the region of the kidneys, ho appetite, headache, and in short led a inserable existence.

ence.
Seeing the Remedy set forth as a cure for all derangements of the female system, they procured it, and under its induced, every individual ache and pain vanished, a healthy tone was given to the whole system, the trregalarities of which were remedied after recovered. This is the greatest remedy, this Vegetable Lithontriptic Mixture, ever compounded, there is gvidence enough of that. See our advertisement columns for Vaughn's Great American Bemody. Cait on Agent and get Pamphlet.

WISTAR'S BALSAM OF WILD CHERRY.—We have motwithstanding, by a vote of two thirds of both houses. Upon this condition they have a right to insist, as a part of the compact to which they gave their assent.

A bill might be passed by congress, against the will of the whole people of a particular state, and against the votes of its senatore, and its representatives. However prejudicial it might be to the interest of such state, it would be bound by it, if the President should approve it, or it should be passed by a vote of two-thirds of both houses; but it has a right to demand that the President shall exercise his constitutional power, and arrest it, if his objection is a gainst it. If he surrender this power, or fail to exercise it in a case where he cannot approve, it wol'd make his formal approval a mere mockery, and wol'd such states the content of the pressure of the pres

be 'itself a violation of the constition, and the dissenting state would become bound by a law which had not been passed according to the sanction of the constitution.

The objection to the exercise of the veto power is

Administrator's zerotices

FITERS TESTAMENTRY on the estate of John Siscon. I late of McKean dee'd. having been granted the subscriber, notice is hereby given to all persons indebted to said estate to mode its hereby given to all persons indebted to said estate to present them properly authenticated for settlement.

Eric, Dec. 0, 1832.

Stray Steor.

CAME to the enclosure of the subscriber about the 14th of March last, a red, yearling Steer, with some while on the top of his head and lend of his nose, also, some while on his bely. No artificial marks. The owner of said Steer is requested to come, prove property, pay charges, and take him away.
Greene, Dec. 9, 1848. 3:33 GEO. W. BONNELL.

CHILD-BIRTH:

A calsable Scientific Work, upon the subject of Gestation and Child Brith, by R. G. Geststein, M. D., late of Paris, just published in New York by the Author.

Price Twenty-five Cents.

THIS WORK contains recently discovered information upon a subject of the highest importance to Married Persons, or those contemplating Marriage.

It will be found of special value to those whose means, health or other circumstances, do not permit them to increase the number of their family, great inconvenience, suffering, or perhaps risk of Hie. A method of avoiding these troubles and dangers, at will, (recently discovered by a celebrated French Physician.) is fully communicated in this work, so that any person may avail himself of jet at once, without cost. The method of prevention here set forth are therefore within the reach of all. The process is new, safe infallible, convenient, simple, and cannot injure the health of the most delicate.

the most deficate.

The CAUTION, the Some speculator has clandestinely (under another name) published an limitation. (learing the same title,) which besides omitting THE MOST, MICHTANT FORTIONS Of it, dupes the credulous

One Pollar.

When the price is Twenty-five Conts For the Genuine, fully and complete Work.

Copies of this work will be sent in a close envelope, single letter postage to any part of the United States, for twenty-five cents sent, post-paid, to Dr. R. G. Geissner, Box 2156, office 127-1-2 Liberty io Bookseiler allowed to sell this work.

Streets, Erie, is offered for sale on reasonable terms. The stand has been used for Hotel purposes for uany years, and is lavorably-known to the public. The buildings are commedians and have every convenience necessary for such an establishment. If not sold by the 23th of February, the premises will be leased on favorably terms. Possession to legiven on the lat of April next.

EALBRAITHS & LANE. Eric. Dec. 0, 1518. 3028 Atty's, for A. Farnsworth, owner.

SODA BISCUIT. A FRESH supply of Spencer's (Buffalo) Soda Biscuit, justice ceived and for sale at No. 1, Perry Block by Eric, May 12, 1818.

G. LOOMIS & CO.'s Clocks, Watches, Jewelry and Fancy Goods,

Glocks, Watches, Jowelry and Fancy Goods, A RE now being exhibited at the old established stand on State.

