[CONTINUED FROM FIRST PAGE.]

Mark you sir, it is wholly immaterial whether this encroachment upon private rights; this tyranny, is to be exercised by one tyrant who may call himself emperor, king, despot, anything, or whether it be exercised by a multitude of tyrants, assuming to act in the capacity of legislates. I am contending against a innovation. In every law book which can be consulted on this question—in every commentary upon constitutional law—this doctrine is invariably held, that these insidious encroach ments by one department of the government upon another, are dangerous to liberty and are be most carefully and assiduously watched

Now, sir, whatever may be the aspect of this —whether you repeal this law or whether ou do not—the question comes back again at last to the jurisdiction of the court. You can-not avoid the court. The suggestion was made here by the gentleman from Allegheny, (Mr. WILLIAMS,) upon the last argument on the bill, that the doctrine of presumptions entered largely into the question—that the law of 1861 was presumed to be constitutional and that the sme presumption would follow this law, and en it came before the court it would "have the presumption in its favor." Now, who ever before heard of arguing a constitutional question upon presumption? How idle—how perfectly idle! Presumptions in regard to a constitutional question! Why, sir, pre sumptions hold no place in the argument—no the slightest. A constitutional question when once raised (and it matters not how it comes before the court) has no presumption about it that car affect the interpretation. A presumption follows the act just so far that prima facie it is con stitutional; but when it comes before the court for adjudication, presumptions have no place whatever; it becomes solely and purely question of constitutional interpretation. Mr. WILLIAMS. Does the gentleman asser

that the law, when brought before the court, ceases to be prima facie constitutional? Mr. ARMSTRONG. No, sir. It does not cease to be prima facie constitutional. The gentleman knows that just as well as I do; and he knows just as well that when an act of Assem-bly comes before the court, for judicial interpretation, it comes there upon its merits, and the court determines the interpretation of the

Constitution as applied to that act of Assembly

ask the gentleman whether they do not.

Mr. WILLIAMS made a gesture of dissent.

Mr. ARMSTRONG. Then I take issue with the gentleman and every law book that he ever read, and all he ever can read, will bear me out in this position. Let him produce one single authority, big, little or indifferent, and I will submit. It cannot be done. I am not here for the purpose of tossing my feeble reiteration against that of the gentleman from Allegheny, by way of asseveration as to what is the law. e here and read the law from admitted constitutional authorities—the solemn decisions of the ablest judges the country has produced, and who have given to this question the very highest efforts of their genius and learning.

Judge Story further remarks: "The univer-sal sense of America has decided, that in the last resort, the judiciary must decide upon the constitutionality of the acts of the general and State governments, as far as they are capable of being made the subject of judicial controversy."

Now, here is authority directly in point the whole history of this country—that of the National government, and of all the respective States—in the history of England, which is the great fountain of our law, there cannot be found an instance in which the Legislature has been permitted to give authoritative exposition to an act which involved simply a question of consti-tutional construction. No, sir, never. I say again that this question must come ultimately to the courts; it cannot escape their revision.— Suppose that this bill be now passed; the company resist the operation of the law, the question is brought before the courts unavoidably and immediately. It goes before the courts as a question of constitutional law, and will be deded by them upon the inspection of the bill

and upon the question of contract.

But sir, further than this, where would be the end, if our Legislature may thus attempt to determine the constitutionality of the acts of their predecessors, making their supposed unconstitutionality a ground of repeal. If it be in our power to repeal the act of 1861, what is to prevent the Legislature of 1863 from repealing our repealing act, and what is to prevent the Legislature of 1864 from re-enacting the Why sir, the result of this doctrine would be interminable confusion; there would d to this pr ss of enactment and

repeal.

Patrick Henry, in discussing the question of the adoption of the Constitution of the United States, uses this language:

"The honorable gentleman did our judiciary honor, in saying that they had firmness enough to counteract the Legislature in some cases. Yes, sir, our judges opposed the acts of the Leg-islature. We have this land-mark to guide us. They had fortitude to declare that they were the judiciary, and would oppose unconstitutional acts. Are you sure that your federal judiciary will act thus. Is that judiciary so well consti-tuted, and so independent of the other branches, as our State judiciary? Where are your land-marks in this government? I will be bold to say, you cannot find any. I take it as the est encomium on this country that the ts of the Legislature, if unconstitutional, are liable to be opposed by the judiciary."—[2 Elli-ott's Debates, 248.]

It is, in the judgment of Patrick Henry, in the highest degree indecent to submit the determination of constitutional questions to any other tribunal than the judiciary.

