If the opinion of the supreme court covered the whole ground of this act, it ought not to control the co ordinate authorities of this government. The congress, the executive and the courts must each for itself, be guided by its own opinion of the constitution. Each public officer who takes an oath to support the constitution, swears that he will support it as he understands it, and not as it is understood by others. It is as much the duty of the house of representatives, of the senate, and of the president to decide upon the constitutionality of any bill or resolution which may be presented to them for passage or approval, as it is of the supreme judges when it may be brought before them for judicial decision. The opinion of the judges has no more authority over congress than the opinion of congress has over the judges, and on that point the president is independent of both. The authority of the supreme court must not, therefore, be permitted to control the congress or the executive, when acting in their legislative capacities, but to have only such influence as the force of their reasoning may deserve.

But in the case relied upon, the supreme court have not decided that all the features of this corporation are compatible with the constitution. It is true that the court have said that the law incorporating the bank is a constitutional exercise of power by congress. But, taking into view the whole opinion of the court, and the reasoning by which they have come to that conclusion, I understand them to have decided that, inasmuch as a bank is an appropriate means for carrying into effect the enumerated powers of the general government, therefore the law incorporating it is in accordance with that provision of the constitution which declares that congress shall have power "to make all laws which shall be necessary and proper for carrying those powers into execution." Having satisfied themselves, that the word "*necessary*" in the constitution, means "*needful,*" "*requisite,*" "*essential,*" "*conducive to,*" and that "a bank" is a convenient, a useful and essential instrument in the prosecution of the government's "fiscal operations," they conclude, that to "use one must be within the discretion of congress," and that "the act to incorporate the bank of the U. States is a law made in pursuance of the constitution;" "but," say they "*where the law is not prohibited and is really calculated to effect any of the objects entrusted to the government, to undertake here to enquire into the degree of its necessity, would be to pass the line which circumscribes the judicial department and to tread on legislative ground.*"

The principle here affirmed is that "the degree of its necessity," involving all the details of a banking institution, is a question exclusively for legislative consideration. A bank is constitutional; but it is the province of the Legislature to determine whether this or that particular power, privilege or exemption, is "necessary and proper" to enable the bank to discharge its duties to the government, and from their decision there is no appeal to the courts of justice. Under the decision of the supreme court, therefore, it is the exclusive province of congress and the president to decide, whether the particular features of this act are "necessary and proper," in order to enable the bank to perform conveniently and efficiently the public duties assigned to it as a fiscal agent, and therefore constitutional, or *unnecessary* and *improper*, and therefore unconstitutional.

Without commenting on the general principle affirmed by the supreme court, let us examine the details of this act in accordance with the rule of legislative action which they have laid down. It will be found that many of the powers and privileges conferred on it cannot be supposed necessary for the purpose for which it is proposed to be created, and are not therefore means necessary to attain the end in view, and consequently not justified by the constitution.

The original act of corporation, section 21, enacts "that no other Bank shall be established by any future law of the United States during the continuance of the *corporation hereby created, for which the faith of the* United States is hereby pledged. *Provided,* congress may renew existing charters for banks within the district of Columbia, not increasing the capital thereof, and may also establish any other bank or banks in said district, with capitals not exceeding in the whole six millions of dollars if they shall deem it expedient." This provision is continued in force, by the act before me, fifteen years from the 3d of March 1836.

If congress possessed the power to establish one bank, they had power to establish more than one, if in their opinion, two or more banks, had been "necessary" to facilitate the execution of the powers delegated to them in the constitution. If they possessed the power to establish a second bank, it was a power derived from the constitution, to be exercised from time to time, and at any time when the interests of the country or the emergencies of the government might make it expedient. It was possessed by one congress as well as another, and by all congresses alike, and alike at every session. But the congress of 1816 has taken it away from their successors for twenty years, and the congress of 1832 proposes to abolish it for fifteen years more. It cannot be "*necessary*" or "*proper*" for congress to barter away or divest themselves of any of the powers, vested in them by the constitution to be exercised for the public good. It is not "*necessary*" to the efficiency of the bank, nor is it "*proper*" in relation to themselves and their successors. They may *properly* use the discretion vested in them; but they may not limit the discretion of their successors. This restriction on themselves and grant of a monopoly to the bank, is, therefore, unconstitutional.