A Street, nearly opposite the Eagle Hotel.

From very recent and large purchases in New York City, of the choicest styles of Goods the public will now have an oportunity of viewing the Largest and Best assortment in their line ever brought to Erie.

In the mechanical branch of business conducted by the proprietors, parlicular attention will be paid to the repairing of fine Lever, [Cylinder, Duplex, Chronometer and common Escapement Warches. The most difficult Watch work executed in the best inished and workmanlike manner. They acknowledge with thankfulness the extensive parronage thus far in this department, and although some of their neighbors say they will do work a little cheaper, the public may understand this, that their work shall be done better than they can do it, or no charge for the job. With fair prices and strict attention to business, it is reasonable to expect a continued find increased patronage.

ect a continued and increased patronage.

Frie. Dec. 2, 1848. NOTICE.

THE Members of Engle Fire Company No. 2, are requested to meet at their Engine House, on Monday evening, Becember th, at 7.0/clock P. M., for the purpose of electing the Presiding Officers of Said Company, for the ensuing six months, and trans-Officers of said Company, for the ensuing six months, and transacting other buyless of importance. A punctual attendance of the members is requested.

Erie, Dec. 2, 1848.

J. D. JAMTS, See'y A punctual attendance of NOTICE.

A LL persons indebted to the subscriber for Cothling, Dry Goods, &c., are requested to call and settle on or before the lat of Junuary next. I must have money, and if it is not forthcoming, I unist take legal measures to collect my demands.

Lirie, Dec. 2, 1918. n29 MOSES KOCH. Look at This.

THOSE indebted to me, whose accounts are over three months
attaighing, are requested to call and pay on or before the first
of January next, or their Accounts and Notes will be lent with R.
O. Hulbert, Esq., for collection, 1 speak as to wise men-pindge
as that I can. D. S. CLARK

e what I say. Frie, Dec. 2, 1848. n29

Wanted.

Wantod.

A TON of good Hay, and a few cords of wood, wanted at this office.

Dec. 2, 1848.

Flour! Flour! Flour!!

O BBLS. Superfine Flour, just received, and for sale 25 cents cheaper than at any other establishmen in the city, at No. Perry Block.

Decr. 2, 1843.

Beware of Pickpockets.

The subscriber has pur bread thell atent-right of Joseph Colton's celebrated Pocket safe. These Pockets are so constructed as to battle any attempt on the part of a thief to open them. They are too well known to require further detail. Mon who have bank notes, or any important papers to carry about them, must at once see the advantage of having this aparatus inserted in their coats. Call in and examine this article, everybody.

G. B. KEENE,

Erie, Pgc 2, 1818 Muffs and Foas.

COMPLETE assortment of Muss and Boas may be found, cheap, at WRIGHT'S CORNER. Bonnet Goods.

DEC'D by Express, a good selection of assorted uncut Velvets.

A assorted Sains, all colors rept. and uncut Bonnet Silks, assorted kibbons. &c., all of which will be sold very cheep to Miliners, or to the ratali trade, at WRIGHT'S CORNER.

Dec. 29

TAKE NOTICE.—Those indebted to the siscriber in any way. will please july on or before the first of January next. hope this notice will be strictly observed, and costs saved.

SMITH JACKEON.

Dec. 2, 1819. Mow and Fresh Georges.

THE Subscriber has just received a fresh supply of wet and dry family Groceries; also, wines and Inquors, dye stuffs, nails and glass, which he will sell wholesale or retail, cheaper than ever, for cash or country produce. Call and see.

W. F. EMBERNECHT'S.

Dec. 2.

COFFEE.—30 Bags Rio, St. Domingo, Coos, Laguira and Java
Coffee, for sale cheaper man elsewhere, by the bag or less quantity, by
WM. F. RINDERNEUIT.
29

TEAS.—10 chests Old and Young Hyson Tea; also, a surerior article of Black Tea, at RINDERNECHT'S.

Dec. 2. St. GARS.—New Orteans, Porto Rico. Havana, Loaf, Pulverlied