STAR & BANNER.

GETTYSBURG, SEPTEMBER 14, 1841.

NEWSPAPER LAW.

☞The law is, and so the courts decide, that the person to whom a paper is sent is responsible for the payment, if he receive the paper or make use of it, even though he never subscribed for it. His duty in such case is not to take the paper from the office or place where it is left, but to notify the publisher that he does not wish it. If papers are sent to a post office, store, tavern, or other place, and are not taken by the persons to whom they are sent, the postmaster, store or tavern keeper, &c., is responsible for the payment unless he immediately gives notice to the publisher that they are not taken from the office or place where they are sent. Extract from the Post Office Regulations, page 59, section 118:

"In every instance in which papers that come to your office are not taken out by the persons to whom they are sent, you will give immediate notice of it to the publisher, adding the reason, if known, why the papers are not taken out."

REMITTANCES BY MAIL.

FROM THE POSTMASTER GENERAL.

"*A Postmaster may enclose money in a letter to the publisher of a newspaper, to pay the subscription of a third person, and frank the letter, if written by himself.*"

☞NOTE.—Some subscribers may not be aware of the above regulation. It will be seen that, by requesting any postmaster to frank their letters containing money, he will do so upon being satisfied that the letters contain nothing but what refers to the subscription.

DEMOCRATIC TICKET.

FOR GOVERNOR,

JOHN BANKS,

OF BERKS COUNTY.

SENATE.

Michael C. Clarkson
OF ADAMS COUNTY.

Thomas G. M'Culloh,
OF FRANKLIN COUNTY.

ASSEMBLY,

Thaddeus Stevens,
George L. Fauss.

COMMISSIONER,

George Baschoar.

TREASURER,

James A. Thompson.

AUDITOR,

Daniel Comfort.

DIRECTOR OF THE POOR,

William Morrison.

Are you Assessed?

It is very important that you should be assessed, or you may lose your vote at the ensuing election. Be careful to have your name on the Assessor's list at LEAST TEN DAYS before the election.

Base Hypocrisy Exposed.

☞We give below the concluding portion of the able and patriotic letter of Mr. Bayard, a member of Congress from the Richmond district, Virginia, addressed to the public, in relation to the Veto on the first Bank Bill by President Tyler.

When I came to Washington, at the commencement of the present session, I was the warm, intimate, personal and political friend of Mr. Tyler; those will testify to my friendship who are familiar with my course in the Virginia Legislature, when he needed service, in the contest in which he was then engaged with his present confidential organ in the Senate, whom he then thought humiliated beyond recovery, by the performance of an act, that he regretted his next to be Senate could either performe himself; and those who have heard me speak of the President, up to the moment that his final action on the Bank bill riveted the conviction on my mind that I had seen and heard had more meaning in it than I had been disposed to ascribe to it, will sustain the declaration of the sincerity of my attachment to him, and the public priuity, if scanned, would prove my disposition to support him. The separation was a painful one to me, but when all doubt was removed from my mind, when the veil was fairly drawn aside, I indulged I the expression of indignation I felt, in conversation as well as in my letters; and if all the letters written at that time and since, by our political friends, could be laid before the President or his printer, he would probably find that this indignation had not been confined to me.

In all that I have said in the letter published this morning, and in all that I say here, I desire it to be distinctly understood that I spoke then, as I speak now, for myself, and myself alone. I am not only willing, but I feel able to bear the whole responsibility on my own shoulders; and I say, emphatically, that the bank bill referred to in the postscript of my letter, which I thought would pass, and to which I said I would be subscribed, "but would serve to fasten him," was not the bill now before the House; it was no other than the bill sent to Congress by the Secretary of the Treasury, and which was understood, if not known, to be a Cabinet measure; one to which we had reason to *believe* he stood deeply committed to every member of his Cabinet; one to which we had reason to *know* he stood deeply committed to Congress and the country.

In proof of this on the same evening that the letter was written, at a meeting of the Whigs, I submitted a proposition that the Executive plan, as submitted by Mr. Ewing, should be taken up and adopted precisely as it came to us, so that no pretext should be offered for a veto, regarding it as a matter of importance to obtain his signature to a bill incorporating a bank; and if the stock was not taken, as I believe it would not be, that having him "headed" by a signature to his own bill, we could after wards build up such a bank on its foundation as would answer the purpose of the nation. But as far from this proposition emanating from Mr. CLAY, as has been charged, that gentleman was, as far as I know any thing of his opinions, opposed to any farther efforts at conciliation; he has since declared in the Senate that it could not meet his sanction; but he would throw no obstacle in the way if his friends desire it.

This was the "*heartless legislative fraud*" that was proposed to be practised on the President, to give him a chance to sign his own "ricketty bill" that would have thrown him as much out of favor with the opposition, as his veto has thrown him in. A wonderful mare's nest, truly, that they have discovered—But what a condition are we in! What confidence is manifested in our President when the hopes of one party, and the apprehensions of the other, are that he is to be swerved from his duty to the nation by the publication of private letters, predicting that he was to be headed yet!

