LATEST DATES.

New York	Aug 4	Liverpool	Aug 4
Boston	Aug 3	Liverpool	Aug 4
Philadelphia	Aug 29	Paris	Aug 1
Washington	Aug 9	Havre	July 31
Baltimore	Aug 29	Bremen	July 31
Charleston	Sept 1	Mobile	July 28
Savannah	Aug 30	Tampico	Aug 20
Mobile	Aug 21	Vera Cruz	July 21

TRADE AND COMMERCE.

EXPORTS

V. A Cruz—Per schr Water Witch 100 lanegas salt, 100 bales cotton & 4 bags grass cloths

MARINE INTELLIGENCE.

PORT OF NEW-ORLEANS.

CLEARED

Schr Water Witch, Arnaud, for Vera Cruz, Cazpierville & Cucullu.

ARRIVED

No arrivals

[COMMUNICATED]

Messrs Editors

The ship Orleans & St Mary went to sea yesterday afternoon. The ship Talbot has been detained, because the Capt was sick and unwell at the same time, one was buried yesterday. The Talbot is just getting under way

Respectfully,

R J BURKE, Bathing Officer

S W Pass 4th Sept 1841

REMOVAL

ANDREWS & BROTHERS,

Commission Merchants and Cotton Factors,

have removed to

No 70 Carondelet Street.

CHARLE CANDAY, owner of dray 1139, or James Morton his attorney are informed that unless a receipt is forthcoming for the value of a molasses hogshead from the store of LEMON SALTUS to J R Shaw & Co Poydras street, they will be prosecuted G BEDFORD & BECK

TO PARTNERSHIP NOTICE—Mr John M Gould is admitted a partner in our business from this date

FROST & CO.

New Orleans July 1, 1841

DEZAUDE Cutting, insures teeth and arrests pieces and cures all affections of the teeth, Office, Tonnage st No 10 114

BARRETT & CHAND AND CHAS DUFOUR have established their counting house at No 14 Old Levee between Canal and Customhouse streets 414

ORLEANS LANCERS

Are hereby informed that the company will assemble in uniform at the usual place on Tuesday, 7th inst, to deliberate on important business

By order of the Captain 44 J DUFFAU

A DIPLOMAT who has furnished good recommendations, understanding French and English may obtain a lucrative situation, on application at the office of this Bee

CHAR WHEELS, WAGONS &c—Now landing from Charleston, for sale, from Philadelphia, a large assortment of carriage wheels for oxen and horses, strong platform wagons for plantation use, and horses with and without bodies, suitable for the city or country, of the best materials, the cheapest ship, and well seasoned low by

J D DENOIRE, 16 Customhouse st

The undersigned have formed a copartnership for the business of Notaries & Brokers, and will transact the usual business of commission and forwarding in conjunction with the business of H A Norcross & Co

HENRY A NORCROSS,

WILLIAM S FORDICK.

New Orleans July 1st, 1841

FOR SALE ON HAVANA—For sale by

J ROBERT & Co, 3 Magazine st

LEGHORN—For sale, of the very first quality, Hungarian and Sicilian, at the corner of Esplanade & Chartres streets, No 36, st 84, 141 and 38 cents a pound, to be seen at the store with the Bee 414

NOTICE is hereby given to the inhabitants of the parishes of Orleans on the right bank of the river, that the public ferry-boat, for the property, he will be detained in St Mary's Market, during the less during the less pleasure of the proprietors

P TREPAGNIER,

CHS W MORSE,

THOMAS HERES,

New Orleans Sept 4th, 1841 44 Assessors

SUGAR 60,000 Havana sugars, finding, now for sale by

J M CABALLERO, 32 O G Levee

FLOUR 500 barrels superfine, 50 barrels Rockaway, Crocker

WM H FULLER, 42 Poydras st

BROWN SUGAR 200 hogsheads various qualities and brands, 50 barrels Crushed Sugar, Lewis and Gould, in store and for sale by

WM H FULLER, 42 Poydras st

MOLASSES 600 gallons mixed whale and sperm oil 100 barrels and half barrels, for sale by

WM H FULLER, 42 Poydras st

NAILS AND SHIRES 200 kegs Massachusetts nails assorted sizes, also, 3rd d. Pennsylvania nails and shoes, for sale by WM H FULLER,

42 Poydras st

TEAS 1 barrel Gunpowder, Young Hyson, Pouchong and Souchong, being at reduced rates for sale by

