



### Speech of A. K. CORNYN, Esq.

The following is an abstract of a speech recently delivered in the House of Representatives, by A. K. CORNYN, Esq., to which we alluded in our last. The resolution relative to the "assigned bills" in the hands of the Governor, being under consideration, Mr. CORNYN rose and said—

Mr. SPEAKER: Nothing, Sir, but an imperative sense of duty, growing out of what I conceive to be a sense of justice to the Governor of this Commonwealth, induces me to trespass further upon the already exhausted patience of this House; but the direction this debate has taken, leaves me no other alternative, but an abandonment of duty on the one hand, or a brief expression of my views on the other.

The remarks already made and the course taken by certain gentlemen, while examining the question, are well calculated to place the present Executive in a false position before the people, when the truth of the case is, as I apprehend it, he occupies the only position consistent with the constitution and laws, and he stands on this question just where any man should stand, who is anxious to do what is right, and avoid what is wrong. The Gentlemen on the other side ask him to do—what? To discharge the Executive functions of this government? Yes! and the Legislative and Judicial also! They ask him by their arguments, as I shall endeavor to show before I take my seat, to unite in his person the whole power of this Government.

Now what are the facts in the case? In the first place, it is said there are certain laws before him, which are laws to all intents and purposes, and which he refuses to consider, or regard as such. Now whether this is so, or whether it is not so, I shall not stop to inquire; barely remarking that on this point there is no evidence before this House, either official or unofficial, as to what are his views with regard to the binding character of those bills. But it is urged he refuses to say anything to this House on the subject, and refuses to order them to be certified as laws, under the Constitution. Admit this, for the sake of the argument, (and there is no official evidence of it before this House,) and what does it prove? It proves Sir, that Governor Johnston is acting in this matter as he has always acted, with an eye single to the Constitution of his country and the rights of the citizens. Let us see what his duty is, under this honored instrument he is sworn to support.

If those bills under consideration are laws, they are so by *force of time*, and no act of the Governor's can give them any binding force that they do not already possess. And what provision of the Constitution, I ask you, authorizes him, or makes it his duty to communicate the fact to this House or to say anything on the subject? Can any thing he may say or do give them any vital qualities they do not now possess? Most certainly not. Is there, I repeat it, any thing in the Constitution, from one end to the other, making it his duty to say anything on the subject? Not a word. On that point the Constitution is silent as the grave. But says the gentleman from Clarion, (Mr. McCALMONT,) this is a high-handed measure in the Governor refusing to certify that those bills are laws! And this brings us to the point at once. Those bills, it is said, were regularly passed by the last Legislature, and presented to the Governor—that Gov. Johnston finding them in the Executive Chamber, is bound to regard them as having passed both branches of the Legislature, and duly presented to the late Governor.—Grant it, that they passed both houses and were presented to the then acting Governor. Where is the official evidence of it? The gentleman from Clarion says the Journals of this House are evidence of it; and competent evidence for the Governor to act upon. On this point I join issue with him at once. I affirm it, and I rest the affirmation upon the Constitution itself, that the Journals of this House are not such evidence as the Governor should require, and that too, for wise and obvious reasons. The framers of the Constitution, deeply impressed with the importance of their undertaking, divided this Government into three distinct departments—Legislative, Executive and Judicial; each of these independent, when acting within their proper sphere, and the one has no power to interfere with or encroach upon the rights of the other. The House is directed to "keep a Journal of its proceedings from day to day." What for? For the Executive, that he may interfere with and examine it? Not at all. For the House itself. The Governor is not bound to examine its proceedings from day to day, to see what is going on. If the Journal were the only and the proper evidence, he would often

be without it, for the simple reason that the Journal of to-day does not contain the proceedings of yesterday.

But there is another, a better, and a higher reason for this. The Constitution has not left us here to grope our way in the dark, relying on conjecture and presumption. Its language is plain and easily understood. "All bills shall be presented to the Governor." They must be presented before they can become laws.

There are three modes by which acts of the two Houses become laws in this country:—First, where the Governor approves them. Second, where he rejects or vetoes them and they are passed by two-thirds. Lastly, where he holds them ten days without returning them with his objections, unless the Legislature shall, by its adjournment, prevent his returning them—then and in that case, they shall be laws, unless returned within three days after the meeting of the next Legislature. But in no case can they become laws without presentation to the Governor. Now, where is the evidence that the bills under consideration were ever presented to the late Executive; and if presented, when?—because that is important.