This proposition was favorably received, and would probably have been adopted as the best thing left us but for a communication subsequently made from several quarters, which created as much surprise with us, as it will no doubt with the country.—Mr. Ewing's bill had not only come to us as a Cabinet measure, and understood to have received much, from his distinguished friends in the Cabinet, to conciliate the President, but he had in his conversation with many members of Congress, endeavored to prevail on them to vote for the bill; and on the preceding Friday (Aug. 13th) when the Whig delegation from Ohio, waited on the President, to inform him of the wishes of their constituents, and of the state of the public mind in Ohio, *he stated to them sincerely that he would have signed Mr. Ewing's bill without the least difficulty.*

What then may be imagined was our surprise to learn from different sources that Mr. Tyler had afterwards said, he would not sign Mr. Ewing's bill if it did pass, as at the time he said he would, he had never read this bill; it is not to be wondered at, that this announcation created something more than surprise with us; this I thought rather exceeded Mr. Van Buren and Mr. Polk's veto message, which the President recommended in December, and never saw until April following, for the army bill was *never* a subject of discussion before Congress, more than for ten weeks, as the bank bill had been. But we were informed that he had read the Secretary's bill and found that it contained some provision about discounting, against which he had committed himself in his veto message, and therefore he could not sign *that*.

This was a new, if not a *grave, constitutional* objection raised by the President on that discounting power, to the action of Congress, after saying in his message of June last:

"To you then, who have come more directly from the body of our common constituents. I submit the entire question," (as to the State Banks, the Sub-Treasury, and the United States Bank,) "as best qualified to give a full exposition of their wishes and opinions. I shall be ready to concur with you in the adoption of such system as you may propose, reserving to myself the ultimate power of rejecting any measure which may in any manner conflict with the constitution or otherwise jeopard the prosperity of the country; a power which I could not part with if I would, but which I will not believe any act of yours will call into requisition."

It is the discounting power then, that is to form either a constitutional objection, or is to jeopard the prosperity of the country, although the country itself demands it.

This communication gave a new direction to our views, and the object has been to perfect a bill exactly in accordance with the views of the President, freed from all the objections that he has made, either constitutional or otherwise, as far as they could be understood; such a bill has been framed, and is now before the house; one that I believe is perfect in itself perhaps, but yet one that will answer many good purposes, and one which, upon every principle yet advanced by him, he is bound to sign. But mark my predictions *he will not sign it*, but will take great pleasure, I have no doubt, in lashing us across the face again, with what has been framed to suit his peculiar views. "*Captain Tyler*" don't mean to give up the power that the union of the sword and the purse will furnish him with, until he has secured his ultimate object.—Captain Tyler will take great pride in showing that he is not "*to be headed*" even by signing his own bill, if it is to lose him the favors of the lece foces.

What is the present condition of things which has contributed to the fortitude of my confidence in him as a whig President? One of the great distinctive features that divided us from our political opponents in the late contest was the necessity of separating the purse from the hand that wields the sword. This was our strong objection, and argument against the odious Sub-Treasury; and yet within the first four months after this whig President assumes the robe of office, he by his own act, while the bank bill is still before him, by his sig nature, repeals the Sub-Treasury bill; repeals the state bank system, signs a bill authorizing a loan of twelve millions of dollars, by which the treasury is to be filled, is ready to sign the revenue bill, which raises millions more and rejects the bill providing for the safe keeping and disbursement of the public revenue—which is demanded by a majority of the Representatives of the people exceeding the entire representation of North and South Carolina, the two States from which the principle opposition come.

By this course he revives the act of 1789, which passed in the infancy of our country, and has been inoperative from 1791 to the present period, and was at all times wholly inefficient and impracticable for the present condition of the country; and which if practicable, still subjects the public money to the discretion and control of the Executive department of the Government, by which all the professions of the friends of this subject have been condemned, and the principles for which they contended, and upon which they came into power, and more particularly so, when the President himself, under these circumstances, refuses or fails to recommend any plan for the custody of the public money, and his confidential friend and organ in the senate earnestly entreats Congress to adjourn without an effort to pass any other law on the subject, because the *dog days* are about to begin. I believe the *dog days* are at hand; but perhaps that might not make it the less incumbent on Congress to take care of the public money—surely madness and not reason reigns.

These are the circumstances under which it is expected I am to hold my peace; for fear of displeasing his Majesty; and I am to be rated for imprudence and indiscretion, in writing to my own friends and constituents about the posture of public affairs. Away with *all affectation* of prudence and discretion, when the public safety is in danger, and our "captain" is about to betray us, and deliver us up to the enemy. I said as much about Mr. Van Buren's efforts to unite the sword and purse, and I took as strong ground against him. I was sincere in what I said, and I should subject myself to the charge of insincerity, deception and falsehood, if I were to sustain Mr. Tyler in a similar effort. Did no official organ of the President blow the trumpet of denunciation of the principle, or did he complain as he now does?