J D DENOIRE, 75 Magazine street

MOLASSES 10 hogs. best Pontchartrain molasses, for making liquor, for sale by

JAS D DENOIRE, 16 Customhouse st

EXCHANGE ON PHILADELPHIA At 60 days sight, for sale by JAMES H DENOIRE,

16 Customhouse st.

BRANDY AND PORK 120 half-barrels brandy, 500 bbls mess pork, for sale by Gardner, ports at the ship, for sale

BOUGERE & HAWTHORN

53 Gravier st

BEEF SHOES AND BROGANS 87 cases in store and for sale by

A F DUNBAR & Co, 16 Customhouse st

BOOKING RUSH 25 pieces Kentucky 86 yards long, 1 piece 40 yards, 2 bales twine landing ex steamer Kentucky, and for sale by

N D CHAMBERLIN 75 Magazine st

COLLECTOR A young man who is able to furnish the security required, is desirous of collecting, or assisting in collecting, the amounts of bills, or accounts, dressed to J B A at this office will meet with due attention 44

NEW BOOKS Just received at Mary's new novel The Poacher in Crete

Tales in France, by the Countess of Blessington, in elegantly bound in one volume

Tales of Malaise, all yet published, in one vol, half bound, very elegant

Work 110 by Malley with illustrations

For sale by R JOHNS & Co,

Stationers' Hall,

Corner of St Charles and Common streets.

WAGGONS CARTS, DRAYS, CART WHEELS, &c 1 waggon for 2 and 4 horses with or without 2 drays, 2 sets of hickory carts, 24 horse carts, different sizes, 2 sets of wheels, 30 common wheels, 10 hand carts, 2 pair tip cart wheels, 2 sets different sizes, 50 wheelbarrows, 50 small barrows, &c. All the above articles manufactured in the Phoenix Factory, for sale by

CHS BYRNE, 1st Tchoupitoulas st

OIL 46 bbls linseed oil, superior quality, just received and for sale by

N D CHAMBERLIN

75 Magazine st

SALTPETRE 200 kegs, for sale by

GEO GREEN & BRO, 88 Gravier st

PIPE AND JAVA CIGARS 200 kegs Rio and 50 kegs Havana cigars, landing from the ship Trenton, and for sale by

WOOD & SIMMONS,

80 Magazine st

RICE 1 barrel superior fresh rice, for sale by

WOOD & SIMMONS, 80 Magazine st

NAILS 100 kegs nails assorted sizes, for sale by

WOOD & SIMMONS, 80 Magazine st

LIQUORS 250 bbls domestic brandy and gin, 50 bbls Cordial gin, 25 bbls Monongahela whiskey, 30 pipes Holland gin, 50 half and half pipes superior old French cognac, for sale by

WOOD & SIMMONS, 80 Magazine st

TEA AND INDIGO 200 packages Imperial and Young Hyson teas, 30 serons Caracca and Guatemala indigo, for sale by

WOOD & SIMMONS,

80 Magazine st

EXCHANGE ON LONDON, for sale by

BOUTIN, GALLY & Co

EXCHANGE ON LONDON, for sale by

BOUTIN, GALLY & Co

BOURBON AND ROPE, Kentucky, East India and Dundee bagging and Kentucky, and Northern rope, for sale by STETSON & AVERY, 80 Gravier st

COFFEE 187 bags St Domingo coffee, landing from ship Neptune Drew, for sale by

TUFTS & HOBART, 30 Customhouse st

NEW COD FISH In boxes and drums, landing from ship Neptune Drew, for sale by

TUFTS & HOBART 30 Customhouse st

SODA Boston Soda No 1 soap, 16 do soda soap, landing from ship Sultan Drew, for sale by

TUFTS & HOBART, 30 Customhouse st

LEMON SYRUP—Bottles lemon syrup, landing from ship Sultan Drew, for sale by

TUFTS & HOBART, 30 Customhouse st

NEW-ORLEANS BEE

OFFICIAL JOURNAL OF THE STATE AND GENERAL GOVERNMENT.

BY BULLETT, MAGEE & CO.

At No 30 Chartres Street.

CITY PAPER, PUBLISHED DAILY, per annum, *in advance*, $10

COUNTRY PAPER PUBLISHED TRI-WEEKLY, $6 $10

"Truth is omnipotent, and Public Justice certain."

