COLUMBIA DEMOCRAT,

AND BLOOMSBURG GENERAL ADVERTISER.

LEVI L. TATE, Editor. "TO HOLD AND TRIM THE TORCH OF TRUTH AND WAVE IT O'ER THE DARKENED EARTH." $2 00 PER ANNUM.

VOL. 15.--NO. 51. BLOOMSBURG, COLUMBIA COUNTY, PA., SATURDAY, FEBRUARY 22, 1862. VOLUME 25

COLUMBIA DEMOCRAT.

PUBLISHED EVERY SATURDAY, BY
LEVI L. TATE.
IN BLOOMSBURG, COLUMBIA COUNTY, PA.

OFFICE

In the new Brick Building, opposite the Exchange, by side of the Court House. "Democratic Head Quarters."

TERMS OF SUBSCRIPTION.

$1 00 In advance, for one copy, for six months.
1 75 In advance, for one copy, one year.
2 00 If not paid within the first three months.
2 25 If not paid within the first six months.
2 50 If not paid within the year.

☞ No subscription taken for less than six months, and no paper discontinued until all arrearages shall have been paid.

☞ ORDINARY ADVERTISEMENTS inserted, and JOB WORK executed, at the established prices

BALTIMORE LOCK HOSPITAL
ESTABLISHED AS A REFUGE FROM QUACKERY.
The Only Place where a Cure can be Obtained.

DR. JOHNSTON has discovered the most Certain, Speedy and only Effectual Remedy in the World for all private Diseases, Weakness of the Back or Limbs, Strictures, Affections of the Kidneys and Bladder, Involuntary Discharges, Impotency, General Debility, Nervousness, Dyspepsy, Languor, Low Spirits Confusion of Ideas, Palpitation of the Heart, Timidity, Tremblings, Dimness of Sight or Giddiness, Disease of the Head, Throat, Nose or Skin, Affections of the Liver Lungs, Stomach or Bowels—those terrible Disorders arising from the Solitary Habits of Youth—those secret and solitary practices more fatal to their victims than the song of Syrens to the Mariners of Ulysses, blighting their most brilliant hopes or anticipations, rendering marriage, &c. impossible.

YOUNG MEN

Especially, who have become the victims of Solitary Vice, that dreadful and destructive habit which annually sweeps to an untimely grave thousands of Young Men of the most exalted talents and brilliant intellect, who might otherwise have entranced listening Senates with the thunders of eloquence or waked to ecstasy the living lyre, may call with full confidence.

MARRIAGE.

Married persons, or Young Men contemplating marriage, being aware of physical weakness, organic debility, deformities, &c., speedily cured.

He who places himself under the care of Dr. Johnston, may religiously confide in his honor as a gentleman, and confidently rely upon his skill as a physician.

ORGANIC WEAKNESS

immediately cured and full vigor restored.

This Distressing Affection—which renders life miserable and marriage impossible—is the penalty paid by the victims of improper indulgences. Young persons are too apt to commit excess from not being aware of the dreadful consequence that may ensue. Now, who that understands the subject will pretend to deny that the power of procreation is lost sooner by those falling into improper habits than by the prudent. Besides being deprived of the pleasure of healthy offspring, the most serious and destructive symptoms to both body and mind arise. The system becomes deranged; the physical and mental functions weakened, loss of procreative power, nervous irritability, Dyspepsia, palpitation of the heart, indigestion, constitutional debility, a wasting of the Frame, Cough, Consumption, decay and death.

OFFICE, No. 7 SOUTH FREDERICK STREET

Left hand side going from Baltimore street, a few doors from the corner. Fail not to observe name and number.

Letters must be paid and contain a stamp. The Doctor's diplomas hang in his office.

A CURE WARRANTED IN TWO DAYS
NO MERCURY OR NAUSEOUS DRUGS.
DR. JOHNSTON

Member of the Royal College of Surgeons, London, Graduate from one of the most eminent Colleges of the United States and the greater part of whose life has been spent in the first Hospitals of London, Paris, Philadelphia and elsewhere, has effected some of the most astonishing cures that were ever known; many troubled with ringing in the head and ears when asleep, great nervousness, being alarmed at sudden sounds, and bashfulness, with frequent blushing, attended sometimes with derangement of mind, were cured immediately.

TAKE PARTICULAR NOTICE.