The official speaks of the gratitude I ought to feel for the influence of Mr. Tyler who contributed to give me the seat I now occupy in Congress. It that WERE TRUE, let me tell the conductor of that paper, that gratitude for smiles and favors from the President could never drive me from my principles or my duty. And if he would study lessons of gratitude, he would probably learn from what source he derived his press and types, that he now turns upon those who redeemed them from mortgage and sacrifice. He might learn what was due to gratitude, when he looked to the source of his present profits as a Printer to the Senate, elected by a Whig Senate under the supposition that he was a supporter of Whig principles.

I have heard of this influence before, as coming from Mr. Tyler himself; and if rumor tells the truth, he has spoken quite as harshly of me, as I have of him; and I have had my attention called to a letter in the New York Herald that has been barking at me for some weeks past, written by the correspondent of Mr. James Gordon Bennet's paper, who appears to be an intimate and confidential friend of the President, spending a great portion of his time at the palace, and predicting in advance, all that is to come to pass, even to the hour when the veto is to be sent in, whilst his constitutional advisers, are ignorant of his purpose, and his political friends left to grope their way in the dark, without even an admonition to those who sacrifice themselves for his benefit. In that letter I am threatened with the vengeance of Mr. Tyler's friends, who are to correct "my vagaries!"

What influence Mr. Tyler exercised in my election I am at a loss to know, as I never heard of his being in that district from the time I became a candidate up to the time of the election, except while he was discharging his duty as a member of the Legislature of Virginia, in Richmond, when I had no need of his influence, and where he had none to exercise if I had needed it; on the contrary, he was glad to have the benefit of what little I could bring to his aid. I surely was not indebted to him for his own vote, though *he has been for mine* more than once. Upon that score I cannot agree to break even with the gentleman; for I think all the obligations are on his side, if any exist.

Mr. Tyler has most worthy and respectable connections and friends in a portion of the district I represent, whose confidence and good will I highly esteem and value, and should regret to lose; and if a seat in Congress, or high official station, had been uppermost in my mind, I might have betrayed my principles and my friends, and given in my adhesion to Mr. Tyler's re-election, and sustained him in his decision.

If Mr. Tyler's friends choose to abandon me, for a refusal to abandon those principles upon which they contributed to elect me, it will be my misfortune, but it will not be my fault.

A word as to the mode by which my letter has reached the public eye through the official organ. As I have before said, it was manifestly not intended for the press; it may, in the hurry of the moment, have been inadvertently directed, but it was dictated to a *reading-room strictly*, and not to a *printing office*, and if it had been designed for publication, the Whig office was quite inconvenient as the reading room—the responsibility rest upon me individually, and not upon the party of which I am proud to be an humble member, that they may imagine it to have been addressed to the Madisonian for publication as containing not one half that I thought and felt, and still think and feel as to the course that our *Whig President* has thought proper to pursue.

Who copied my letter and sent it here, or authorized or directed its publication, I do not know. At present, it rests upon the conjecture of the Madisonian. But I received a letter from Richmond two days ago informing me that a copy had been taken and was no doubt sent to the President himself. This may be the impression of the Madisonian, but it gives me pleasure, while I denounce him as a politician and pulpit agent, to acquit him of the charge of being engaged or concerned in any way in the publication of private letters. For whatever opinion I may entertain of his political course, I believe him to be a gentleman in all his private relations; and I ascribe his recent conduct, which has been as extraordinary as mortifying, to a weak and bewildered mind, operated upon by the workings of mad ambition.

"*Quem Deus vult perdere, prius, dementat.*"

I have but one favor to ask of the Madisonian and that is, that as he has published one of my letters without authority, he will not refuse to publish it by request, and then he may make the best of it.

JNO. M. BOTTS.

AUGUST 22.

P. S. After writing the foregoing, at the suggestion of some friends, I addressed the following communication to the President, which was this morning returned without reply.

AUGUST 21, 1841, 3 o'clock, P. M.

"SIR—By a communication received from a friend in Richmond two days since, I was informed that a copy of the letter published in the Madisonian of the morning, to which my name is attached, had been made out and was to be sent to you.

"I desire to learn, and respectfully ask, whether a copy of such letter was forwarded to you, and whether its publication was by your authority, or with your knowledge?

"Allow me to express the hope that your convenience will permit you to give me an answer in the course of the evening.

"Very respectfully,

"JOHN M. BOTTS.

"To the PRESIDENT *of the United States.*"

I have no comment to make, but leave each one to draw his own inference. I am sorry he could not disclaim it; if I was not entitled to a respectful answer, his own character required a disclaimer, if he had no connection with it.

If our friends require whether we are to submit patiently to this state of things, provided they should be as bad as I apprehended, I answer for myself, no! There is one point beyond which we can only, left us; let the people take into consideration for the action of Congress next winter; we have a majority in both houses of Congress, and will have a larger one in the Senate next winter, and can carry any measure we determine on.