Now, sir, it has been further said by the gentleman from Allegheny, (Mr. WILLIAMS,) that "there is great danger of the judiciary encreaching upon the powers of the Legislature."
Why, sir, that idea seems to me a phantom.—
When has there been such danger? Where has the judiciary ever eneroached in this manner? I know perfectly well that the gentleman from Allegheny, disturbed by some distorted vision of railroad bonds, thinks that the present Supreme Court are incompetent to decide upon great constitutional questions. I am not disposed to take issue with him upon that question. It is sufficient that the sense and judgment of the whole profession is against him. But it is not a question of their convertency, in which I the judiciary ever encroached in this manner? the whole profession is against him. But it is not a question of their competency, in which I may be permitted to say I have entire confidence; but, whether they be competent or not, you cannot escape their decision. They are not only authorized to decide, but the Constitution requires them to decide: the decision rests with them alone, and cannot be wrested from them, nor pronounced by any other power. But on this subject, the learned judge, from whose com-

mentaries I read, says:
"It may, in the last place, be observed that the supposed danger of judiciary encroachments on the legislative authority, which has been upon many occasions reiterated, is in reality a phantom. Particular misconstructions and contraventions of the will of the Legislature may now and then happen; but they can never be so extensive as to amount to an iuconvenience, or, in any sensible degree, to affect the order of the political system.

But, suppose that we may declare a law to be moonstitutional, and repeal it on this ground—suppose that we may assume that part of the judicial function—I ask what becomes of the

its expositors, thus by our own act vesting in ourselves the whole powers of the judiciary and the legislative department. We assume to say

and to conform to their interpretation of the Constitution, the practical meaning must be that they should be subjected to the control of the representatives of the people in the executive and legislative departments, and should interpret the Constitution as the latter may,

from time to time, deem correct."

Here we have the question presented in all its length and breadth. This bill proposes that this Legislature shall impose upon the Supreme Court, the duty of deciding upon an act of As-sembly according to this Legislature's interpretation of that Constitution

Upon the general proposition which I have nnounced that a Legislative grant is a contract Announced that a logislawite grant is fixed by the suppose, sir, it is quite unnecessary to cite further authority than I have already done. To a lawyer to state it is all that is necessary, and I presume that even my friend from Alle (Mr. WILLIAMS,) who is so zealously gheny, (Mr. WILLIAMS,) who is so zealously affected in this cause, would not venture to dispute it. But upon the question of repealing such an act, let me cite the case of Ferret ws. Taylor, 9 Clanch, 52, in which the Su-

feme Court use the following language:
"But that the Legislature (of a State) can repeal statutes, creating private corporations, or repeal statutes, creating private corporations, or confirming to them property already acquired under the faith of previous laws, and by such repeal can vest the property of such corpora-tions exclusively in the State, or dispose of the same to such purposes as they may please without the consent or default of the corpo rators, we are not prepared to admit; and w think ourselves, standing upon the principles of natural justice, upon the fundamental laws of every free government, upon the spirit and the letter of the Constitution of the United States, and upon the decisions of most respect able judicial tribunals in resisting such a doc

In brief resume of the question, I may say it comes down to just this: the Legislature of 1861 has passed an act of Assembly which I say is a contract, (and I challenge investigation and argument upon that point,) and this act being a contract, it is not competent for the Legislature to repeal it.
This question of fraud in the legislative

department of the government in passing an act of Assembly, and which is attempted to be of Assembly, and which is attempted to be raised here, cannot be entertained by this courts, and cannot be passed upon by this Legislature. The remedy for this evil—and it is an efficient one—is vested exclusively in the people, who, by their return of proper persons, people, who, by their return of proper persons, at all times should protect themselves against this sort of abuse. It is a power resting in the people alone; and to be exercised by them in their primary and sovereign capacity at the polls—they have not clothed the Legislature with this supervisory power over themselves. It is not competent for this Legislature to inquire into the acts of its predecessor; nor is it competent for the courts thus to inquire. There is no writ that could bring the Legislature, as such, before them; and least of all, a Legislature which is dissolved, and has no present existence whatever. There is no power by which it could be done. There are no pleadings that could raise the question. There precedent for such an act in any case, in England or America—no, not one. I beg the House to bear this fact in mind. I here challenge contradiction, when I say that in the whole judicial history of England, or of the United States, there is not one case in which it has been attempted to arraign the Legisla-ture before a tribunal, to investigate the questhat such an attempt should be made, because the powers of government were vested in three ordinate branches, and for one to assume the controlling jurisdiction over the other would break down the very principles of liberty on which our Constitution is based

I need not refer to other cases to show that the Legislature has no judicial power. The gentleman, I have no doubt, will admit that as a general principle. How he will attempt to distinguish this case, in a manner to take it outside of that general principle, I am quite at a loss to know. That the Legislature has no judicial power, cannot be questioned. If it were disputed, it would be easy to refer gentlemen to the case of De Castellux vs. Fairchild, decided some years ago, in which the Legislature attempted to pass an act of Assem-bly to grant a new trial. I believe the case was from Fayette county—I am not sure. The act assumed to grant a new trial in a certain case; and the court would not recognize any such jurisdiction in the Legislature, and decided that there was no power in the Legislature to overrule the previous decision of the courts.