In another point of view this provision is a palpable attempt to amend the constitution by an act of legislation. The constitution declares that the "congress shall have power to exercise exclusive legislation in all cases whatsoever" over the district of Columbia. Its *constitutional power, therefore,* to establish banks in the district of Columbia, and increase their capital at will, is unlimited and uncontrollable by any other power than that which gave authority to the constitution. Yet this act declares that congress shall *not increase* the capital of existing banks, nor create other banks with capitals exceeding in the whole six millions of dollars. The constitution declares that congress *shall* have power to exercise exclusive legislation over this district, "*in all cases whatsoever;*" and this act declares they *shall not*. Which is the supreme law of the land? This provision cannot be "*necessary,*" or "*proper,*" or *constitutional*, unless the absurdity be admitted, that whenever it be "necessary and proper," in the opinion of congress, they have a right to barter away one portion of the powers vested in them by the constitution as a means of executing the rest.

On two subjects only does the constitution recognise in congress the power to grant exclusive privileges or *monopolies*. It declares that "congress shall have power to promote the progress of science and useful arts, by securing, for limited times, to authors and inventors the exclusive right to their respective writings and discoveries." Out of this express delegation of power, have grown our laws of patents and copy rights. As the constitution expressly delegates to congress the power to grant exclusive privileges in these cases as the means of executing the substantive power "to promote the progress of science and useful arts," it is consistent with the fair rules of construction to conclude that such a power was not intended to be granted as a means of accomplishing any other end. On every other subject which comes within the scope of congressional power, there is an ever living discretion in the use of proper means which cannot be restricted or abolished without an amendment of the constitution. Every act of congress, therefore, which attempts by grants of monopolies, or sale of exclusive privileges for a limited time, or a time without limit, to restrict or extinguish its own discretion in the choice of means to execute its delegated powers, is equivalent to a legislative amendment of the constitution, and palpably unconstitutional.

This act authorises and encourages transfers of its stock to foreigners, and grants them an exemption from all state and national taxation. So far from being "*necessary and proper*" that the bank should possess this power, to make it a safe and efficient agent of the Government in its fiscal operations, it is calculated to convert the bank of the United States into a foreign bank, to impoverish our people in time of peace, to disseminate a foreign influence through every section of the republic—and in war, to endanger our independence.

The several states reserved the power at the formation of the constitution, to regulate and control titles and transfers of real property, and most, if not all of them, have laws disqualifying aliens from acquiring or holding lands within their limits. But this act, in disregard of the undoubted right of the states to prescribe such disqualifications, gives to aliens, stockholders in this bank, an interest and title, as members of the corporation, to all the real property it may acquire within any of the states of this Union. This privilege granted to aliens is not "*necessary,*" to enable the Bank to perform its public duties, nor in any sense '*proper,*' because it is vitally subversive of the rights of the states.

The government of the United States have no constitutional power to purchase lands within the states, except "for the erection of forts, magazines, arsenals, dock-yards, and other needful buildings," and even for these objects only "by the consent of the legislature of the state in which the same shall be." By making themselves stockholders in the bank, and granting to the corporation the power to purchase lands for other purposes, they assume a power not granted in the constitution, and grant to others what they do not themselves possess. It is not *necessary* to the receiving, safe keeping or transmission of the funds of the government, that the bank should possess this power, and it is not proper that congress should thus enlarge the powers delegated to them in the constitution.

The old bank of the United States possessed a capital of only eleven millions of dollars, which was found sufficient to enable it, with despatch and safety, to perform all the functions required of it by the government. The capital of the present bank is thirty five millions of dollars—at least twenty four more than experience has proved to be *necessary* to enable a bank to perform its public functions. The public debt which existed during the period of the old bank, and on the establishment of the new, has been nearly paid off, and our revenue will soon be reduced, this increase of capital is, therefore, not for public, but for private purposes.

The government is the only "*proper*" judge where its agents should reside and keep their offices because it best knows where their presence will be "*necessary.*" *It cannot, therefore, be "necessary" or "proper"* to authorize the bank to locate branches where it pleases, to perform the public service, without consulting the government, and contrary to its will. The principle laid down by the supreme court concedes, *that congress cannot establish a bank for purposes of private* speculation and gain, but only as a means of executing the delegated powers of the general government. By the same principle, a branch bank cannot constitutionally be established for other than public purposes. The power which this act gives to establish two branches in any state without the injunction or request of the government, and for other than public purposes, is not "*necessary*" to the due *execution* of the powers delegated to congress.