FOR GOVERNOR

HENRY JOHNSON,

NEW-ORLEANS:

TUESDAY MORNING, SEPT. 7, 1841.

We are rejoiced to perceive that the *Bulletin* has awoke from its long trance. Two severe doses, it is true, were requisite to arouse it from a torpor of some eighteen months standing, and we kindly undertook to administer the medicine, which has operated beyond our most sanguine expectations. The *Bulletin* has finally vouchsafed to reply—we see astonishment depicted on the countenances of our readers—with about as much spirit as the entire office, devil combined, could muster together.

After considerately acknowledging the services rendered, the *Bulletin* proceeds to state:

"We are authorised by a merchant to say that he tried during the last week to buy 500 bales East India bagging at the quotations of the Bee, for cash, and was not able to effect a purchase, though there are many lots for sale."

We have a shrewd suspicion who this merchant is, and are somewhat astonished that his joking propensities should have carried him so far as to bring our neighbor into ridicule. If we mistake not, the gentleman in question has the *bagging and rope articles* under his complete control, and a feeling of compassion ought to have prompted him in seeing the *Bulletin* clear of the consequences of its mistake, instead of which he quietly turns round and relates an innocent anecdote about *trying* to purchase the moderate amount of 6,000 pieces of India bagging for cash, involving a trifling expenditure of nearly $100,000, and constituting three-fourths of the stock of this description now in the market, all of which our gullible friends swallow with the same avidity as they would the latest news from Yucatan. The *organ* of the commercial community, (at present rather out of tune,) like a learned Judge sums up as follows:—"The shows the Bee is wrong, and we cannot allow such bunglers to correct us!"

This argument is pretty much on a par with its intellect, both of which are beneath criticism.

But to be serious, although it does require some effort to suppress our risible faculties. The quotations of the *Bulletin* on Saturday last were as follows:

	Bulletin quotations.	*Actual sales.*	
Kentucky Bagging,	25a27c	24½a25c	
India "	25c	24 a25c	
Scotch "	20a24	16 a21½c	
German "	14a18	12½a15c	
Kentucky Rope,	11a12c	10½a11c	
Northern "	7a11	7 a 9½c.	

This is a very singular discrepancy and cannot easily be accounted for by our neighbor, unless he is guided solely by the information he obtains from speculators, or as on a previous occasion resorts to the Levee to be enlightened on the subject. The Levee is not the place for such enquiries, nor are sellers an infallible authority, as it is their interest to keep the market up. If the *Bulletin* would consult both buyers and sellers and look to actual transactions more than to the asking, prices of holders, he would not be in the wrong so frequently as is now the case.—As to the merchant in question who appears to be most anxious to purchase for cash, we would suggest to him to give us a call, as we might prove of some benefit in pointing out the various places where he can buy as much India bagging as he chooses at our quotations.

HUNT'S MERCHANTS' MAGAZINE.—This is decidedly one of the most valuable periodicals of the present age. The vast fund of information which it affords at comparatively so small an outlay, places it within the reach of every individual of moderate means, which is by no way the least recommendation in this eminently commercial country. The September number now before us, contains an able article on the agricultural resources of the United States, and touches briefly but comprehensively on the immense mine of wealth afforded by a soil which stretches from latitude 50 to 25 N., thus offering both the advantages of a temperate and torrid climate. The subject is well treated, and deserves an attentive perusal. The *Commerce of British India*, viewed in its probable influence on the products of the Southern States, will likewise be read with more than usual interest, relating as it does principally to the attempts recently made to introduce the cultivation of cotton and tobacco into that country.—In the biography of distinguished merchants, we notice a highly interesting sketch of the life of Charles Louis Montauzier, who flourished during the period of the French revolution.

The *Commercial Statistics* are as usual very valuable and ought to be preserved as a future reference by all those engaged in commercial pursuits.

☞ The Baltimore *Patriot* speaks in glowing terms of the great whig meeting held in Monument Square, on the evening of the 27th ult. Mr. MARSHALL, of Kentucky, addressed the assembly in a strain of great eloquence, and powerfully vindicated Mr. CLAY's course in reference to the presidential election. Such was the impression created by his eloquent defence of Mr. CLAY, that at the close of the meeting three hearty and tremendous cheers were given for HENRY OF THE WEST, and also three cheers for the ORATOR of the evening.