This question is presented to us, shall we sacrifice the party, consisting of nineteen States out of twenty-six? shall we sacrifice the interests of the country for the next four years? or shall we sacrifice one man, who has been fastened as a millstone upon the nation by an accident? I say, sacrifice the man to the country; and the mode is simple.

Let Congress, setting forth the causes in a brief preamble, adopt resolutions to the following effect.

The first declaring their want of confidence in Mr. Tyler's ability to conduct the government satisfactorily or safely to the country.

The second, declaring it as the opinion of Congress, that under the peculiar circumstances in which he was placed in power, the path of duty lay plain before him, either to sanction the great measures of relief that the country called for, and to adhere in good faith to the principles upon which he was elected, or resign the high trusts that devolved upon him, that they might be transferred to those whose constitutional and conscientious scruples would present no impediment or barrier to a nation's happiness and prosperity.

And if that don't answer, then resolve that in consideration of the sacrifices of power, comfort, convenience, and hopes he is expected to make, that the income $25,000 per annum should be appropriated to him for the next four years, commencing from the 4th of April last. And if he chooses to stay where he is, let him! *God help us*, for we could not help ourselves.

But this is the course I am prepared to pursue, and upon deliberation, too; it may do good—it can do no harm, if we are betrayed. This may appear a harsh remedy, but desperate cases require desperate remedies; and this case is in singular one, coming into power by accident, and not by the voice of the people as their President, though we cannot make him retire, yet we may invite him to it. I am willing to go in now, and trust to my betrayed constituents to sustain me.

JOHN M. BOTTS.

CINCINNATI Sept. 4, 1841.

AWFUL RIOT!—*Several Lives Lost!*—Our city was thrown into great excitement last night. It originated from a quarrel that took place on Thursday night, on Columbia street between a few negroes and whites, in which one of the latter was stabbed and cut awfully, so that it is thought he cannot live. In consequence of this two or three thousand persons collected around the houses of the negroes on Sixth, East of Broadway. The negroes apprehensive of an affray, had armed themselves with muskets, and fired upon the crowd. The mayor informs he thinks two whites and two negroes are killed, and about 15 to 20 wounded, mostly whites.

During the affray, a cannon was brought up loaded with slugs, and fired down Sixth street two or three times, raking the streets, but such was the rage, it was not known. The Mayor, who was on the ground all night, called out two military companies, the GRAYS and GUARDS, and both squares from Fifth to Seventh, are guarded by, and under control of the military and a large body of armed volunteers, the negroes being all confined to their houses.

No destruction of property of consequence had taken place.

The city is still in great excitement; and a special meeting of the Council is to be held at 10 o'clock this morning, when strong measures will undoubtly be taken to preserve the peace of the city.

A Town Meeting of the citizens generally, is to be immediately held for the same purpose.

MESSAGE

FROM THE PRESIDENT OF THE UNITED STATES, *returning, with his objections, the Bill to provide for the better collection, safe keeping, and disbursement of the Public Revenue, by means of a Corporation, to be styled the Fiscal Corporation of the United States.*

House of Representatives of the United States:

It is with extreme regret that I feel myself constrained, by the duty faithfully to perform, to return to the House of the United States, and to the best of my ability to preserve, protect, and defend the Constitution of the United States, to return to that House in which it originated of the bill "to provide for the collection, safe-keeping and disbursement of the public revenue, by means of a corporation to be styled the Fiscal Corporation of the United States," with my written objections.

In my message sent to the Senate on the 16th day of August last, returning the bill "to incorporate the subscribers to the Fiscal Bank of the United States," I distinctly declared that my own opinion had been uniformly pronounced to be against the exercise "of the power of Congress to create a National Bank to operate *per se* over the Union" and assuming that opinion my main objection to that bill was based upon the highest moral and religious obligations of conscience and the Constitution.

The objections of the qualified *veto* with which the Chief Magistrate is invested, should be regarded, and was intended by the wise men who made it as part of the Republican system of government, principle of our system, without the exercise of which on important occasions, a mere representative majority might urge the Government in its legislation, into measures not dreaded by its framers, or might exert its just powers too hastily or oppressively; yet, it is a power which ought to be most cautiously exerted, and perhaps never, except in a case plainly involving the public interest, or one in which the oath of the President, acting under his convictions, both mental and moral, imperiously requires its exertion. In such a case he has no alternative.

He must either exert the negative power intrusted to him by the Constitution chiefly for its preservation, and decline to sanction what, in his opinion, is a violation of the Constitution, or else, he must prescribe to the public functionaries—their mere trustees and servants. This, their will, and the law which they have given us as the rule of our action, has no guard, no protection against violation, no appeal, and defence, but the oaths which it prescribes to the public officers, the sanctity with which they shall religiously observe the oaths, and the patriotism with which the people shall shield it by their own sovereign will, which has made the Constitution supreme.