In Curtis's Commentaries upon the Constitu-tion, (and I will refer to this very briefly,) it is declared in section 258: "It is important, how-ever, in the distinction as to laws which divest vested rights, to observe that if the rights have vested under a contract, or a grant of a State not to resume or interfere with the rights

Now, there is a settlement to the whole question. If the rights vested under the act of 1861 were the result of a contract at all, then the rights have so vested that the State cannot take them away, because it is in contravention of the Constitution of the United States and the Constitution of the State of Pennsylvania, which both expressly forbid that any law shall be made impairing the obligation of contracts. And it is admitted that the grant of a State does constitute, account. loes constitute a contract.

But as to the question of fraud-and in this connection, let me remind the House that the gentleman from Washington, in the last discussion of this question, said that he did not rest the age of the bill upon the matter of fraud at all; he is prepared to vote for the repeal of this act totally apart from the question of fraud. In that, I opine, he differs from the learned gen-tleman from Allegheny, because that gentleman expressly put the case upon the ground that because there was fraud in the contract, because it was unjust and inequitable to execut a contract which had been obtained by bad faith on the part of one of the contracting parties therefore the act could be repealed.

Mr. WILLIAMS. Will the gentleman allow

Mr. WILLIAMS. The gentleman will allow question that it is intolerable—a monsterous ground than that. I believe that this law can me to explain. The only section of the pream-ble submitted by me which did charge fraud, should be corrupted; every one admits that the plighted faith of the Commonwealth. The

Mr. ARMSTRONG. Well, sir, the courts long ago came to the conclusion that the dis-tinction between frauds in law and frauds in fact is very limited indeed; and as this case stands, there can be no fraud in law that is not a fraud in fact. There is no room here for the distinction; it is a distinction without a difference. In this particular case, the only fraud that can be alleged at all is the fraudulent means used in obtaining the passage of the bill. That is the fraud, if there is fraud at all. 'The idea of false suggestion, in the freamble to the if it can be done act, which the gentleman dwelt upon at some Mr. BIGHAM. length, is a matter of very minor consequence indeed. It cannot be alleged that there is fraud committed upon a party who has in his hand and before his eyes the very terms of the conposition just avowed by the gentleman is an entirely novel position for him, because heretofore it has been argued that fraudulent means were used to procure its passage—that there no part was corruption in the Legislature—that a ma-slightly jority of the members were corrupt, and that ceeding. e of this corruption the act obtained by these fraudulent means was void. That we the argument.

Mr. WILLIAMS. It was the argument or the question of investigation, not on this bill Mr. ARMSTRONG. Well, sir, the records will show the facts; I am not disposed to bandy Well, sir, the records assertions in regard to the matter; but ever member of this House knows perfectly well that the position assumed in reference to this bill was that it was a fraud. That was the

Now, sir, I am perfectly free to say that, so far as fraud entered into that contract. I wish eral sovereignty, can do no wrong, just as in she suffer. England, the maxim is "the king can do no Now, sir wrong." Here we apply the maxim to the tween the government, and the maxim is of equal sig-nificance both there and here. It is analagous to that other maxim of law, that the "the king never dies." The government althe sovereignty never dies. A particular Levalid contract, it is one of the provisions of the gislature may go out of existence; the legisla-law that this tonnage tax shall not be refeasance on the part of any individual member you meet precisely the same constitutional ob-of that Legislature. He is amenable individutire before a tribunal, to investigate the question of fraud in the passage of a legislative act. It is wholly impracticable, as well as utterly ally to the laws, which provide the punishindecent. The leading case bearing upon the question, is that of Fletcher vs Peck, in which the courts refused to hear testimony, and proposed it to be "unseemly and indecent."

The leading case bearing upon the discontinuous series and which the courts refused to hear testimony, and proposed it to be "unseemly and indecent."

The leading case bearing upon the discontinuous series and which is a menable individually included in precisely the same way. If the leading case bearing upon the discontinuous and proposed it to be "unseemly and indecent."

The leading case bearing upon the discontinuous attempts to corrupt the Legislature by any personal discontinuous attempts to corrupt the Legislature by any personal discontinuous attempts to corrupt the Legislature by any personal discontinuous attempts to be answered in precisely the same way. If the laws as stringent as they can be made. I would make the act of last session be unconstitutional, as I have already said, it needs no repeal, and with out any legislative act, the rights of the State would punish with the utmost severity any out any legislative act, the rights of the State would punish with the utmost severity any out any legislative act, the rights of the State would punish with the utmost severity any out any legislative act, the rights of the same way. If the act of last session be unconstitutional, as I have already said, it needs no repeal, and with out any legislative act, the rights of the same way. strengt to corrupt the Legislature by any per-son at any time. But, sir, I would not sacrifice dues there may be, can be collected by process the great principles of public liberty which of law, without any act of Assembly. There-underlie the division of judicial, legislative and executive powers by attempting thus to en-for this purpose. executive powers by attempting thus to en-croach upon the judicial functions and to usurp n the Legislature a power which the Constitu tion and the laws have never vested in them.