Mr. BIDDLE.—The suit brought by the Directors of the United States Bank against Mr. Biddle, for $1,000,000, has been reduced, by a bill of particulars which has since been put in, to $249,000.

The Washington Correspondent of the Richmond *Whig*, says that in case of a dissolution of the cabinet, which he sets down as certain, Daniel Webster will go out as Minister to England, and that the nomination of Mr. Everett will be withdrawn. Many other *on dits* are added as to the completion of the future cabinet.

☞ At an election for Church Wardens of the St. Louis Cathedral held yesterday, the following gentlemen were duly elected to serve the ensuring year:—

Number of votes.

Joseph Genois	436
P G. Tricou	425
P O. Nadaud	395
Horatio Davis	360

HEALTH OF THE CITY.—The number of interments reported to the Board of Health for the 48 hours ending yesterday at noon, is 58, of which 28 were of yellow fever.

REPORT OF THE CHARITY HOSPITAL.—During the 24 hours ending yesterday evening at 6 o'clock:

Admissions	18,	of which 13	yellow fever.
Deaths	10,	" 7	do.
Discharges	16,	" 9	do.

Number of patients remaining in the hospital, 360.

☞ A gentleman from Cape May informs us, (says the United States Gazette,) that the Revenue Cutter Gallatin was struck by lightning on Saturday night, about 8 o'clock during the heavy storm which then prevailed. The lightning struck the bed which was attached to the mast, down which it passed, shivering it very much. A seaman who was on deck at the time was knocked down and rendered insensible for a time but ultimately recovered.

GREAT FIRE IN LOWELL.—A destructive fire broke out in Lowell on the night of the 27th ult., consuming five entire blocks before the progress of the flames was arrested. About fifty poor families were burnt out, and lost the greater portion of their furniture and effects. One woman and child are missing, and are supposed to have been buried in some of the ruins.—The amount of loss has not been ascertained.

☞ A melancholy and fatal occurrence, says the New York *Evening Star*, took place at Montreal on Monday afternoon about 4 o'clock, in that portion of the Jail set apart for lunatics. In the yard, one of these unfortunate persons whom the Almighty has, in this inscrutable providence, deprived of reason, was employed in spitting wood, and another of his fellow unfortunates, named Patrick Kelly, happened at the time to be asleep on a bench, with his head resting on his bosom. The individual having possession of the axe went up to Kelly and struck him a heavy blow on the back of the neck, which caused him to fall on his face, after which three or four blows sufficed to sever the head from the body. The maniac murderer trundled the head about three or four feet from the body, and then proceeded to split some more wood, to tally one, inclosure of the horrid deed he had perpetrated. The headless trunk and the trunkless head presented miserable spectacles.

CURTIS has received a plentiful supply of the large New York and Boston watches. The *New World* contains the concluding chapter of "The Tecumseh a Yeast," cost only one of the most wonderful productions of the present century. This will be a pleasant piece of information to those who have quietly waited for two long years, to know the ultimate fate of the Aubrey's, Tillabot, Tiamons, and other prominent characters introduced into this novel.

LARCENY.—William, a slave of Mr. J. Viet, was brought up yesterday before Recorder Benton on the charge of having stolen on Saturday last, a trunk [illegible] between [illegible] Bourbon and [illegible] the property of Mr. [illegible]

☞ The proceedings in Washington on the 27th ult. were devoid of interest. An effort is making by several of the Senators to prevent the introduction of the Bank Bill into that body, so as to relieve the President from the necessity of vetoing it, which it is positively asserted he will do, should the bill pass. The following is from the Charleston Courier:—

WASHINGTON, AUGUST 29.

The Fiscal Corporation bill is still before the Select Committee of the Senate, who have held repeated meetings upon it. It will no doubt be reported in a day or two, but there is a growing indisposition, on the part of the whigs, to passing it, at this session. A Senate caucus of the whigs was held on the subject and came to no conclusion. The same whig Senators who opposed the first bank bill, as reported by Mr. Clay, are, it is said, averse to passing this, believing that it will not be sanctioned by the Executive, and that a second veto will increase the dissatisfaction of the party. It is supposed, therefore, that it will be ultimately laid on the table, or postponed.

The Senate yesterday considered the amendments to the fortification bill, and insisted on their amendments for the establishment of a Western armory, and the survey of the Southern coast, which had been disagreed to by the house.