It must be exerted against the will of a mere representative majority, or not at all. It is alone in pursuance of that will that any measure can ever reach the President; and to say that because a majority in Congress have passed a bill, the President should yield his judgment to theirs, would be power altogether, and to render its insertion in the Constitution a work of absolute supererogation. The duty is to guard the fundamental will of the Constitution against infraction (I admit unintentional) change or infraction by a majority in Congress.—And in that light alone, do I regard the constitutional duty which I now most reluctantly perform.

In this bill, now presented for my approval or disapproval, such a bill as I have already declared could not receive my sanction! In such a bill as calls for the exercise of the negative power under the Constitution? Does it violate the Constitution, by creating a national bank, to operate *per se* over the Union? I do not hesitate to pronounce it a general character. It is "An act to provide for the better collection, safe-keeping and disbursement of the *public* revenue. by means of a *corporation* to be styled the Fiscal Corporation of the *United States.* It is a corporation created by the Congress of the United States, in the character of a National Legislature for the whole Union, to perform the *fiscal* purposes, meet the *fiscal* wants and exigencies, supply the *fiscal* uses, and exert the *fiscal* agencies of the Treasury of the United States. Such is its own description of itself. Do its provisions contradict its title? Quite the reverse. It is true, that by the first section, it provides that it shall be established in the District of Columbia, the amount of its capital—the manner in which it is to be subscribed for and held—the persons, bodies, corporate and politic, by whom its stock may be held—the appointment of its directors, and their powers They are all matters of detail, having reference only to establish agencies in any part of the union—the corporate powers and business of such agencies—the prohibition of congress to establish any other corporation with similar powers for twenty years, with express reservation in the same clause, to modify or create any bank for the district of Columbia, so that congress might, if they not exceed five millions, without enumerating other features which are equally distinctive and characteristic, clearly show that it cannot be regarded as other than a Bank of the United States, with powers seemingly more limited than have heretofore been granted to such an institution—It operates *per se* over the Union, by virtue of the unaided, and, in my view, assumed authority of Congress as a National Legislature, so distinguishable from a bank created by Congress for the District of Columbia, as the local Legislature of the District.

Every United States Bank heretofore created has had power to deal in bills of exchange, as well as in local discounts—Both were trading privileges conferred, and both exercised, by virtue of the aforesaid power of Congress over the whole Union. The question of power remains unchanged, without reference to the extent of privilege granted. If this proposed Corporation is to be regarded as a local bank of the District of Columbia, invested by Congress with general powers to operate over the Union, it is obnoxious to still stronger objections. It assumes that Congress may invest a local institution with general, or national powers.

With the same propriety that it may do this in regard to a bank of the District of Columbia, it may as to a State bank. Yet who can indulge the idea that this Government can rightfully, by making a State bank its fiscal agent, invest it with the absolute and unqualified powers conferred by this bill When I come to look at the details of the bill, they do not recommend it strongly to my adoption. A brief notice of some of its provisions will suffice.

First. It may justily substantially a system of discounts of the most objectionable character. It is to deal in bills of exchange drawn in one State and payable in another, without any restraint. The bill of exchange may have an unlimited time to run, and its ownership is no where guarded against. It may, in fact, assume the most objectionable form of accommodation paper. It is not required to rest on any actual, real, or substantial commercial basis; a drawer in one place becomes the acceptor in another, and so on in turn the acceptor may become the drawer, upon a mutual understanding. There is no time, indeed, in more local discount under the name of bills of exchange. A bill drawn at Philadelphia on Camden, New Jersey; at New York on a border town in New Jersey; at Louisville on Newport, Kentucky, not to multiply other examples, might, for any thing in this bill to restrain it, become a mere matter of local accommodation. Cities thus favored, would seemed would possess advantages over cities otherwise situated, of so decided a character as most justly to excite dissatisfaction.

2d. There is no limit prescribed to the property in the purchase of bills of exchange; thereby correcting none of the evils under which the community now labors, and operating most injuriously upon the agricultural States, to which the inequality of the rates of exchange are most severely felt. Nor are these the only consequences. A resumption of specie payments by the banks of these States, would be liable to indefinite postponement; for as the operation of the agencies of the interior would chiefly consist in selling bills of exchange, and the purchase could only be made in specie, or the notes of banks paying specie, the State banks would either have to continue with their doors closed, or exist at the mercy of this national monopoly of exchanges. Such a bill to be passed over without remark, that while the District of Columbia is made the seat of the principal bank, its citizens are excluded from all participation in any benefit it might afford, while the President is called on to sanction a bill, by a positive prohibition of the bank from all discounting within the District.

These are some of the objections which prominently exist against details of the bill; others might be urged, but such force but it would be unprofitable to dwell upon them; suffice it to add, that this charter is designed to continue for twenty years, without a competitor; that the stock may be held by aliens; that it may be founded in the fundamental law of the Corporation, are irrevocable; and that if the objections be well founded, it would be over hazardous to pass the bill into law.