But here again, I am met by the gentleman from Clarion, who tells me the Journals of the House prove it. Now I know the gentleman is a lawyer, and I presume an able one, and we will test the soundness of this argument, as well as its strength, by legal rules. Grant, if you please, that the bills were passed and presented to the Governor, and that we all know it to be so—does that in itself make it *proof*? Most certainly not. It is a well settled principle of law, running through English and American jurisprudence, and a principle that will not be questioned in any judicial tribunal, that where a Constitution, an act of Parliament, or an act of the Legislature, prescribes a particular mode of proof, it cannot be departed from, and it excludes all other modes in the absence of the mode prescribed.—Although the kind proposed be quite as clear and conclusive, yet it is rejected, for grave reasons, resting on fundamental principles. To illustrate:—Suppose an action of debt were pending before a Judicial tribunal, and the *plea* of the Defendant was *BANKRUPTCY*. The act however, makes the *certificate of discharge*, duly authenticated by the proper officer, the *evidence* of it—in the absence then of this certificate, would it be pretended in any Court of law, that you could introduce *parol evidence* to prove the discharge, although the witnesses offered were present and knew the Defendant was discharged? There is no Court worthy the name that would not instantly reject such testimony as incompetent.

Well then, admit the fact, for I do not care to deny it, that these bills were passed and the Journals contain the fact, still, it does not make it *proof* to the Governor, for the very reason that the Constitution has provided "that all bills shall be presented to the Governor," and "the Secretary of the Commonwealth shall keep a fair record of all the official acts of the Governor." This is the evidence, and the only evidence; and in the present case where is it? I ask, where on those naked and uncertified papers, is the evidence to be found? It is not there. There is no official mark upon them by the Secretary of the Commonwealth, denoting either, that they ever were presented to the Governor, or if presented, when? This then being the Constitutional proof, in its absence what is he to do? Is he to assume a responsibility that does not belong to him? Is he to set aside the injunctions of the instrument he is bound to support, and introduce a new order of evidence? Is he to set himself up as the Judge, the Executive and the Legislature? No sir, he is not. But this is what is asked of him in the present case. But the gentleman from Wyoming, a gentleman for whose legal opinions I entertain profound respect, seems to think that when the Governor does not sign or veto a bill, but simply receives it, then and in that case there is no "act" done requiring an official record to be made. I don't think so; there may be a *negative* as well as a *positive* act, and in either case the Secretary of the Commonwealth is bound to keep an official record of it. The fact of presentation—the time when presented—and the fact that he did not sign it at the time—are all important acts, of which the proper officer is bound to keep a fair record. And now, I say sir, in the absence of that official and fair record the Secretary of the Commonwealth is instructed to keep, the present Executive is not bound, nor is he authorized to certify those bills as being laws.—Suppose he should do so and you Sir, deeply interested in the bills, should enquire of him in these words:—Govern-

nor Johnston, on what authority Sir, did you certify those bills to be laws?—Did you find the name of the late Executive approving them? No Sir. Did you find any official record of their presentation to the late Governor, and when? No Sir. Did you find them certified by the clerks and enrolled with the laws of this Commonwealth? No Sir, nothing of the kind. I undertook, without and in the absence of any Constitutional proof, to say they were laws. Think you, Mr. Speaker, that Governor Johnston would place himself in a predicament so awkward—in a position so unbecoming the Chief Magistrate of this Commonwealth? No Sir.—He is not the man to do so; and I honor him for it. Whether they are laws, or whether they are not, is a fact to be decided by our Courts. They are competent—they are the proper tribunal—and to them the Governor is willing to submit it. No person can be injured, no rights can be interfered with, in taking this view of the subject.

I repeat then, in view of all this, the Governor has acted as he was bound to do—in conformity to the laws and constitution. And yet Sir, because he has not overridden the Constitution, and broken down the barriers separating one department from another, he is to be denounced, and gentlemen are to travel out of the record for the purpose of engaging in a gratuitous assault upon him; and that, too, in the absence of any official evidence before this House as to what his views are. Whatever they may be, I will undertake to say they are sound, for he possesses an intellect equal to any question that may arise under this Constitution. Now I put it to this House—to its candor, and its sense of justice, to say whether it is fair and liberal, that a man should be denounced in advance? Just too, when he is entering upon his official career, anxious, and deeply anxious, to raise the State from its depressed and impoverished condition. We have been told Sir, on this floor, that the Governor was shrinking from responsibility—ansious to evade and avoid the open discharge of his duty. When, I ask, has Governor Johnston ever shrunk from any responsibility resting upon him? or when did he fail to meet an issue? It is no part of his history—no part of his character. He has been placed in junctures too full of difficulties heretofore, without betraying weakness on the one hand, or fear on the other. The Journals of this House show his position never was a neutral one.