The House rejected the bill to pave the Pennsylvania Avenue with wooden blocks—69 to 102. The Senate bill to provide for the payment of awards already made under the Mexican Convention, was considered, and an attempt was made to strike out the enacting clause, on the ground that the awards ought not to be paid till the Commission reports on all the claims, and that the bill would render the United States Government responsible for the payment of the awards, whereas it was stipulated by the Convention that they should be paid by the Mexican Government in Treasury notes receivable for duties or in specie. The vote to strike out the enacting clause failed, and the bill was so amended as to release the United States Government from any responsibility, and to authorise the Secretary of the Treasury to issue certificates of the awards, so that the claimants may present them to the Mexican Government for payment. The sum already awarded is about half a million. The bill was finally passed.

The house adjourned at an early hour, having no business before it. There is a general anxiety to close this wearisome session. After the fate of the Fiscal Corporation Bill is decided, that will soon be done.

DEBATE ON THE VETO.

SPEECH OF MR. CLAY, OF KENTUCKY,

On the Executive Message containing the President's Objections to the Bank Bill.

IN SENATE UNITED STATES, AUGUST 19, 1841.

[*Concluded.*]

But, sir, there was still a third alternative, to which I allude not because I seem to intimate that it should be embraced, but because I am reminded of it by a memorable event in the life of President Tyler. It will be recollected that, after the Senate had passed the resolution declaring the removal of the public deposites from the late Bank of the United States to have been derogatory to the Constitution and laws of the United States, for which resolution I voted then Senator Tyler, had voted, the General Assembly of Virginia instructed the Senators from that State to vote for the expunging of that resolution. Senator Tyler declined voting in conformity with that instruction, and resigned his seat in the Senate of the United States. This he did because he could not conform, and did not think it right to go counter, to the wishes of those who had placed him in the Senate. If, when the people of Virginia, or the General Assembly of Virginia were his only constituency, he would not set up his own particular opinion in opposition to them, he thought it to be the rule of his conduct when the people of 26 states—a whole nation—compose his constituency! Is the will of the constituency of one state to be respected, and that of twenty-six to be wholly disregarded? In obedience due only to the single state of Virginia? The President admits that the bank question deeply agitated and continues to agitate the nation. He yet contends that it was the great, absorbing, and controlling question, in all our recent divisions and exertions. I am firmly convinced, and it is my deliberate judgment, that an immense majority, not less than two thirds of the nation, desire such a bank as I have described. And this respect ought to be dispelled by the recent decisions of the houses of congress. I speak of them as *evidence* of popular opinion. In the House of Representatives, the majority was 131 to 100. If the house had been full, and but for the modification of the 16th fundamental condition, there would have been a probable majority of 47. Is it to be believed that this large majority of the immediate representatives of the people, fresh from amongst them, and to whom the President at seemed inclined, in his opening message, to refer this very question, have mistaken the wishes of their constituents? Is it so?

I pass to the sixteenth fundamental condition, in respect to the branching power, on which I regret to feel myself obliged to say that I think the President has commented with unexampled severity, and with a harshness of language not favorable to the maintenance of that friendly and harmonious intercourse which is so desirable between co-ordinate departments of the Government. The President could not be uninformed that every one of the twenty-six Senators, and every one of the hundred and thirty-one Representatives who voted for the bill, if left to his own separate wishes, would have preferred the branching power to have been conferred on the Executive, as it was in the charters of the two former Banks of the United States. In consenting to the restrictions upon the exercise of that power, he must have been perfectly aware that they were actuated by a friendly spirit of compromise and concession. Yet nowhere in his message does he reciprocate or return this spirit. Speaking of the assent which the chief magistrate he says: "This iron rule is to give way to no circumstances—it is unbending and inflexible. It is the language of the master to the vassal. An unconditional answer is claimed *forthwith*." The "high prerogative" of a veto, which is the question, on the part of the state representatives, to their constituents, according to the message, is denied. He puts the case of the popular branch of a State Legislature expressing its dissent "by a unanimous vote, and its resolution may be defeated by a tie vote in the senate," and "both houses of the legislature may concur in a resolution of decided dissent, and yet the governor may reject the veto power conferred on him by the state constitution, and their legislative action be defeated." "The state may afterward *protest* against such unjust inference, but its authority is gone." The President continues: "To this inference so violent, and as they seem to me *irrational*, I cannot yield my assent. Such a court of justice would or could sanction them, without reversing all that is established in judicial proceeding, by introducing presumptions *at variance with fact*, and inference *at the expense of reason*. A state in a condition of duress would be presumed to speak as an individual, manacled and in prison, might be presumed to be in the enjoyment of freedom. Far better to say to the state, boldly and frankly, *Congress wills, and submission is demanded!*"

Now, Mr. President, I will not ask whether those animadversions were prompted by a reciprocal spirit of amity and kindness, but I inquire whether all of them are perfectly just.