Dr. J. addresses all those who have injured themselves by improper indulgence and solitary habits, which ruin both body and mind, unfitting them for either business, study, society or marriage.

These are some of the sad and melancholy effects produced by early habits of youth, viz: Weakness of the Back and Limbs, Pain in the Head, Dimness of Sight, Loss of Muscular Power, Palpitation of the Heart, Dyspepsia, Nervous Irritability, Derangement of the Digestive Functions, General Debility, Symptoms of Consumption, &c.

MENTALLY.—The fearful effects on the mind are much to be dreaded. Loss of Memory, Confusion of Ideas Depression of the Spirits, Evil Forebodings, Aversion to Society, Self-Distrust, Love of Solitude, Timidity, &c., are some of the evils produced.

Thousands of persons of all ages can now judge what is the cause of their declining health. Loosing their vigor, becoming weak, pale and emaciated, having singular appearance about the eyes, cough and symptoms of Consumption.

YOUNG MEN.

Who have injured themselves by a certain practice indulged in when alone—a habit frequently learned from evil companions, or at school—the effects of which are nightly felt, even when asleep, and if not cured renders marriage impossible, and destroys both mind and body, should apply immediately.

What a pity that a young man, the hope of his country and the darling of his parents, should be snatched from all prospects and enjoyments of life, by the consequences of deviating from the path of nature and indulging in a certain secret habit. Such persons must before contemplating

MARRIAGE.

reflect that a sound mind and body are the most necessary requisites to promote connubial happiness. Indeed, without these the journey through life becomes a weary pilgrimage, the prospect hourly darkens to the view; the mind becomes shadowed with despair & filled with the melancholy reflection that the happiness of another becomes blighted with our own.

DISEASE OF IMPRUDENCE.

When the misguided and imprudent votary of pleasure finds he has imbibed the seeds of this painful disease, it too often happens that an ill timed sense of shame or dread of discovery, deters him from applying to those who from education and respectability can alone befriend him, delaying till the constitutional symptoms of this horrid disease makes their appearance, such as ulcerated sore throat, diseased nose, nocturnal pains in the head and limbs, dimness of sight, deafness, nodes on the shin bones, and arms, blotches on the head, face and extremities, progressing with rapidity, till at last the palate of the mouth and bones of the nose fall in, and the victim of this disease becomes a horrid object of commiseration till death puts a period to his dreadful sufferings, by sending him to "that bourne from whence no traveler returns."

It is a *melancholy fact* that thousands fall victims to this terrible disease, owing to the unskilfulness of ignorant pretenders, who, by the use of that *Deadly Poison, Mercury*, ruin the constitution and make the residue of life miserable.

STRANGERS

Trust not your lives, or health, to the care of the many Unlearned and Worthless Pretenders, destitute of knowledge, name or character, who copy Dr. Johnston's advertisements, or style themselves, in the newspapers, regularly Educated Physicians incapable of Curing, they keep you trifling month after month taking their filthy and poisonous compounds, or as long as the smallest fee can be obtained, and in despair, leave you with ruined health to sigh over your galling disappointment.

Dr. Johnston is the only Physician advertising.

His credentials or diplomas always hang in his office.

His remedies or treatment are unknown to all others, prepared from a life spent in the great hospitals of Europe, the first in this country and a more extensive *Private Practice* than any other Physician in the world.

INDORSEMENT OF THE PRESS.

The many thousands cured at this institution year after year, and the numerous important Surgical Operations performed by Dr. Johnston, witnessed by the reporters of the "Sun," "Clipper," and many other papers notices of which have appeared again and again before the public, besides his standing as a gentleman of character and responsibility, is a sufficient guarantee to the afflicted.

SKIN DISEASES SPEEDILY CURED.

Persons writing should be particular in directing their letters to his Institution, in the following manner:

JOHN M. JOHNSTON, M. D.
Of the Baltimore Lock Hospital Baltimore, Maryland.
Jan 18, 1862. [March 17, 1860.

BLOOMSBURG SKYLIGHT,
PICTURE GALLERY

THE undersigned informs the citizens of Bloomsburg and neighborhood, that he has taken the large room in the Exchange Block, extending over Messrs. Stoner & Fox's bakery, and the Bookstore where he has put in a large Skylight. It is only by Skylight that good pictures can be taken especially groups where each person can be taken just as well as separate.