In conclusion, I take leave most respectfully to say, that I have felt the most anxious solicitude to meet the wishes of Congress in the adoption of a fiscal agent, consistently with my constitutional objections should harmonize conflicting opinions. Actuated by this feeling, I have been ready to yield much, in a spirit of conciliation to the wishes of others, and it is with great pain that I now feel compelled to differ from Congress a second time in the same session. At the commencement of this session, I declared my own confidence in the legislative will, I submitted to Congress the propriety of adopting a Fiscal Agent which, without violating the Constitution, would separate the public moneys from the Executive control, perform the operations of the Treasury, without being burdensome to the people, or inconvenient, or expensive, to the Government. It is or ought to be a great Department of the Government cannot, upon constitutional and other grounds, concur with the Legislative Department in this last measure proposed to attain these desirable objects. Owing to the brief space between the period of the death of my lamented predecessor, and my own institution into office, I was in fact, not left time to prepare and submit a definite recommendation of my own regular message; and since, my mind has been most wholly occupied in a most anxious attempt to carry into effect the Legislative will. In this communication, I am confined by the Constitution to my objections, simply to this bill, but the period of the regular Session will not allow of my duty under another clause of the Constitution "to give to Congress information of the State of the Union, and recommend to their consideration such measures as I shall judge necessary and expedient." And I most respectfully submit in a spirit of harmony, whether the present difference of opinion should be pressed further at this time, and whether the peculiarity of my situation does not entitle me to a postponement of this subject to a more auspicious period for deliberation.

The two Houses of Congress have distinguished themselves at this extraordinary session, by the performance of an immense mass of labor at a season very unfavorable both to health and action, and have passed many laws which I trust will prove highly beneficial to the interests of the country, and fully answer its just expectations. It has been my good fortune and pleasure to concur with them in all measures, except this, and why should our difference on this alone be pushed to extremes? It is my anxious desire that they should not be. I, too, have been burdened with extraordinary labors of late, and I sincerely desire time for deep and deliberate reflection on this, the greatest difficulty of my administration.—May we not now pause, until a more favorable time, when, with the most anxious hope that the Executive and Congress may cordially unite, some measure of finance may be deliberately adopted, promotive of the good of our common country.

I will take this occasion to declare, that the conclusions to which I have brought myself are those of a settled conviction, formed on my own mind, on a just view of the Constitution, that, in arriving at it, I have been actuated by no other motive or desire than to uphold the institutions of the country as they have come down to us from our fathers, and to discharge my duty according to my adoption. A brief notice of some of its provisions will suffice.

First. It may justily substantially a system of discounts of the most objectionable character. It is to deal in bills of exchange drawn in one State and payable in another, without any restraint. The bill of exchange may have an unlimited time to run, and its ownership is no where guarded against. It may, in fact, assume the most objectionable form of accommodation paper. It is not required to rest on any actual, real, or substantial commercial basis; a drawer in one place becomes the acceptor in another, and so on in turn the acceptor may become the drawer, upon a mutual understanding. There is no time, indeed, in more local discount under the name of bills of exchange. A bill drawn at Philadelphia on Camden, New Jersey; at New York on a border town in New Jersey; at Louisville on Newport, Kentucky, not to multiply other examples, might, for any thing in this bill to restrain it, become a mere matter of local accommodation. Cities thus favored, would seemed would possess advantages over cities otherwise situated, of so decided a character as most justly to excite dissatisfaction.

2d. There is no limit prescribed to the property in the purchase of bills of exchange; thereby correcting none of the evils under which the community now labors, and operating most injuriously upon the agricultural States, to which the inequality of the rates of exchange are most severely felt. Nor are these the only consequences. A resumption of specie payments by the banks of these States, would be liable to indefinite postponement; for as the operation of the agencies of the interior would chiefly consist in selling bills of exchange, and the purchase could only be made in specie, or the notes of banks paying specie, the State banks would either have to continue with their doors closed, or exist at the mercy of this national monopoly of exchanges. Such a bill to be passed over without remark, that while the District of Columbia is made the seat of the principal bank, its citizens are excluded from all participation in any benefit it might afford, while the President is called on to sanction a bill, by a positive prohibition of the bank from all discounting within the District.

These are some of the objections which prominently exist against details of the bill; others might be urged, but such force but it would be unprofitable to dwell upon them; suffice it to add, that this charter is designed to continue for twenty years, without a competitor; that the stock may be held by aliens; that it may be founded in the fundamental law of the Corporation, are irrevocable; and that if the objections be well founded, it would be over hazardous to pass the bill into law.