I pound all question, those who believed in the constitutional right of Congress to exercise the branching power within the States, unconditionally and without limitation, did make no small concession when they consented that it should be subjected to the restrictions specified in the compromise clause. They did not, it is true, concede every thing; they did not absolutely renounce the power to establish branches without the authority of States, during the whole period of the existence of the charter; but they did agree that reasonable time should be allowed to the several States to determine whether they would or would not give their assent to the establishment of branches within their respective limits. They did not think it right to leave it an open question, for the space of twenty years, nor that a State should be permitted to grant today and retoke to-morrow its assent, nor that it should annex onerous or impracticable conditions to its assent, but that it should definitively decide the question after the lapse of ample time for full deliberation. And what was that time? No State would have had less than four months, and some of them from five to nine months, for consideration. If we have, therefore, authority correct for the President to say that his "second-thought answer is claimed *forthwith*?" Forthwith means immediately, instantly, without delay, which cannot be affirmed of a space of time varying from four to nine months. And the President supposes that the "high privilege" of the members of the State Legislature submitting the question to their constituents is denied! But could they not at any time during that space have consulted their constituents?

The President proceeds to put what I meet, with the greatest deference and respect, consider an extreme case. He supposes the popular branch to express its assent by a unanimous vote, which is overruled by a tie in the Senate. He supposes that "both branches of the Legislature may concur in a resolution of decided dissent, and yet the Governor may exert the veto power." The unfortunate case of the State whose legislative will should be so checked by Executive authority, I do not believe to be worse than that of the Union, the will of whose Legislature, in establishing this bank, is checked and controlled by the President.

But it did not occur to him that extreme cases brought forward on the one side, might be met by extreme cases arranged on the other? Suppose the popular branch were to express its assent to the establishment of a branch bank by a unanimous vote, which is overruled by an equal vote in the Senate. Or suppose that both branches of the Legislature, by majorities in each exactly wanting two thirds, were to concur in a resolution inviting the introduction of a branch within the limits of the State, and the Governor were to exercise the veto power, and defeat the resolution. Would it be very unreasonable in these cases to infer the assent of the State to the establishment of a branch?

Extreme cases should never be resorted to. Happily for mankind, the affairs are but seldom affected or influenced by them, in consequence of the rarity of their occurrence.

The plain, simple, unvarnished statement of the case is this: Congress believes itself invested, with constitutional power to authorize, unconditionally, the establishment of a Bank of the United States, with branches, any where in the United States, within which any other consent of the States than that which is already expressed in the Constitution. The President does not contest in the existence of that power, and was supposed to entertain an opinion that the previous assent of the States was necessary. Here was an unfortunate conflict of opinion. Here was a case for compromise and mutual concession, if the difference could be reconciled. Congress has gone far towards a compromise, so far, that it has agreed that the previous assent of the States should be required, but that it should be done within a space limited but reasonable, and it believes, above the bank and its branches, more than twice that, for the benefit of twenty-six States, if the unfortunate case of any one of them ever could make up their mind within that limited time either to assent or dissent to the introduction of a branch, that it was not unreasonable, after the lapse of the appointed time without any positive notice, one way or the other, on the part of the State, to suppose as if it had assented. Now, if the power conferred for by Congress really exists, it must be admitted that here was a case for its exercise. Was it better for the United States that the power of branching should be exerted in accordance with the wishes of all? Was it better for the United States that, by refusing to exert the power, the desired branches or not? How can it be believed that the absolute veto, qualified, restricted, and limited as which constitution, and by implication, in the case of assent or dissent of the Legislature of the State, which the branching power, is more derogatory from the dignity, independence and sovereignty of the State, than if it were totally refused to the States the power whatever to deliberate and decide on the introduction of branches? Limited as the time was, and unconditionally as they were required to express themselves, still these States (and that probably would have been the case with the greater number) that chose to announce their assent or dissent could do so, and get or prevent the introduction of a branch. But the President remarks that "the State may express, after the most solemn form of legislation, its dissent, which may from time to time thereafter be repeated, in full view of its own interest, which can never be separated from the wise and beneficent operation of this Government, and yet Congress may, by virtue of the last proviso, overrule its law, and upon grounds which, to some States, will appear to rest on a constructive necessity and propriety, and nothing more."