He has gone to considerable expense to make his establishment a first class one, and he therefore solicits a liberal patronage to enable him, to constantly introduce the modern improvements of the art.

☞ Country produce taken in Exchange for pictures.
HENRY ROSENSTOCK.
Bloomsburg, Nov 23 1861. [Nov. 23, '61.

Select Poetry.

Perseverance.

A SWALLOW in the spring,
Came to our granary, and 'neath the eaves
Essayed to make a nest, and there did bring
Wet earth, and straw, and leaves.

Day after day she toiled
With patient heart; but ere her work was crowned
Some sad mishap the tiny fabric spoiled,
And dashed it to the ground.

She found the ruin wrought,
But not cast down, forth from the place she flew
And, with her mate, fresh earth and grasses brought,
And built her nest anew.

But scarcely had she placed
The last soft feather on the sample floor,
When wicked hand, or chance, again laid waste,
And wrought the ruin o'er.

But still her heart she kept,
And toiled again, and last night, hearing calls,
I looked, and lo! three little swallows slept
Within the earth made walls.

What truth is here, O man!
Hath hope been smitten in its early dawn?
Have clouds o'ercast thy purpose, trust or plan?
Have faith and struggle on.

Nat. Ltd.

Select Miscellany.

Another Royal Romance.

Mysterious Marriage of a Brother of George III.—A Royal Princess Ignorant of her birth—the claims of her Heirs.

At a time when the American Bonaparies are urging in the French courts their claims to imperial recognition, case not wholly dissimilar is occupying the attention of English lawyers and gossips.—The facts of the case, as alleged by the parties seeking to establish their claims to royal relationship, are these:

On the 4th of March, 1767—there then no restriction on the matrimonial alliances of members of the royal family—one Olive Wilmot, the daughter of an English clergyman high in favor at the Court of George II., was married by her father to the Duke of Cumberland, brother of King George III., and the certificates of the marriage still exist, attested by the signatures of the Earl of Chatham, the Earl of Warwick and King George III., It further appeas that on the third of April, 1772, there was born of this marriage a daughter, who was baptized by the the name of Olive, in the presence of the Earl of Chatham and Lord Ashburton.

In the same year in which this infant first appeared, her father, the Duke of Cumberland, married again with Lady Annie Horton. This action incensed the King very much; he refused to recognize this second wife, and under the excitement of the moment, enacted the Royal Marriage act, which forbids a member of the royal family from marrying a subject.—He, however, anxious to protect his brother from the punishment his bigamy incurred, directed that the child should be rebaptized unper the name of Wilmot, but at the same time created her the Duchess of Lancaster, made provision for an annual income for her, and had the following document grawn up:

"George R.— We declare the birth of Olive, the infant of the Duke of Cumberland by Olive his Duchess, to be legitimate who is condemned to privacy by the act of bigamy committed by her royal father.

"(Signed.) WARWICK,
(Signed.) CHATHAM.
"J. WILMOT, DUNNING."

So the child grew up under the name of Wilmot, residing principally with her grandfather, Dr. Wilmot, at Barton-on-the Heath. In 1792 she married a Mr. John Serres. Seventeen years after her marriage—that is, in 1815—the late Earl of Warwick revealed to her the secret of her birth, and informed her of the will of George III., in which he gives and bequeaths to "Olive, our brother of Cumberland's daughter, the sum of £15,000, commanding our heir and successor to pay the same privately to our said neice for her use, as a recompense for the misfortunes she may have known through her father."

The Duke of Kent, satisfied of the authenticity of this and other documents, befriended Mrs. Serres up to the day of his death, and on his death-bed wrote:

"Should I not recover, I recommend my dear cousin Olive to my wife, who will for my sake, love and serve her until she recovers her royal rights. I solemnly recommend my daughter to revere the Princess Olive of Cumberland for my sake.

And again:

"If this paper meets my dear Alexandrina's eye, my dear cousin Olive will present it, whom my daughter will, for my sake, I hope, love and serve, should I depart this life.

"EDWARD."

Such are the alleged facts of the case. And now Mrs. Lavina Janette Horton Ryves, the eldest daughter of Mr. and Mrs. Serrs, claims the revenues of the Duchy of Lancaster, amounting to £1,044,644 sterling, and also £105,520 as bequests from the royal family. The petitioner claims to be "Princess of Cumberland and Duchess of Lancaster, as the granddaughter and lineal representative, in the female line, of his late Royal Highness Henry Frederick, Duke of Cumberland, who died intestate in the year 1790.