In conclusion, I take leave most respectfully to say, that I have felt the most anxious solicitude to meet the wishes of Congress in the adoption of a fiscal agent, consistently with my constitutional objections should harmonize conflicting opinions. Actuated by this feeling, I have been ready to yield much, in a spirit of conciliation to the wishes of others, and it is with great pain that I now feel compelled to differ from Congress a second time in the same session. At the commencement of this session, I declared my own confidence in the legislative will, I submitted to Congress the propriety of adopting a Fiscal Agent which, without violating the Constitution, would separate the public moneys from the Executive control, perform the operations of the Treasury, without being burdensome to the people, or inconvenient, or expensive, to the Government. It is or ought to be a great Department of the Government cannot, upon constitutional and other grounds, concur with the Legislative Department in this last measure proposed to attain these desirable objects. Owing to the brief space between the period of the death of my lamented predecessor, and my own institution into office, I was in fact, not left time to prepare and submit a definite recommendation of my own regular message; and since, my mind has been most wholly occupied in a most anxious attempt to carry into effect the Legislative will. In this communication, I am confined by the Constitution to my objections, simply to this bill, but the period of the regular Session will not allow of my duty under another clause of the Constitution "to give to Congress information of the State of the Union, and recommend to their consideration such measures as I shall judge necessary and expedient." And I most respectfully submit in a spirit of harmony, whether the present difference of opinion should be pressed further at this time, and whether the peculiarity of my situation does not entitle me to a postponement of this subject to a more auspicious period for deliberation.

WM. H. TYLER.

WASHINGTON, *September* 9, 1841.

GETTYSBURG STAR

WITH THE LIBERTY AND THE INTERESTS OF THE PEOPLE

AND

REPUBLICAN BANNER.

GETTYSBURG, September 14, 1841.

We are authorized to say that Messrs. *Burden* and *Harrison* are expected in this place according to arrangement, on to-morrow, and will Lecture on the subject of Temperence in the evening at 7 o'clock in the English Lutheran church.

District Meetings.

Meetings, it will be seen have been called, at various places, for the purpose of selecting delegates to attend. They have been published thus early, that *all* might make it convenient to attend.

The proceedings of the Conferees as published to-day, shew that our worthy fellow-citizen Col. M. G. CLARKSON, with THOS. G. M'CULLOH, Esq. of Franklin county, have been *unanimously* nominated to the people of this district as candidates for the Senate. Our Ticket is now *complete*, and we repeat our belief, that a Ticket composed of *truer, stronger*, and better men could not be selected. Col. Clarkson needs no recommendation. His long residence in our midst is the best introduction that can be given him to the voters of the district. He is known in every portion of it—and known but to be honored and esteemed.—With such a candidate, firmly devoted to the interests of the State—opposed to all the malcontent, and prodigality which has characterized the Porter Administration, Adams County will not fail to yield him that *hearty* support which will secure him a triumphant election to the Senate of Pennsylvania.

Lady's Book.

We have received the September number of the Lady's Book. This number is opt up" in magnificent style and splendid engravings. The embellishments of which alone cost the publisher over $1600, and consist of a beautiful engraving of "Shakespear before Sir Thomas Lucy for Killing a Deer;"—the "Rose of the Boudoir"—Lace Work and embossed Roses, surrounding Moss Rose and bude—a Fashion Plate—and two pages of Music.

Another Veto.

On Thursday last, President Tyler sent in to Congress his second Veto Message in relation to a National Bank. This Message is somewhat more conciliatory in tone than his first one. We give it to our readers and leave them to pass their own judgment upon it.

A Pedling Governor.

Governor Porter has been pedling himself about from town to hamlet, as *General* David R. Porter, attending encampments, York and Berks Counties are already been the theatre of exhibition—at one of which, says a Locofoco correspondent by his press,—*this courage and brave conduct of Gov. Porter won the admiration of all!* Good! for these peaceable times. Cumberland is to give another encampment for his benefit. Well, we have no objection to a State trip being taken. He was soon *satisfied* at York—ten dollars a head was too much for voters at Berks—and in Cumberland, if his organ there be correct, according to their own showing all the *true soldiers* are for John Banks—and a new Governor—and Adams County Colonel at their head. So we go.

"WE MUST *have a change!*" comes to us from every quarter. Aye! it is all that can raise the credit of the State. Another term for Porter, and in all time to come, it will hardly be possible to be rid of the unmanageable incubus FORTY TWO MILLIONS of dollars. Another term for Porter and the State will be compelled to have the benefit of the General Bankrupt Law extended to her,—to deliver over her property—and come out to start anew with experience to teach to select honest, economical, *capable* men to guide her affairs. We *will* have a change of Rulers.

☞Our Locofoco friends have nominated *Jas. X. McLanahan*, of Franklin county, and *Wm. R. Gorgas*, of Cumberland county, as candidates to represent this district in the Senate of Pennsylvania—*if elected!*

On the 9th inst, the President approved the following Bills:—A Bill allowing the franking privilege to Mrs. Harrison; a Bill for Fortifications; a Bill for naval ordnance and Naval Stores; and a Bill for the relief of the Post office Department.

Important—Two of the Cabinet Resigned.

The Baltimore Patriot of Saturday morning last says, the accounts from Washington last evening represent that city to be in great excitement. During the day, it became known that Mr Ewing had resigned the office of Secretary of the Treasury, and Mr. CRITTENDEN, that of Attorney General. It was also stated confidently that Mr. BELL and Mr. BADGER would resign to-day, but nothing was said of Mr. WEBSTER and Mr. GRAHAM.