Even if the dissent of a State should be overruled, in the manner supposed by the President, how is the condition of the State worse than it would have been if the branching power would have been absolutely and unconditionally asserted in the charter? There would be no question about the power of dissenting considered, with a high degree of propriety that the dissent was expressed no branch would be introduced.

The last proviso to which the President refers is in these words: And provided, nevertheless, That whenever it shall 'become necessary and proper for carrying 'into execution any of the powers granted by the Constitution to establish an office or offices in any of the 'States whatever, and the establishment thereof shall 'be directed by law, it shall be the duty of the said di'rectors to establish such office or offices accordingly.'

This proviso was intended to reserve a power to Congress to compel the bank to establish branches, if the establishment of them should be necessary to the great purposes of this Government, notwithstanding the dissent of a State. If, for example, a State had once unconditionally dissented to the establishment of a branch, and afterwards assented, the bank could not have been compelled, without this reservation of power to establish the branch, however urgent the wants of the Treasury might be.

The Senate, I think, ought to have seen, in the form and language of the proviso, the spirit of conciliation in which it was drawn, as I know. It does not assert the power; it employs the language of the Constitution itself, leaving entire liberty to interpret that language according to his own sense of the instrument.

Why was it deemed necessary to speak of its being "the language of the master to the vassal," of "this iron rule," that "Congress wills and submission is demanded!" What is this whole Federal Government but a mass of powers abstracted from the sovereignty of the several States, and wielded by an organized Government for their common defence and their general welfare, according to the grants of the Constitution? These powers are necessarily expressed in the Constitution, the acts of Congress, and treaties being so declared by the express words of the Constitution. Whenever, therefore, this Government acts within the powers granted to it by the Constitution, submission and obedience are due from all; from State authorities, and from citizens. And if this present the image of a master and a vassal, of state subjection and Congressional domination, it is the Constitution created or consented to by the States, that ordains these relations. Nor can it be said in the contingency supposed, that an act of Congress has *repealed* an act of State legislation. Undoubtedly in case of a conflict between a State Constitution or a State law, and the Constitution of the United States or an act of Congress passed in pursuance of it, the State Constitution or State law would yield. But it could not at least be formally or technically said that the State Constitution or State law was repealed. Its operation would be suspended or abrogated by the necessary predominance of the paramount authority.

The President seems to have regarded as objectionable that provision in the clause which declares that a branch, being once established, it should not afterwards be withdrawn or removed without the previous consent of Congress. That provision was intended to operate both upon the bank and the States, and considering the changes and fluctuations in public sentiment in some of the States within the last few years, was the security against them to be found in that provision unreasonable? One legislature might be induced to withdraw the bank, might be swayed by penal or other legislation to drive away. We have had such examples heretofore; and I cannot think that it was unwise to profit by experience. Besides, an exactly similar provision was contained in the scheme of a bank which was reported by the Secretary of the Treasury, and to which it was understood the President had given his assent. But if I understand the message, that scheme could not have obtained his sanction, if Congress had passed it without any alteration whatever. It authorized what is termed by the President local discounts, and he does not believe the Constitution confers to Congress the right to incorporate a United States Bank with power and right to establish offices of discount and deposit in the several States of the Union *with or without their consent; a principle to which I have always heretofore been opposed, and which can never obtain my sanction.*" I pass with pleasure from this painful theme; deeply regretting that I have been constrained so long to dwell on it.