This remarkable case is attracting the earnest attention of the English press. It involves a property question to the amount of five and a half millions of dollars.—The trial will excite snterest both at home and on this continent. Like the Gaines and Bonaparte cases, it hinges on a question of legitimacy, which will require all the skill of the highest legal acumen to decide. It has already attracted some attention, for in 1822 Mrs. Serres demanded probate of the will of George III., but was refused, because it was held that the Court had not jurisdiction and could not grant probate of the will of an English sovereign. In 1841 she sought to bring it to an issue by claiming privilege from arrest as a member of the royal family, but again failed through legal technicalities. In 1846 she filed a bill in Chancery against the Duke of Wallington, as executor of George IV., who had succeeded to his father's peasonal estate, but the matter was kept quiet by influential politicians.—But now the case is different and some, at least, of the English papers clemor for an honest investigation of this longstanding wrong or bold imposition. "Here," says the London *Star*, "is either a monstrous or artful fraud to be punished, or a cruel wrong to be atoned for; and no personal influence, no matter from how high a puarter it may emanate, must render the arm of English law impotent to chastise imposture or to redress injusteie."

General & Political.

SPEECH OF HON. G. H. PENDLETON, OF OHIO,

In the House of Representatives, January 29, 1862.

The House being in Committee of the Whole on the state of the Union, and having under consideration House bill No. 240, to authorize the issue of United States notes, and for the redemption or funding threeof, and for funding the floating debt of the United States—

Mr. PENDLETON said:

MR. CHAIRMAN: I was glad to hear the announcements made by the gentleman from Vermont, [Mr. Morrill,] a member of the Committee of Ways and Means, by my colleague [Mr. Vallandigham,] by the gentleman from New York, [Mr. Roscoe Conkling,] and by the gentleman from Pennsylvania, [Mr. Stevens,] that they each intended to propose to the House to make changes in this bill, either by way of amendment or substitute. I do not know what those changes may be; but from the language in which these announcements were made, I infer that they will be radical, touching not only the provisions of this bill, but all the financial questions which so gravely complicate the difficulties pressing upon the country. I shall therefore, sir, postpone whatever I might desire to say in reference to the general subject until these amendments are proposed, and confine myself this morning somewhat strictly to the special provisions of the bill before the committee. That bill provides for the issue of $100,000,000 of Treasury notes of the character and description therein mentioned. It provides that they shall not bear interest; that they shall be payable, at the pleasure of the Government, to bearer at the Treasury of the United States, or at the office of the Assistant Treasurer in the city of New York; they shall be receivable for all debts and demands due to the Government and for all debts and demands due from the Government; and in the language of the bill,

"They shall be lawful money and a legal tender in payment of all debts, public and private, within the United States."

I have examined, Mr. Chairman, with some care, every law authorizing the issue of Treasury notes which has been passed from the foundation of the Government up to this hour, and I find that this bill differs from all of them in several essential particulars. Every other law authorizing the issue of Treasury notes provided that they should bear some rate of interest, whereas these are to bear none; that they should be payable at a fixed time prescribed in the note, whereas these are only to be payable at the pleasure of the United States; that they should be receivable in payment of public debts only by those who were willing to receive them at par, whereas these notes are to be received by every public creditor who is not willing to forfeit his right to payment at all. These notes are to be made lawful money, and a legal tender in discharge of all pecuniary obligations, either by the Government or by individuals, a characteristic which has never been given to any note of the United States or any note of the Bank of the United States by any law ever passed. Not only, sir, was such a law never passed, but such a law was never voted on, never proposed, never introduced, never recommended by any Department of the Government; the measure was never seriously entertain ed in either branch of Congress. It is obvious, from the comparison which I have drawn between the bill be ore us and the laws heretofore passed, that if this bill shall pass, we are about to take a departure from the settled financial policy of the Government. We are about to launch ourselves, with sails set, upon an ocean of experiment, upon which the wise men who administered the Government before we came into power, warned by the example of other nations, would not permit it even to enter. I believe that this Government has reached a crisis in its history. I believe that it is approaching a period in the history of its legislation which may determine the question of its continuance. By wisdom it may overcome the evils of secession; by its great powers and resources it may be able to defend itself against those in arms against it; but I firmly believe that it cannot maintain itself against the shock of the accumulated and manifold dangers which follow inevitably, closely in the wake of an illegal, unsound, and depreciated Government paper currency.