The Hon. Speaker too, has talked as though he should be impeached.

Here the SPEAKER rose to explain and said, he put his remarks or charges in the form of an inquiry—that if Gov. Johnston understood his duty as he understood it, and refused to discharge it, he should be impeached.]

This Sir, only makes it worse. It is put forth in the form of an inquiry, giving it all the force of an assertion without its fairness. What would be thought of me were I to rise in my place and say, if it is true the Hon. Speaker understands his duty and refuses to do it, and without any proof that he had done so, would it not be at least in bad taste? But Gov. Johnston cannot be injured in this way. He stands before the people of this State to day with a character above fear and beyond reproach—a character, resting on a basis too firm on a superstructure too enduring to be shaken by the winds of mere assertion. Those gentlemen will find, if they do not know it now, before his official career closes, that a man of Trian mould has once more taken possession of the Executive chair of Pennsylvania—a man, equal to any emergency, demanding either a lofty courage or a gifted sagacity.

Man doubles all the evils of his fate by pondering over them. A scratch becomes a wound, a slight an injury, a jest an insult, a small peril a great danger, and a slight sickness often ends in death, by the brooding apprehensions of the sick. We should always look on the bright side of life's picture.

If a man would register all his opinions upon love, politics, religion, learning, etc., beginning from his youth, and so on to old age, what a bundle of inconsistencies would appear at last!

**American Battles.**—There were sixty battles fought during the revolutionary war; thirty eight during the last war with Great Britain, and thirty-two in all, during the war with Mexico.

The most valuable part of man's education is that which he receives from himself, especially when the active energy of his character makes ample amends for the want of a more finished course of study.

### From the New York Christian Messenger.

### The Unexpected Friend.

"It must be my child!" said the poor widow, wiping away the tears which slowly trickled down her wasted cheeks. "There is no other resource. I am too sick to work, and you cannot, surely, see me and your little brothers, starve. Try and beg a few shillings, and perhaps by the time that is gone, I may be better. Go, Henry, my dear;—I grieve to send you on such an errand, but it must be done."

The boy, a noble looking little fellow of about ten years, started up, and throwing his arms about his mother's neck, left the house without a word. He did not hear the groan of anguish that was uttered by his parent as the door closed behind him; and it was well he did not, for his little heart was ready to break without it. It was a by-street in Philadelphia, and as he walked to and fro on the sidewalk, he looked first at one person then at another, as they passed him, but no one seemed to look kindly on him and the longer he waited, the faster his courage dwindled away, and the more difficult it became to beg. The tears were running fast down his cheeks, but nobody noticed them, or if they did, nobody seemed to care; for although clean, Henry looked poor and miserable and it is common for the poor and miserable to cry.

Every body seemed in a hurry, and the poor boy was quite in despair, when at last he espied a gentleman who seemed to be very leisurely taking a walk. He was dressed in black, wore a three cornered hat, and a face that was mild and benignant as an angel's.—Somehow when Henry looked at him, he felt all his fears vanish at once, and instantly approached him. His tears had been flowing so long that his eyes are quite swollen, and his voice trembled—but that was with weakness, for he had not eaten anything for twenty-four hours. As Henry with a low faltering voice, begged for a little charity, the gentleman stopped, and his kind heart melted with compassion as he looked into the fair countenance of the boy, and saw the deep blush which spread over his face, and listened to the modest, humble tones which accompanied his petition.

"You do not look like a boy that has been accustomed to beg his bread," said he kindly, laying his hand on the boy's shoulders; what has driven you to this step?"

"Indeed," answered Henry, his tears beginning to flow afresh, "indeed I was not born in this condition. But the misfortunes of my father, and the sickness of my mother, have driven me to the necessity now."

"Who is your father?" inquired the gentleman still more interested.