The bonus which is exacted from the bank is a confession upon the face of the act, that the powers granted by it are greater than are "*necessary*" to its character of a fiscal agent. The government does not tax its officers and agents for the privilege of serving it. The bonus of a million and a half, required by the original charter, and that of three millions proposed by this act, are not exacted for the privilege of giving "the necessary facilities for transferring the public funds from place to place, within the United States, or the territories thereof, and for distributing the same in payment of the public creditors, without charging commission or claiming allowance on account of the difference of exchange" as required by the act of incorporation, but for something more beneficial to the stockholders. The original act declares, that it (the bonus) is granted "in consideration of the exclusive privileges and benefits conferred by this act upon the said bank," and the act before me declares it to be "in consideration of the exclusive benefits and privileges continued by this act to the said corporation for fifteen years as aforesaid." It is, therefore, for "exclusive privileges and benefits" conferred for their own use and emolument, and not for the advantage of the government, that a bonus is exacted. These surplus powers, for which the bank is required to pay, cannot surely be "*necessary,*" to make it the fiscal agent of the Treasury. If they were, the exaction of a bonus for them would not be "*proper.*"

It is maintained by some that the bank is a means of executing the constitutional power "to coin money and regulate the value thereof." Congress have established a mint to coin money, and passed laws to regulate the value thereof. The money so coined, with its value so regulated, and such foreign coins as congress may adopt, are the only currency known to the constitution. But if they have other power to regulate the currency, it was conferred to be exercised by themselves and not to be transferred to a corporation. If the bank be established for that purpose, with a charter unalterable, without its consent, congress have parted with their power for a term of years, during which the constitution is a dead letter. It is neither necessary nor proper to transfer its Legislative powers to such a bank, and therefore unconstitutional.

By its silence, considered in connexion with the decision of the supreme court in the case of M'Culloch against the state of Maryland, this act takes from the states the power to tax a portion of the banking business carried on within their limits, in subversion of one of the strongest barriers which secured them against federal encroachments. Banking, like farming, manufacturing or any other occupation or profession, is *a business*, the right to follow which is not originally derived from the laws. Every citizen and every company of citizens in all of our states, possessed the right until the state Legislatures deemed it good policy to prohibit private banking by law. If the prohibitory state laws were now repealed, every citizen would again possess the right. The state banks are a qualified restoration of the right which has been taken away by the laws against banking, guarded by such provisions and limitations as in the opinion of the state legislatures, the public interest requires. These corporations, unless there be an exemption in their charter, are, like private bankers and banking companies, subject to state taxation. The manner in which these taxes shall be laid depends wholly on legislative discretion. It may be upon the bank, upon the stock, upon the profits, or in any other mode which the sovereign power shall will.

Upon the formation of the constitution, the states guarded their taxing power with peculiar jealousy. They surrendered it only as it regards imports and exports. In relation to every object within their jurisdiction, whether persons, property, business or profession, it was secured in as ample a manner as it was before possessed. All persons, though United States officers are liable to a poll tax by the states within which they reside; the lands of the United States are liable to the usual land tax, except in the new states from whom agreements that they will not tax unsold lands, are exacted when they are admitted into the Union; horses, wagons, any beasts or vehicles, tools or property, belonging to private citizens, though employed in the service of the U. States, are subject to state taxation. Every private business, whether carried on by an officer of the general government or not, whether it be mixed with public concerns or not, even if it be carried on by the government of the United States itself, separately or in partnership, falls within the scope of the taxing power of the state.— Nothing comes more fully within it than banks and the business of banking, by whomsoever instituted and carried on. Over this whole subject matter, it is just as absolute, unlimited and uncontrollable, as if the constitution had never been adopted, because in the formation of that *instrument*, it was reserved without qualification.

The principle is conceded, that the states cannot rightfully tax the operations of the general government. They cannot tax the money of the government deposited in the state banks, nor the agency of those banks in remitting it; but will any man maintain that their mere selection to perform this public service for the general government would exempt the state banks and their ordinary business from state taxation. Had the United States, instead of establishing a bank at Philadelphia, employed a private banker to keep and transmit their funds, would it have deprived Pennsylvania of the right to tax his bank and his usual banking operations? It will not be pretended. Upon what principle, then, are the banking establishments of the bank of the United States and their usual banking operations, to be exempted from taxation. It is not their public agency or the deposites of the government which the states claim a right to tax, but their banks and banking powers, instituted and exercised within state jurisdiction for their private emolument—those powers and privileges for which they pay a bonus and which the states tax in their own banks. The exercise of these powers within a state, no matter by whom or under what authority, whether by private citizens in their original right, by corporate bodies created by the states, by foreigners or the agents of foreign governments located within their limits, forms a legitimate object of state taxation. From this, and like sources, from the persons, property, and business, that are found residing, located or carried on under their jurisdiction, must the states, since the surrender of the right to raise a revenue from imports and exports, draw all the money necessary for the support of their governments and the maintenance of their independence. There is no more appropriate subject of taxation than banks, banking and bank stocks, and none to which the states ought more pertinaciously to cling.