The feature of this bill which first strikes every thinking man, even in these days of novelties, is the proposition that these notes shall be made a legal tender in discharge of all pecuniary obligations, as well those which have accrued in virtue of contracts already made, as those which are yet to accrue in pursuance of contracts which shall hereafter be made. Do gentlemen appreciate the full import and meaning of that clause? Do they realize the full extent to which it will carry them? Every contract for the payment of money is in legal contemplation a contract for the payment of gold and silver coin. Every promissory note, every bill of exchange, every lease reserving rent, every loan of money receiving interest, every bond issued by this Government, is a contract to which the faith of the obligor is pledged that the amount, whether rent, interest, or principal, shall be paid in the gold and silver coin of the country. Every contract for the performance of some other thing than the payment of money carries with it, as the penalty of its infraction that these damages shall be assessed, and that these damages shall be paid, even if necessary at the end of an execution, in the gold and silver coin of the country. Every verdict which has been rendered, every judgment which has been entered up, every decree for the payment of money, has been made upon that hypothesis. That is the measure of the obligation of the one party, and of the right of the other.

The provisions of this bill contemplate impairing the obligation of every contract of that kind, and disturbing the basis upon which every judgment and decree and verdict has been entered. It proposes to say to a party who has entered into a contract, "You shall be discharged from the obligations of that contract by doing something else than that which you have agreed to do." It proposes to say to every party with whom a contract has been made, "Though you are entitled to demand one thing, you shall, perforce, remain satisfied with the taking of another." It proposes to say, "Although you have agreed to pay gold and silver, you shall be discharged upon the payment of these notes; although you are entitled to demand gold and silver, you shall rest content with the reception of this paper." It proposes, in one word, to release the one party from the obligation of his contract, and to divest the other party of the right which has been vested in him by that contract. Sir, I am sure I need only state the proposition to shock the mind of the legal profession of the country, so thoroughly has it been imbued with the idea of the sancity of the obligation of contracts by those who have taught it the beneficent maxims of constitutional law.

As for the rest, this bill provides that it shall be illegal to make a contract for dealing in gold and silver coin; or, to state it more exactly, it provides that whatever executory contracts parties may make concerning the gold and silver coin of the country, they shall be discharged upon the performance of another and different duty—by the delivery of an equivalent number of dollars in these notes. Where, sir, does Congress get this power? Where is the grant to be found? One would suppose that a power like that—a power which involves the impairing of the obligations of such a vast class of contracts, which proposes to disturb vested rights to such an immense extent—would be worthy of a place in the express grants of the Constitution.

Mr. HICKMAN. I desire to ask the gentleman from Ohio whether there would be any objection to this bill, provided it allowed these notes to be a legal tender in the payment of debts on all contracts hereafter arising, where there was no provision in the contract itself to the contrary?

Mr. PENDLETON. I shall answer that question in the course of the argument which I intend to make, and I prefer to answer it in that way.

I was saying that a power whose extent is so great as this is worthy to find a place in the express grants of the Constitution. I had expected to hear the gentleman from New York, [Mr. Spaulding,] in his argument upon this subject yesterday, derive this power from the power to "coin money." I am glad he did not, for I think that no stress of financial difficulties could excite the honest imagination of any gentleman, even though upon the Committee of Ways and Means, to such a degree that he could, even in its wildest flights, fancy this power involved in those words. I expected to hear him derive it from the power "to regulate commerce;" in this I was agreeably disappointed. I know that clause is the stalking-horse which is made to carry almost every conceivable power which any gentleman has thought it desirable at any time that Congress should exercise; and yet I know that Mr. Webster who attributed to the Government of the United States more power by reason of that clause than any other American statesman of whom I have any knowledge, expressly, and upon divers occasions, scouted the idea that by virtue of it, or of any other clause in the Constitution, such power was given. I know it is extremely difficult to define with exactitude all the powers which Congress may have by virtue of that provision; but sir, I think it might be left to any fair-minded man to say whether a law, which provides that a certain note issued by the Treasury of the United States shall be a legal tender in discharge of debts already accrued, is a fair and legitimate exercise of a power to regulate the interchange of commodities, and their barter and sale.