On a former occasion I stated that, in the event of an unfortunate difference of opinion between the Legislative and Executive Departments, the points of difference might be developed, and it would be then seen whether they could be brought to coincide in any measure corresponding with the public desire and expectation. I regret that the President has not, in his message, favored us with a more clear and explicit exhibition of his views. It is sufficiently manifest that he is decidedly opposed to the establishment of a bank of the United States formed after the two old models. I think it is fairly to be inferred that the plan of the Secretary of the Treasury could not have received his sanction. His opposed to the passage of the bill which he has returned, but whether he would give his approbation to any bank, and, if any, what sort of a bank, is not absolutely clear. I think it may be inferred that he would assent, with the aid of information derived through other sources, that the President would concur in the establishment of a bank whose operation should be limited to dealing in bills of exchange, to deposits, and to the supply of a circulation, excluding the power of discounting promissory notes. And I understand that some of our friends are now considering the practicability of arranging and passing a bill in conformity with the views of President Tyler. Whilst I regret that I can take no active part in such an experiment, and must reserve to myself the right of determining whether I can or cannot vote for such a bill after I see it in its matured form, I assure my friends that they shall find no obstacle or impediment in me. On the contrary, I say to them, go on: God speed you in any measure which will serve the country, and preserve or restore harmony and concert between the Departments of Government. An Executive Veto of a Bank bill, the United States, after the end experience of late years, is an event which has not anticipated by the political friends of the President; certainly not by me. But it has come upon us with tremendous weight, and amid the greatest excitement within and without the metropolis. The question now is, What shall be done? What, under this most embarrassing state of things, will the country and our constituents expect of us? What is required by the duty and the dignity of congress? I repeat that if, after a careful examination of the executive message, a bank can be devised which will afford any remedy to existing evils, and secure the President's approbation, let the project of such a bank be presented. It shall encounter no opposition, it is should receive no support, from me.

But what further shall we do? Never since I have enjoyed the honor of participating in the public councils of the nation—a period now of thirty-five years—have I not congress under more happy or more favorable auspices. Never have I seen a home of representatives animated by more patriotic dispositions—more united, more determined, more businesslike. Never with the exception of the session of 1812, nor that which in 1815-16 had brought peace and deep foundations of national prosperity, in adequate provision for a sound currency, by the establishment of a bank of the United States, for the payment of the national debt, and for the protection of American industry. This house has solved the problem of the competency of a large deliberative body to transact the public business. If happily there had existed a concurrence of opinion and cordial co-operation between the different departments of the government, and all the members of the party, we should have carried every measure contemplated at the extra session, which the people have a right to expect from our judges, and should have been, by this time, at our respective homes. We are disappointed in one, and an important one, of that series of measures; but shall we therefore despair? Shall we abandon ourselves to unworthy feelings and sentiments? Shall we allow ourselves to be transported by rash and intemperate passions and counsels? Shall we indulge in home in disgust? Not! Not! Not! A higher, nobler, and more patriotic carrier is before us. Let us here, at the east end of Pennsylvania avenue, do our duty, our whole duty, and nothing short of our duty, towards our common country. We have repealed the sub treasury. We have passed a bankrupt law, a beneficent measure of substantial and extensive relief. Let us now pass the bill for the distribution of the proceeds of the public lands, the Revenue bill, and the bill for the benefit of the oppressed people of the District. Let us do all—let us do every thing we can for the public good. If we are fearfully to be disappointed in our hopes of giving to the country a Bank which will once more supply it with a sound currency, still let us do all that we could under actual circumstances; and that, if we did not carry every measure for their relief, it was only because to do so was impossible. If nothing can be done at this time to place us upon a more stable and satisfactory basis the currency and exchanges of the country, let us hope that hereafter some way will be found out, or enough that most desirable object, either by an amendment of the Constitution limiting and qualifying the omnipotent Executive power, and especially the veto, or by such a majority in the two Houses of Congress competent to the honor of who and salutary have the President's objections notwithstanding.

This seems to me to be the course now to be most upon us to pursue; and, by conforming to it, whatever may be the result of laudable endeavors now in progress or in contemplation in relation to a new attempt at constructing a Bank, we shall go home bearing no self-reproaches for neglected duty.

☞ During our absence Mr. Hunt, Attorney at Law, left the city agent.

NOTICE—The undersigned hope to inform the Merchants, and other public officers, engaged with sales at the St. Louis Exchange, that we do not pay their accounts, or money four hours after publication of the lists on the list of each month, will subject them to be sold upon for payment at the Exchange on the next day of the sale. P. CARRIERE

[illegible]

STATE OF LOUISIANA—Parish Court, for the Parish and City of New Orleans. The State of Louisiana, to all whom these presents shall come, greeting:

Warrant, Wm. Thompson, of Lafayette, having petitioned a sale made by the Clerk of this Court in the city of New Orleans, on the 2d day of July, A. D. 1841, for a minor, and the property hereinafter described, has applied to the Clerk of this Court to authorize the sale of the property hereinafter described, for a minor, and the property hereinafter described, for a minor, and the property hereinafter described, for a minor, and