It cannot be *necessary* to the character of the bank, as a fiscal agent of the government, that its private business should be exempted from that taxation to which *all the* state banks are liable; nor can I conceive it "*proper*" that the substantive and most essential powers reserved by the states, shall be thus attacked and annihilated as a means of executing the powers *delegated* to the general government. It may be safely assumed that none of those sages who had an agency in forming or adopting our constitution, ever imagined that any portion of the taxing power of the states not prohibited to them nor delegated to congress, was to be swept away and annihilated as a means of executing certain powers delegated to congress.

If our power over means is so absolute that the supreme court will not call in question the constitutionality of an act of congress, the subject of which is 'not prohibited, and is really calculated to effect any of the objects entrusted to the government,' although, as in the case before me, it takes away powers expressly granted to congress, and rights scrupulously reserved to the states, it becomes us to proceed in our legislation with the utmost caution. Though not directly, our own powers and the rights of the states may be indirectly legislated away in the use of means to execute substantive powers. We may not enact that congress shall not have the power of exclusive legislation over the district of Columbia, but we may pledge the faith of the United States that, as a means of executing other powers, it shall not be exercised for twenty years or forever. We may not pass an act prohibiting the states to tax the banking business carried on within their limits, but we may, as a means of executing our powers over other objects, place that business in the hands of our agents, and then declare it exempt from state taxation in their hands. Thus may our own powers and the rights of the states, which we cannot directly curtail or invade, be frittered away and extinguished in the use of means employed by us to execute other powers. That a bank of the United States, competent to all the duties which may be required by the government, might be so organized as not to infringe on our own delegated powers, or the reserved rights of the states, I do not entertain a doubt. Had the executive been called upon to furnish the project of such an institution, the duty would have been cheerfully performed. In the absence of such a call, it was obviously proper that he should confine himself to pointing out those prominent features in the act presented, which, in his opinion, make it incompatible with the constitution and sound policy. A general discussion will now take place, eliciting new light and settling important principles; and a new congress, elected in the midst of such discussion, and furnishing an equal representation of the people, according to the last census, will bear to the capitol the verdict of public opinion, and I doubt not bring this important question to a satisfactory result.

Under such circumstances, the bank comes forward and asks a renewal of its charter for a term of fifteen years, upon conditions which not only operate as a gratuity to the stockholders of many millions of dollars, but will sanction any abuses, and legalize any encroachments.

Suspicions are entertained and charges are made of gross abuse and violation of its charter. An investigation unwillingly conceded, and so restricted in time as necessarily to make it incomplete and unsatisfactory, discloses enough to excite suspicion and alarm.

In the practices of the principal bank partially unveiled, in the absence of important witnesses, and in numerous charges, confidently made, and as yet wholly uninvestigated, there was enough to induce a majority of the committee of investigation, a committee which was selected from the most able and honorable members of the house of representatives, to recommend a suspension of further action upon the bill, and a prosecution of the inquiry. As the charter had yet four years to run, and as a renewal now was not necessary, it was to have been expected that the bank itself, conscious of its purity and proud of its character, would have withdrawn its application for the present, and demanded the severest scrutiny into all its transactions. In their declining to do so there seems to be an additional reason why the functionaries of the government should proceed with less haste and more caution in the renewal of their monopoly.

The bank is professedly established as an agent of the executive branches of the government, and its constitutionality is maintained on that ground. Neither upon the propriety of present action nor upon the provisions of this act was the executive consulted. It has had no opportunity to say that it neither needs nor wants an agent clothed with such powers and favored by such exemptions. There is nothing in its legitimate functions which make it necessary or proper. Whatever influence, whether public or private, has given birth to this act, it cannot be *found either in the* wishes or necessities of the executive department, by which present action is deemed premature, and the powers conferred upon its agent not only unnecessary, but dangerous to the government and country.

It is to be regretted that the rich and powerful too often bend the acts of government to their selfish purposes! Distinctions in society will always exist under every just government. Equality of talents, of education, or of wealth, cannot be produced by human institutions. In the full enjoyment of the gifts of Heaven, and the fruits of superior industry, economy and virtue, every man is equally entitled to protection by law. But when the laws undertake to add to these natural and just advantages, artificial distinctions, to grant titles, gratuities and exclusive privileges, to make the rich richer, and the potent more powerful, the humble members of society, the farmers, mechanics, and laborers, who have neither the time nor the means of securing like favors to themselves, have a right to complain of the injustice of their government.