The gentleman from New York, [Mr. SPAULDING,] in his argument yesterday, deduced this power from the general powers of the Government. He told us that Congress had power to lay and collect taxes; to raise and support armies; to provide and maintain a navy; and that all power necessary to effectuate these purposes was expressly given by the general grant of the Constitution. If I should admit his statement in the very language in which he has made it, am I not entitled to ask whether he has shown us any legitimate connection betweed making these notes a legal tender and the power to raise an army? Might I not ask whether the repudiation of the obligations of the Government to pay its interest is a legitimate means for providing and sustaining a navy? Whether impairing the obligations of contracts between private individuals throughout the country will, in any degree, assist the Government in its great duty of laying and collecting taxes? We had no demonstration of the necessity or propriety of these means to accomplish those ends.

The gentleman spoke quite at large in reference to the sovereign power of the Government. He told us that this power was not prohibited in the Constitution.—He told us that in times of great emergency everything may be done except that which is prohibited; and he read an argument from the Attorney General, which concluds as it began, with the proposition that such a power is not prohibited to Congress. Sis, I repudiate this whole idea I think it has no solid foundation in the Constitution. In all its external relations, standing among the nations of the earth, the Goverment of the United States is sovereign, and is invested with all the attributes of sovereignty; but in its relations to its own citizens, in its relations to the States, in its relations to its own constituents it has no power; except that which is granted. It has no original powers; its powers areall delegated, and delegated by the terms of the Constitution itself. I repudiate the idea that all the sovereign power which rightfully resides in the nation must necessarily find expression in any department of the Government, whether it be national or State. I stand upon the provision of the Constitution, that all power which is not delegated to the Federal Government is reserved from it and that all power which is not delegated to it, and theeby reserved from it, resides either in the States or the people. There are many powers which are denied by the Constitution to the States, and yet not delegated to the General Government. They find their proper respository in the people.

I would call the attention of the gentleman, in this connection, and in reference to the argument which he has made, to the fact that under the Articles of Confederation the Government of the United States had the power to raise armies, to provide a navy, to borrow money, and to emit bills of credit upon the faith of the United States. And yet the statesman of that day never, even in all the distress and pressure of the financial difficulties of the Revolution, supposed that they possessed any such power as this. They desired that the bills emitted by the Government should be a legal tender, andthey passed resolutions that they ought to be so considered, but they never deemed that they had the power to make them such, or sought to exercise it.

Judge Story says:

"Other emissions were subsequently made. The depreciation was natural, and indeed a necessary consequence of the fact that there was no fund to redeem them.—Congress endeavored to give them additional credit by declaring that they ought to be a tender in payment of all private and public debts, and that a refusal to receive the tender ought to be an extinguishment of the debt, and recommending the States to pass such tender laws. They went even further, and thought proper to declare that whoever should refuse *to receive this paper in exchange for any property, as gold and silver, should be deemed an enemy of the liberties of these United States.* This course of violence and terror, so far from aiding the circulation of the paper, led on to still further depreciation. New issues continued to be made, until, in September, 1779, the whole emission exceeded one hundred and sixty millions of dollars."—2 *Commentaries on the Constitution*, sec. 1359.

It seems that in those days they indulged in the same hallucinations to which some gentlemen upon this floor, and many financiers in the country, seem even yet to be subject—that a paper-money system is the best that can be devised. So thought these gentlemen of the Continental Congress, as they were indulging in all the luxury of $300,000,000 of paper money.

"They indignantly repelled the idea, in a circular address, that there could be any violation of the public faith pledged for their redemtion, or that there did not exist ample funds to redeem them. They indulged in still more extraordinary delusions, and ventured to recommend paper money as of peculiar value. 'Let it be remembered,' said they, 'that paper money is the only kind of money which cannot make to itself wings and fly away.'—2 *Story on Constitution*, sec. 1359.

When I come to examine the powers of Congress, according to the principles of interpretation to which I have said I adhere I look to the grants of the Constitution.—I find no grant of this power in direct terms, or, as I think, by fair implication. It is not an accidental omission; it is not an omission through inadvertency: it was intentionally left out of the Constitution, because it was designed that the power should not reside in the Federal Government.