"My father was a rich merchant of this city; but he became bondsman for a friend, who soon after failed, and he was entirely ruined. He could not live after this loss, and in one month he died of grief, and his death was more dreadful than any other trouble. My mother, my little brother, and myself, soon sunk into the lowest depths of poverty. My mother has, until now, managed to support herself and my little brother by her labor, and I have earned what I could by shoveling snow and other work that I could find to do. But night before last mother was taken very sick, and she has since become so much worse that—here the tears poured faster than ever—

"I do fear she will die. I cannot think of any way in the world to help her. I have not had any work to do for several weeks.—I have not had the courage to go to any of my mother's old acquaintances, and tell them that she had come to need charity. I thought you looked like a stranger, sir, and something in your face overcame my shame and gave me courage to speak to you. O, sir, do pity my mother!"

The tears, and the simple and moving language of the poor boy, touched a chord in the breast of the stranger that was accustomed to frequent vibrations.

"Where does your mother live, my boy?" said he in a husky voice; "is it far from here?"

"She lives in the last house in this street, sir," replied Henry. "You can see it from here, in the third block, and on the left hand side."

"Have you sent for a Physician?"

"No, sir," said the boy, sorrowfully shaking his head. "I had no money to pay neither for a physician nor for the medicine."

"Here said the stranger, drawing some pieces of silver from his pocket, "here are three dollars—take them and run immediately for a physician."

Henry's eyes flashed with gratitude—he received the money with a stammering and almost inaudible, but with a look of the warmest gratitude, and vanished.

The benevolent stranger immediately sought the dwelling of the sick widow. He entered a little room, in which he

could see nothing but a few implements of female labor—a miserable table, an old bureau, and a little bed which stood in one corner, on which the invalid lay. She appeared weak, and almost exhausted; and on the bed at her feet, sat a little boy, crying as if his heart would break.

Deeply moved at this sight, the stranger drew near the bedside of the invalid and feigning to be a physician, inquired into the nature of her disease. The symptoms were explained in a few words when the widow, with a deep sigh added, "O, sir, my sickness has a deeper cause and which is beyond the art of the physician to cure. I am a mother—a wretched mother. I see my children sinking daily deeper in misery and want, which I have no means of relieving. My sickness is of the heart, and death alone can end my sorrows; but even death is dreadful to me, for it awakens the thought of the misery into which my children would be plunged if—"

Here emotion choked her utterance and the tears flowed unrestrained down her cheeks. But the pretended physician spoke so consoling to her, and manifested so warm a sympathy for her condition, that the heart of the poor woman throbbled with a pleasure that was unthought of.

"Do not despair," said the benevolent stranger, "think only of recovery and of preserving a life that is so precious to your children.—Can I write a prescription here?"

The poor widow took a little prayer book from the hand of the child who sat with her on the bed, and, tearing out a blank leaf, "I have no other paper," said she "but perhaps this will do."

The stranger took a pencil from his pocket, and wrote a few lines upon the paper.

"This prescription," said he, "you will find of great service to you. If it is necessary, I will write you a second. I have great hopes of your recovery."

He laid the paper on the table and went away.

Scarcely had he gone when the older son returned.

"Cheer up, dear mother," said he, going to her bed side and affectionately kissing her.—"See what a kind, benevolent stranger has given us. It will make us rich for several days. It has enabled us to have a physician, and he will be here in a moment. Compose yourself, now, dear mother, and take courage."

"Come nearer, my son," answered the mother, looking with pride and affection on her child. "Come nearer that I may bless you. God never forsakes the innocent and the good. O may He still watch over you in all your paths! A physician has just been here. He was a stranger, but he spoke to me with a kindness and a compassion that was a balm to my heart. When he went away he left that prescription on the table; see if you can read it."

Henry glanced at the paper and started back—ho took it up, and as he read through again and again, a cry of wonder and astonishment escaped him.

"What is it my son?" exclaimed the poor widow, trembling with an apprehension of she knew not what.

"Ah, read, read mother!" God has heard us."

The mother took the paper from the hand of her son, but no sooner had she fixed her eyes upon it, than "My God!" she exclaimed, "it is Washington!" and fell back, fainting upon her pillow.

The writing was an obligation from Washington, (for it was indeed he,) by which the widow was to receive the sum of one hundred dollars, from his own private property, to be doubled in the case of necessity.