"The truth is," says Justice Story, "that the legislative power is the great and over-ruling power in every free government. It has been remarked, with equal force and sagacity, that the legislative power is everywhere extending the sphere of its activity, and drawing all power into its impetuous vortex."

There lies the danger pointed out over and over again. The danger consists in the Legis-lature drawing into its "impetuous vortex" all the powers of the government.

"The representatives of the people will watch with jealousy, every encroachment of the Executive magistrate, for ittrenches upon their own authority. But who shall watch the encroach ment of these representatives themselves? Will they be as jealous of the exercise of power by themselves, as by others? In a representative republic, where the executive magistracy is carefully limited, both in the extent and duration of its power; and where the legislative power is of its power; and where the registrative power is exercised by an assembly, which is inspired by a supposed influence over the people, with an interpid confidence in its own strength; which is sufficiently numerous to feel all the passions sufficiently numerous to feel all the passions of the gentieman spreamore. Lot us no what we can in a legitimate and proper way to effect our purpose. What I propose, that this Legislature shall do is to recover the money, if it can be done, and put it back into the treasury a law which impairs or takes them away impairs the obligation of a contract, since that obligation necessarily includes an undertaking ous as to be incapable of pursuing the objects of its passions by means which reason prescribes; it is easy to see, that the tendency to the usurpation of power is, if not constant, at least probable; and it is against the enterprising ambition of this, the (the legislative,) department, that the people may well indulge all their jealousy, and exhaust all their precautions."

Sir, such is the language of a judge who has been one of the distinguished lights of the judiciary—a bright ornament of the Supreme Court of the United States, in discussing this very precise question—the danger to the liberties of the people resulting from attempted innovations by the Legislature upon the other

branches of the government. But it may be asked, and it has been asked in this discussion, "What is to be the remedy, if there be any misconstruction of the Consti-tution on the part of the government of the United States, (or, as in this case, of a State.) or its functionaries, and any power exercised by them, not warranted by its true meaning?

The state of the s

selves the whole powers of the judiciary and the legislature entropy which did charge fraud that it is fairly and entirely within the power of the Legislature and may be repealed. Judge that it is fairly and entirely within the power of the Legislature and may be repealed. Judge Story says:

"If the will of the people is to govern in the construction of the powers of the Constitution, and that will is to be gathered at every successive election at the polls, and not from their deliberate judgment and solemn acts in ratifying the Constitution is to be expounded, not by its written text, but by the opinions of the rulers for the time being, whose opinions are to prevail—that its time, and I wish the people of 1862, or of 1863 or 1864?

When, therefore, it is said that the judges ought to be subject to the will of the people, wherein shall the corruptor of the Legislature and may be repealed. Judge ble submitted by me which did charge fraud; in the way of reputation or rumor, was exactned by the House; the preamble, outside of the time being whose opinions of the powers of the Constitution, or in amending it, what there is any fraud to the probable existence of fraud by the constitution, or the mending it, what there is any fraud to did so corrupted; every one admits that the lighted faith of the Commonwealth. The should be corrupted; every one admits that the pleople, by their representatives, have said to the time that it is such an evil as requires correction.—

Yet, wherein shall the correction consist. The the the third is such an evil as requires correction consist. The the time being way of reputation or rumor, was exactned to the vill of the people is to govern in the constitution, or the will of the people where the will of the people where the will of the probable existence of fraud by the constitution to the expense of the Constitution the will of the people will be subject to the will of the people, when the time the probable existence of fraud by the constitution, the prevent of the flows at health to

so disastrously.

Now, sir, let me call attention to the precise point in my amendment. The State of Pennsylvania held two judgments against the Pennsylvania railroad company, I think, for about
three hundred thousand dollars, (I do not
at present recollect the precise amount.) I directly, clearly and pointedly before that propose to institute such legal proceedings as tribunal in such a manner that there can be may be necessary for their collection, thus, by no evasion. I maintain, sir, that this is a the ordinary and approved course of judicial right measure for this House to adopt. proceedings, to place the money in the treasury, meets the question as a business question.

Mr. BIGHAM. As a matter of fact, do those judgments remain unsatisfied?