The personal rencontres in the House on Friday between Mr. Gilmer and Mr. Botts, and on Thursday between Mr. Stanly and Mr. Wise, have been amicably settled, and the facts have been so reported to the House of Representatives. Between Mr. Gilmer and Mr. Botts it was only a quarrel of words. All of the Bills before Congress—the Revenue Bill and all—are now passed.

☞*Wm. M. Porter* has been appointed Post Master at Carlisle, Pa.

A Fisticuff in the House!

A disgraceful scene occurred in the House of Representatives on Thursday last, between Mr. WISE of Virginia, and Mr. STANLY of N. Carolina. The following account of the "rencontre" is given by the correspondent of the Patriot:

"Mr. *Wise* and Mr. *Stanly* had both been engaged in the discussion of the diplomatic Bill, and the pending amendment which was to strike out the appropriation for a Charge to Naples, or otherwise to concur with the Senate in the motion to strike out. Mr. *Stanly* had refered to the Veto—to the course of Mr. *Wise*—to the Charge—to Mr. *Wise* being Mr. Tyler's New York—to the knowledge Mr. *Wise* had of this Charge from information he obtained as one of the investigating committee in New York two or three years since. These references, Mr. *Wise* spoke of in bad temper, as having a *little* malevolence, putting on sneering and insulting emphasis on the word *Stanly*. Mr. *Stanly*, quick as flash, retorted, and hurled back the words little malevolence by applying them to Mr. *Wise* for having made the remark. Both members sat down—Mr. *Wise* in high rage, Mr. *Stanly* having none, or displaying none. In a moment or two the member from Virginia crossed over to the member from North Carolina, and commenced a conversation not very friendly in its design, and ending in hard words and not harmless blows. For some spitter or other used by Mr. *Wise*, Mr. *Stanly* gave him the fist. An attempted blow from Mr. *Wise* followed, which was either warded off by Mr. *Stanly* or he missed his aim. He blow, as Mr. *Wise* says it was, it was blow for blow—and Mr. *Wise* was struck three times, and had his face scratched in the rencontre.

A brief apology to the House followed from Mr. *Wise*, and an explanation from Mr. *Stanly*.

Mr. *Wise* said he was very cool, and humbly asked the pardon of the House for having offended against its rules. He had heard language used which he could not stand, and becoming excited after warning and remonstrating, he had struck the gentleman from North Carolina.

Mr. *Stanly* then gave his version of the story which was, as Mr. *Wise* had stated, that the gentleman from Virginia, had left his seat and come to him, remonstrating with him, and warning him in threatening language, and even inviting him to leave the Hall and go into the lobby. He had said to him, "go your own way," and returning to him after leaving him, he had used language, for the utterance of which he had given him the lie. "He then rose to strike me," said Mr. *Stanly*, "but I warded off his blow and if the House had not interfered, I would have given him as good a whipping as a man ever had." To the House, Mr. *Stanly* had no apology to offer."

Conference Meeting.

At a meeting of Conferees from the counties of Cumberland, Franklin, Adams, Bedford, Somerset, and Fulton, held at the house of Robert Cochran in Shippensburg, on the 9th day of September, A. D. 1841, the following general gentlemen appeared as Conferees viz:

Cumberland County.—Col. William H. Woodburn, Maj. William M. Henderson, and Simon Cameron.

Franklin County.—James Davison, Jas per E. Brady, and Dr. Daniel S. McGowen.

Adams County.—Daniel M. Smyser, William Morrison, and William Russell.*

On motion, the Conference proceeded to nominate Candidates, to represent this Senatorial District in the Senate of Pennsylvania, when it appeared that THOMAS G. McCULLOH, Esq. of Franklin County, and Col. MICHAEL C. CLARKSON of Adams County were unanimously nominated.

The following resolutions were unanimously adopted, viz:

Resolved, That the Senatorial ticket thus by nominated, we hereby recommend to the undivided support of the Democratic Whig Party in this Senatorial District, as every way entitled to their votes and approval.

Resolved, That we heartily approve of the amendment proposed by the last Legislature, to the Constitution of this State, providing for the election of the Executive for a single term, and as the subject is to be brought before the people at the coming election, we invoke for it the same support and recognition which they gave it at the ever memorable election of 1840, when the lamented Harrison was the embodiment of this salutary and popular principle.

Resolved, That we approve of the Bill passed by the last Legislature, providing for the election of the Canal Commissioners by the people, which has been pocketed by the present Executive, after vetoing a previous Bill expressly upon the ground that it did not provide for such election.

Resolved, That we entertain the confident assurance that in the election of honest John Banks, as the next Governor of the Commonwealth, Pennsylvania will be arrested in the downward career of prodigality by which has, under the present Administration, involved her in almost irretrievable ruin.

Resolved, That these proceedings be signed by the President and Secretary, and published in all the Democratic papers in the District.

WM. H. WOODBURN, *Pres't.*
JASPER E. BRADY, *Sec'y.*

*Mr. RUSSELL was substituted for Mr. LILLY by the Adams county Conferees, the latter having been detained at