Meanwhile the expected physician made his appearance, and soon awoke the mother from her fainting fit. The joyful surprise, together with a good nurse with which the physician provided her, and a plenty of wholesome food soon restored her to perfect health.

The influence of Washington, who visited her more than once, provided for the widow friends who furnished her with constant and profitable employment, and her sons, when they had arrived at the proper age, they were not only able to support themselves, but to render the remainder of their mother's life comfortable and happy.

Let the children who read this story, remember, when they think of the great and good Washington, that he was not above entering the dwelling of poverty, and carrying joy and gladness to the hearts of its inmates. This is no fictitious tale, but it is only one of a thousand incidents which might be related of him, and which stamp him one of the best of men.

The friendship of some people is like our shadow, keeping close to us while we walk in the sunshine, but deserting us the moment we enter the shade.

### A Beautiful Extract.

However dark and disconsolate the path of life may seem to any man, there is an hour of sleep and undisturbed repose at hand, when the body may sink into a dreamless slumber. Let not the imagination be startled, if the resting place, instead of being a bed of downs, should be a bed of gravel, or the rocky bed of the tomb. No matter where the poor remains of a man may be, the repose is deep and undisturbed, the sorrowful bosom heaves no more, the tears are dried up in their fountains, the aching head is at rest, and the stormy waves of earthly tribulations roll unheeded over the place of graves. Let armies engage in fearful conflict over the very bosom of the dead, not one of the sleepers heeds the spirit-stirring triumph, or responds to the thundering shouts of victory. How quiet those countless millions sleep in the arms of their mother earth! The voice of thunder shall not awaken them—the loud cry of the elements, the winds, the waves, not even the giant tread of the earthquake, shall be able to cause an iniquity in the chamber of death. They shall rest and pass away—the last great battle shall be fought; and then a small voice, at first not heard, shall rise to a tempest, and penetrate the voiceless grave. For a trumpet shall sound, and the dead shall hear His voice.

### Quick on the Trigger.

"You will please observe," said old Mr. Lambwell, as he led us through his school the other day, "that the boys are required to display the utmost attention to quietness and discipline, and in a short time become even divested of that most annoying disposition to tease each other; in short, they soon settle down into all the gravity of mature years, under the wholesome system I have introduced."

We at this moment arrived in front of several boys who were standing around a bucket of water, and one had just charged his mouth with the contents of a tin cup, while the old gentleman was stooping to recover his pen from the floor, when another passing along behind snapped his fingers quickly beneath the drinker's ear, and caused him by a sudden start to eject the contents of his mouth over the pedagogue's bald pate. Starting upright, with his hair and face dripping, the master shouted:

"Who done that?"

The party unanimously cried out—"Jim Gun, sir."

"Jim Gun, you rascal, what did you do that for?"

Jim, appalled at the mischief he had done, muttered out that it was not his fault, but that Tom Owens had snapped him.

This changed the directions of old Lambwell's wrath, and shaking his cane portentously over Owens' head, he asked—

"Did you snap Gun?"

The culprit, trembling with fear, murmured—

"Yes, sir; I snapt Gun; but I didn't know he was loaded."

### The Way to tend a Baby.

A Chippewa Indian has been lecturing in Hartford, where, in a lecture on Tuesday evening, according to the "Times," he advised the ladies of Hartford to tie their babies, as soon as they were born, to a board, bind them down tight, and keep them there most of the time till they are ten months old. "Put a hoop round the head," he says, and then when the board gets knocked over, it won't break the child's nose." He sums up other advantages as follows: "You see ladies, (holding up a specimen,) the child's hands are tied down, so it can't scratch its own eyes out, and can't scratch its mother's breast, too; it can't wriggle about and get very tired; it can't bend over, and must grow straight; when the mother goes out after herbs, she can hang it on a tree, and snakes can't bite it; when it cries, the mother can swing it across her back, and rock it so; (swaying his body to and fro) and can carry it a great distance in this way, too; can sit up along side of the wigwam, very handy; and when canoe turns over, the child swims off on the board, and don't drown; and its back don't break across its mother's arm, because the board supports it; the child can't crawl into the fire and burn up, too—can leave it long time, all safe—so I think this much best way, ladies—much best!" The ladies gave in their assent by a general laugh.

Francis was the first monarch who introduced ladies at his court. He said, in a style of true galantry, "that a drawing room without ladies was like the year without the spring—or, rather like a spring without flowers."

Everything great is not always good, but all good things are great.