Mr. ARMSTRONG. I have been informed that, as a matter of fact, they remain unsatis-fied, and that execution may issue upon them. tract which he proposes to execute. There is But even though they should be of record sahere no pretension of deception practiced upon tissied, it would make no difference; for the bonds of the Pennsylvania railroad company the Legislature. To take that ground is totally gentleman knows very well that a judgment have risen in value in consequence of this to abandon the other; and I take it that the on which satisfaction has been erroneously enon which satisfaction has been to the examination of the current and the entry of satisfaction may be become valuable and oftentimes permanent stricken off. That circumstance would make investments to thousands of present holders,

> and valid act, this can be done. There is judgment it cannot be done, nothing to prevent the collection of that money I am sorry to have trespondent. but this act of Assembly. If the act is uncon stitutional, then it is void, and does not interpose any obstacle; and no power on earth can remarks. I feel, sir, that this is an important prevent the collection of the money, for the question, and one which we should meet in all corporation is perfectly solvent. And if it be its responsibilities—with all due fairness to the constitutional, then, in my judgment, it is a company, and with all due regard to the contract, which cannot be repealed. If, on the plighted faith of the Commonwealth.

Why is it, sir, that the advocates of the re-peal resist so tenaciously the reference of the question to the courts, to which, as they very there were means by which that fraud could be well know, it must inevitably come at last. Is reached; but as a lawyer, as a professional man, it, sir, that the public mind may be kept in I say that it cannot be reached by the method proposed here—that there is no power in the Legislature to repeal a legislative contract or grant because of corrupt means used in the procuring of its passage. The presumption is that the Legislative power, as part of the general soversignty, can do no wrong just ag in the suffer.

Now, sir, let me state the main difference between the amendment of the gentleman from Allegheny and my amendment to the amend

The gentleman, in his amendment, propose "the king never dies." The government alto reinstate the tonnage tax. In this attempt ways exists. The particular man may die; but he meets with just this difficulty: If this be a tive power never dies. You cannot arraign the imposed, unless it be equally imposed upon legislative power for any particular act of mal-other railroad companies of the State. There

The proposition of my amendment is, that The proposition of my amendment is, that we shall proceed to collect this money, if it can be collected; that the Attorney General be instructed to test the validity of the act of 1861. I have used the word validity, instead of constitutionality, because it is a word of larger meaning. My proposition is not dependent upon the discretion of the Attorney General; it instructs him absolutely to test the validity. t instructs him absolutely to test the validity of the law; and if it be declared unconstitutional or void, in whole or in part, then he is directed to proceed immediately to sue for and

collect the whole residue of the tonnage dues. Now, sir, in view of these considerations what possible objection can there be to my proposition? It covers this whole case. It strikes out the preamble which attempts to make the Legislature speak the particular sentiments of particular men, who, I will not deny, entertain convictions which are perfectly honest, but who. I believe, are strongly biased with hostil ity to this road. Why make this Legislature express themselves in the extraordinar of the gentleman's preamble. Let us do what of the State—to sue for and collect not only the judgments, but the arrearages of the tonnage

The proposition is very plain and straight forward. Who dare say that it does not propose a sufficient, dignified and proper a sufficient, dignified and proper It meets the question fully and in precisely the same manner that the rights of every citizen are ascertained. It proposes to deal with the question in the only legitimate manner in which it can be dealt with.

With these convictions, how can I vote for this bill? As I have said, I was opposed to the passage of the act, and resisted it at every stage of its progress. It was I who wrote and offered at the time, as the journals of last session will show, the amendment which pro-posed to compel the company to pay into the treasury the whole amount of tonnage dues accrued before the passage of the act. And, sir, I would now oppose the repeal of the tonnage duties were it a question still within the power of the Legislature. I would stand side by side with the gentleman from Allegheny, as I did before by them, not warranced by its one meaning?" The gentleman from Allegheny, as I did before To this question a general answer may be given, in the words of its early expositors: I joined hands in opposition to the act with the gentleman from Bradford, the gentleman from Bradford, the gentleman from Uses and others whom I see here, in doing all we could to prevent its passage. But, sir, I can in the first instance, if this should be offeres, "the success of the usurpation of the success of by Congress, "the success of the usurpation will depend on the executive and judiciary devil support the Constitution of the United States, that I will support the Constitution of the State of most that we may assume that part of the judicial function—I sak what becomes of the government, so wisely divided into three departments. Upon that point let me again read from Judge Story:

"What becomes of the limitations of the Constitution of the Dill now pending, as putting the case upon the ground of fraud simply?

"What becomes of the limitations of the Constitution of the Constitution of the State of the legislature with fidelity, a remedy must be obtained from the sax member of this Legislature with fidelity, a remedy must be obtained from the sax member of this Legislature with fidelity, and that, as I shall answer to God in the great mad shad, as I shall answer to God in the great of other articles constantly of other articles constantly of the people, thus unofficially promulgated, forms, for the time being, the supreme law and the supreme expositions the law!"