Prior to the adoption of the Constitution the States had nearly all—perhaps all—emitted paper money, and had made it a legal tender in the payment of debts. It was designed origionly to forbid to the States the exercise of that power, and to delegate the Federal Government; and, accordingly, the first draft of the Constitution reported by the committee of revision contained a clause prohibiting the power to the States, and another clause granting to the Federal Government the right "to horrow money and emit bills on the credit of the United States." When that clause came up for discussion, as it appears from page 1343 of the third volume of the Madison Papers—

"Mr. Gouverneur Morris moved to strike out 'and emit bills on the credit of the United States.' He said if the United States had credit, such bills would be unnecessary; if they had not, unjust and useless.

"Mr. Butler suconded the motion."

Mr. Madison thought it was advisable to leave in the Constitution the provision that Congress might emit bills of credit, and to deprive Congress of the power of making them a *legal tender*. He suggested—

"Will it not be sufficient to prohibit the making them a *tender?* This will remove the temptation to emit them with unjust views. And promissory notes, in that shape, may in some emergencies the best."

A very sharp debate followed upon the proposition to strike out from the Constitution the clause conferring that power:

"Mr. Ellsworth thought this a favorite moment to shut and bar the door against paper money. The mischiefs of the various experiments which had been made were now fresh in the public mind, and had excited the disgust of all the respectable part of America. By withholding the power from the new Government, more friends of influence would be gained to it than by almost anything else. Paper money can in no case be necessary. Give the Government credit, and other resources will offer. The power may do harm, never good." * * * * *

"Mr. Butler remarked, that paper was a legal tender in no country in Europe. He was urgent for disarming the Government of such a power." * * *

"Mr. Read thought the words, if not struck out, would be as alarming as the mark of the beast in Revelation."

"Mr. Langdon had rather rejected the whole plan than retain the three words, 'and emit bills.'"

And on the motion to strike out those words from the Constitution, it was decided by a vote of nine States "aye," and two States "no." The following was the vote;

AYES—New Hampshire, Massachusetts, Connecticut, Pennsylvania, Delaware, Virginia, North Carolina, South Carolina, and Georgia—9.

NOES—New Jersey and Maryland—2.

Mr. Madison has appended a note which I desire to read:

"This vote in the affirmative by Virginia was occasioned by the acquiescence of Mr. Madison, who became satisfied that striking out the words would not disable the Government from the use of public notes, as far as they could be safe and proper, and would only cut off the pretext for a *paper currency* and particularly for making the bills a *tender* either for public or private debts."

And so thoroughly was that understood to be the meaning and policy of the Government that none of the early statesmen of the country, either those who had been present at the time of the making of the Constitution or those who followed so closely after as that they were familiar with those who did make it, even suggested that such a power existed.

Mr. Hamilton, certainly, a gentleman who was in favor of enlarging to the utmost the powers of the Government, in his very first report to Congress upon the subject of a national bank, takes a distinction between the emission of bills by the Government and the creation of a bank with power to emit its own bills. In that famous report on a national bank, in 1790, he uses this language:

"The emitting of paper money by the authority of the Government is wisely prohibited to the individual States by the national Constitution; and the spirit of that prohibition ought not to be disregarded by the Covernment of the United States.—Though paper emissions, under a general authority, might have some advantages which are applicable to the like emissions by the States separately, yet they are of a nature so liable to abuse—and, it may even be affirmed, so certain of being abused—that the wisdom of the Government will be shown in never trusting itself with the use of so seducing and dangerous expedient. In times of tranquility it might have no ill consequence; it might even perhaps be managed in a way to be productive of good; but, in great and trying emergencies, there is almost a moral certainty of its becoming mischievous. The stamping of paper is an operation so much easier than the laying of taxes that a Government in the practice of paper emissions would rarely fail, in any such emergency, to indulge itself too far in the employment of that resource to avoid, as much as possible, one less suspicious to present popularity."—*Hamilton's Works*, vol. 3, p. 124.

And Mr. Webster, who followed closely the principles of government and of finance laid down by Mr. Hamilton, sought occasion several times in his speeches in Congress to express his decided and firm convictions upon this subject. In his speech upon the renewal of the character of the United States Bank, made in 1832—perhaps the gentleman from Kentucky [Mr. Crittenden] will remember it, as he was a member of the Senate at that time—Mr. Webster says:

"Congress can alone coin money. Congress can alone fix the value on foreign coin. No State can coin money. No State can fix the value of foreign coin.—No State, *not even Congress itself*, can make anything a tender but gold and silver in payment of debts."—*Webster's Speeches*, vol. 2, page 81.

And again, sir, in 1836, when Mr. Web-