Mr. WILIAMS. Will the gentleman allow must be obtained of the poople of the poople of the poople of the government, a remedy must be obtained from the sax member of this Legislature with fidelity, people."

Mr. ALMSTRONG. I refer to the remarks ment in relation to the bill now pending, as a member of this Legislature with fidelity, and that, as I shall answer to God in the great day." Would it be fidelity, if, with strong convictions, that this law cannot be repealed, I should liberal share of the range of the surgeme law and the supreme expositions of the law!"

Mr. WILIAMS. Will the gentleman allow will depend on the executive and judiciary deportments, which are to expound and give lefted to the legislature with fidelity, are remedy must be obtained from the sax member of this Legislature with fidelity, how, there is the remedy. Suppose (and it has been much dwell upon) that any alleged from the supreme law and the supreme of the law." Would it be fidelity, if, with strong convictions, that this law cannot be repealed, I should liberal sha

الوالدين المالة المالية

in procuring its passage. It is thus reduced simply and purely to a question of constitutional construction and power. And upon this alone am I at issue with the gentleman and the advocates for its repeal. Let the gentlemen who need that this bill is now distinctly avowed that this bill is not to be rested on the ground of fraud.

Mr. WILLIAMS. The gentlemen will of rower maintained: and I assert it here and I grant of these privileges was wrong that they included that the procuring into this House. We shall soon give place to other men who may still betwenches before the court, or arraign upon it ter than we fulfil the wishes of the people. It was the people that decreed that this law should pass, that these rights should be vested, that the Pennsylvania railroad company should have these privileges; and by that sovereign act they have theme. It may be said that the that flue now distinctly avowed that this only is not to be rested on the ground of fraud.

Mr. WILLIAMS. The gentleman will of course understand me as referring, (and as a lawyer he will recognize the distinction,) to fraud, in fact not anything fraudulent in law—

substituted in the world any such a lact they have them. It may be said that they course understand me as referring, (and as a lawyer he will recognize the distinction,) to fraud, in fact not anything fraudulent in law—

substituted in the world inevitably work are invited here to inaugulation. And yet we are invited here to inaugulation. And yet we are invited here to inaugulation. And yet we are invited here to inaugulation. confer those powers, I say again sir, that it is impossible for us to repeat the act, and the question must ultimately be referred to the excludes from it whatever there may be of political meaning, if there be any; it allays that feeling of distrust which might arise from attempted legislation of a different character. Why, sir, how long will men continue to invest upon the faith of chartered rights if successive legislatures may destroy them at will? The

> no particular difference, except that it might by purchase since the act was passed, and shall slightly change the form of preliminary prominish the value of these investments by reThe amendment then proposes to collect the
> money, and put it into the treasury. Now, if
> the act of last session be not a constitutional
> ior consequent losses. I say again, sir, in my I am sorry to have trespassed so long upon the patience of the House, and thank you for the attention with which you have heard my

Miscellaneons.

DARLING'S LIVERREGULATOR,

LIFE BITTERS.

ARE pure vegetable extracte. They cure all bilious disorders of the human system.—
They regulate and invigorate the liver and knitteys, hay give lone to the digestive organic; they regulate the secretions, excretions and exhabitions, equation the citation, and purify the blood. Thus all bilious commistions of which are forpid Liver, shock threadable, "veptin, Pules, Units and Favers, Costiveness or Local cities—are controlly controlled and over 5 by these remaines. They

DARLING'S

LIVER REGULATOR

moves the morbid and billious deposits frem the stom ach and bowels, regluates the liver and kidneys, remov-ag every obstruction, restores a natural and healthy so-tion in the vital organs. It is a superior

FAMILY MEDICINE, uch better than pills, and much easier to take.

DARLING'S LIFE BITTERS is a superior touic and diuretic; excellent in cases of assof appetite, fatulener, famale weakness, irregularities, pain, in the side and howels, blind, protruding and electing piles, and general_tielulity.

Jac. L. Brumley, merchant, 184 Fulton street, New Cork, writes, August 18, 1860: "I have been afflicted ith piles, accompanied with bleeding, the last three years; I used DARLING'S

LIVER IN VIGORATOR

LIFE BITTERS,

And now consider myself ENTIRELY OFFID." Hon. John A. Cross writes, "Brooklyn, March 16, 1860 n the spring, of 1859 I took a severe cold, which induc-d a violent fever. I took two doses of

DARLING'S LIVER REGULATOR.

t broke up my cold and fever at once. Previous to this ttack, I had been troubled with dyspepsia several nonths; I have leit nothing of it since." Otis Studly, Esq., 128 East 22th Street, N Y., writes: 'August 12, 1860—I had a difficulty with Kidney Completion of three years with constant pain in the small of my sak. I had used most all kinds et medicines, but found to permanent relief until I used

DABLING'S LIVER INVIGORATOR,

LIFE BITTERS.

I passed clotted blood by the urethra I am now en ely cured, and take pleasure in recommending these medies." Mrs C. Tebow, 11 Christopher Street, N. Y., writes "Feb 20, 1860.—I have been subject to attacks of Asth-ma the last twenty years. I have never found anything

Darling's Liver Regulator, n affording immediate relief. It is a thorough Liver and illious remedy."

Mrs. Young, of Brooklyn, writes, "February 28, 1860 in May last I had a severe attack of Piles, which confined me to the house. I took one bottle of DARLING'S LIFE BITTERS

and was entirely cured. I have had no attack since

D. Westervell, Eq., of South 5th, near 9th Street, Will tamsburg, L. I., writes: "August 5, 1861.—Having been troubled with a difficulty in the Liver, and subject to bil lous attacks, I was advised by a friend to try DARLING'S LIVER REGULATOR. I did so, and found it to operate admirably, removing the bile and arousing the liver to activity. I have also used it as a

FAMILY MEDICINE. When our children are out of sorts, we give them a few drops and it sets them all right. I find it meets the general wants of the stomach and bowels when disorder-ed."

READER, if you need either or both of these most ex-cellent Remedies, inquire for them at the stores; if you do not find them, take no other, but inclose One Dollar in a letter, and ou receipt of the money, the Remedy or Remedies will be cent according to your directions, by mail or express, post-paid. Address, DAN'L S. DARLING.

102 Nassau street, New York. Put up in 50 cent and \$1 Bottels each.

JUST OPENED! A FINE LOT OF SUPERIOR

Medicai

RLIXIR PROPYLAMENT.

THE NEW REMEDY FOR RHEUMATISM.

NEW REMEDY,

AGUTE RHATUMATISM CHRONIC RHEUMATISM OE EVERY KIND;
AUTHER | HOW STUBBOR,
HOW LONG STANDING, NO MATTER PROPYLAMIN.

WILL CONQUER IT,

THE BEST FESTIMONY, BEST MEDICAL AUTHORITY. DOCTORS KNOW IT.
PATIENTS BELIEVE II.
TRIED AND TRUE

PENNSYLVANIA HOSPITAL

[FROM OFFICIAL HOSPITAL REPORTS]

MAY 10, 1860,—Elien S., st. 28, single, never was very strong. Two years ago she had an attack of acute neumation, the properties, from which she was confined to her bed for ton weak and subsequenty from a relapse for four more, She had seen and subsequenty from a relapse for four more, She had seen well since then till last Satur day, while engaged in Mose delaning, she took cold, had pain in her book felt cold, hot had no decided chill. Two days lates her and the knee young seed, which was followed by swelling or the knee young and or the hands. She has new dish pain in her shoulders, and her knuwkies are very tend red and painful; both hands are afte ted, but the right is most so. This, then, is a case of acute ricemation, or as it is new fashionably called, rheumatic terr. It is well remarked typical case. We will carefully watch me case, and from time to time call your attention to the care one symptoms which present themselves M, the folget in bringing her before you now, is to call attention to remady which has recently been recommended in the treatment of rheumatism. Im an propyl antic. In Awenarius, of St. Petersburg, recommends it in the highest torms, having deriver great ordent from the set in 250 cases which came under his care. Various commendatory testimonials respecting in have supeared a our journals, and I propose therefore to give it arrived that it is comes to us recommended so highly, that we had the comes to us recommended so highly, that we had the comes to us recommended so highly, that is a case before the commended of the bout this comes to us recommended so highly, that we had the comes to us recommended so highly, that we had the comes to us recommended so highly, that we have the commended so highly, that we had the comes to us recommended so highly, that we had the comes to us recommended to the come to us recommended to highly that we have the commended so highly that we had the comes to us recommended to highly that we had the come to us recommen [FROM OFFICIAL HOSPITAL REPORTS]

SAME CASE FOUR DAYS LATER!

SAME CASE FOUR DAYS LATER!

MAY 23, 1869.—I will now exhibit to you the patient first whom I prescribed Propylemine, and was then there ing under an attack of acute rheumatem. See his steadily taken it in does of three graus every ten hour, (intermitting it at night.) The day after you saw ber, I found her much more comfortable, better than see expected to be for a week or more, judging frost one attack. (The patient now walked tuto the room.) The lamprovement has steadily progressed, and jou can a fail to notice a marked change in the application of her joints, which are now marrly all of their natural size. Thus far our experiment would have seemed very see coessful; but gentlemen, we must want a had wine marror we can give a declued opinion as to what to be the result.

the result.

Here is another patient who was place, on the use of the result.

Here is another patient who was place, on the use of the same medicine on Sanday last; she has some need suffering from a proule rheumatism, and I louad her at that time with an anote attack supervente, spor her chronic affection. The wrist- and knutches were note awollen and tenses. But nos the coloride of Propria, mine in three grain do es every two nours and you will perceive that the swelling of the junte has much dimensiated.

THREE DAYS LATER!!

THREE DAYS LATER!!

MAY 26, 1860.—This is the case of acute rheumatism treated with propylamine, the first of those to which I called your attenuous at our last chine. She is still very considerable, and is now taking three grains three daily. In this case it has seemed to be followed by very satisfactory results. The second case to which your situation was called at our last focure, has also continued to do well! I will now bring before you a very characteristic case of acute rheumatism, and if the result be satisfactory, I think, as good purymen, we shall justly render our verdict in favor of propylamin

He is a seaman, sat 28, who was admitted a lew days ago. That has consaional rheumatic puns, but so to as to keep his bed, until eight days ago. The pains began in his right kines, subsequently affected the left snee, and later, the loints of the upper extremites flees joints for all awollen, touse and tender. His tongue is furred; his skin, at present dry, thouga there has been much sweating. His pulse is full and strong, and about 91.—He has now used propylamine for twenty-tour hours. This gentleman is what may be called a strictly typical case of acute rheumatism. Here was exposure to cold and wot, and this exposure a calmost of a relong of condeess, severe articular pain, beginning, as it usnarily does, in the lower joints. There is feer and the profitue sweating, so generally attendant on acute rheumatism.

I did not bring this patient before you with the unention of giving you a locture on all the points connected with rheumatism, but to a an give a trial to the new remedy we are fasting, and to ethicis to you this typical case, as I have dailed it, than wach there oo id not be a fairer opportunity for usning the medicine in question. We are, therefore, avoiding the use of sil other medicines, we are therefore, a voiding the use of sil other toedicines, even anotynes; that there may be coming typical case, as I have dailed it, than wach there oo id not be a fairer opportunity for usning the medicine in

THE RESULT.

A FAVORABLE VERDICT.

June 9, 1860.—The next of our convalence is in case of acute rheumatism before you at our choic of May 26th, which I then called a typical case, and which I was remarked was a fair opportunity for testing the worth of our new remedy. It was therefore steadily given in three grain doese every two bears for four days, the patient has got along very nooly, and is now able to walk about, as you see. I do not bestate to any that have neves seen as severe a case of acute rhee natism so soon restored to health as this man has been, and without being prepared to decide positive by a store the value of the remedy we have used, I feel boand as take that in the cases in which we have tried the Chierica Propylamine, the patients have recaused their health much earlier than under the treatment ordinarily pis sued. I wish gentlemen, you would yourselves up it, and report the results.

for a full report of which the above is a condensed stract, see the Philadelphia Medical and Surgical Reporter. It is the report after a fair trial by the best medical authority in this country, and makes it unrecessery to give numerous certificates from astonished doctors and rejoicing patients.

A SPEEDY CURB, AN EFFECTUAL CURE. THE SAME RESULT

WHAT IT HAS DONE

IN EVERY CASE, WHENEVER TRIED WHENEVER TRIED

Bullock & Crenshaw, a firm well known to most medi-

cal men, by whom the Elixir Propylamine bas been in troduced, have sold to us the exclusive right to manufact ture it according to the original recipe, and we have made arrangements of such magnitude as to enable the to scatter it broadcast amongst suffering humanity

A WORD TO DOCTORS.

If you prefer to use the same remedy to another form we invite your attention to the PURE CRYSTALIZED CHLORIDE L'ROPYLAMIN PURE PROPELAMINE LIQUID, PURE PROPYLAMINE CONCENTRATED

PURE IGDIDE PROPYLAMINE. of which we are the sole manufacturers. We claim no other virtue for the Elixir Propylam:ne than is contained in Pure Crystalized Chloride of Propy

THE BLIXIE IS

M. RE CONV. MENT, AND ALWAYS READY FOR IMMEDIATE USE. and **may be taken.** According to directions,

WHO HAS RHEUMATISM OF ANY KIND. Bold in Harrisburg by

AT 75 CTS. A BOTTLE. Orders may be addressed to PROPYLANINE MANUFACTURING CO.

S. W. Cor. Fourth and Chesnut streets Or to either of the following

Office, Room No. 4,

BULLOCK & ORENSE: W,
FRENCH, RICHARDS & O.
JOHN M. MARIS & O.
GEO. D. WETHERELL & CO.,
PETER T. WRHIGT & O.
ZRIGLER & SMITH,
T. MORRIS PEROT & O.
PULDREPAR

A Townson Common State by William A Townson Common and State of Common of Common and State of Common and S