There are no necessary evils in government. Its evils exist only in its abuses. If it would confine *itself to equal* protection, and, as Heaven does its rains, shower its favors alike on the high and the low, the rich and the poor; it would be an unqualified blessing. In the act before me, *there seems to be a wide and unnecessary departure from* these just principles. Nor is our government to be maintained, or our Union preserved by invasions of the rights and powers of the several states. In thus attempting to make our general government strong, we make it weak.— Its true strength consists in leaving individuals and states, as much as possible, to themselves—in making itself felt, not in its power but in its beneficence; not in its control but in its protection; not in binding the states more closely to the centre, but leaving each to move unobstructed in its proper orbit.

Experience should teach us wisdom. Most of the difficulties our government now encounters, and most of the dangers which impend over our Union, have sprung from an abandonment of the legitimate objects of government by our national legislation, and the adoption of such principles as are embodied in this act. Many of our rich men have not been content with equal protection and equal benefits, but have besought us to make them richer by act of congress. By attempting to gratify their desires, we have in the results of our legislation, arrayed section against section, interest against interest, and man against man, in a fearful commotion which threatens to shake the foundations of our Union. It is time to pause in our career, to review our principles, and if possible, revive that devoted patriotism & spirit of compromise, which distinguished the sages of our revolution, and the fathers of our Union. If we cannot at once, in justice to interests vested under improvident legislation, make our government what it ought to be, we can at least take a stand against all new grants of monopolies, and exclusive privileges against any prostitution of our government, to the advancement of the few, at the expense of the many, and in favor of compromise and gradual reform in our code of laws and system of political economy.

I have now done my duty to my country. If sustained by my fellow-citizens, I shall be grateful and happy; if not, I shall find in the motives which impel me, ample grounds for contentment and peace. In the difficulties which surround us, and the dangers which threaten our institutions, there is cause for neither dismay nor alarm. For relief and deliverance, let us firmly rely on that kind Providence which I am sure, watches with peculiar care over the destinies of our republic, and on the intelligence and wisdom of our countrymen. Through *His* abundant goodness and *their* patriotic devotion, our liberty and Union will be preserved.

ANDREW JACKSON.

Washington, July 10, 1832.

☞ The packet ship **NASHVILLE**, capt Rathbone, for New York, will leave the levee this afternoon (Thursday, 26th inst.) at 5 o'clock, at which time passengers will please be on board. july 26

THE BEE.

PRINTED AND PUBLISHED DAILY BY
JEROME BAYON.

Days of publication during the summer
TUESDAY, THURSDAY & SATURDAY.

THURSDAY MORNING, JULY 26. 1832.

REPUBLICAN TICKET.

FOR PRESIDENT,

ANDREW JACKSON.

"It is fortunate for the country that Gen. Jackson is likely to be fit for public life at the end of the present four years; for in him is the only hope left of avoiding the dangers manifestly about to rise out of the broad construction now again given to the constitution of the United States which effaces all limitations of powers, and leaves the general government, by theory, altogether unrestrained."—THOS. JEFFERSON, in 1825.

"Gen. Jackson is a clear headed, strong minded man, and has more of the Roman in him than any man living."—JEFFERSON.

"Towards that distinguished captain, who has shed so much glory on our country, whose renown constitutes so great a *portion of its moral property*, I never had, I NEVER CAN HAVE, any other feelings than those of the most profound RESPECT, and of the *utmost kindness*."—H. CLAY.

FOR VICE PRESIDENT.

MARTIN VAN BUREN.

ELECTORS

OF PRESIDENT AND VICE PRESIDENT.

First District—JOHN B. PLAUCHE.
Second District—THOMAS W. SCOTT.
Third District—TRASIMOND LANDRY.
Fourth District—ALEXANDER MOUTON.
Fifth District—PLACIDE BOSSIER.

GOVERNOR.

J. B. DAWSON.

Commencing on our outer page, will be found the VETO-MESSAGE of president JACKSON, on returning to the senate "the bill to modify and extend the charter of the United States bank," which has been very justly termed "THE SECOND DECLARATION OF THE INDEPENDENCE OF THE UNITED STATES," and which is to disenthral us of a more odious tyranny than that from which the first saved us—the tyranny of a monied aristocracy, acting upon the wants or the cupidity of individuals and states.

We cannot hope to add force to the arguments adduced by the president, in this admirable document; but we must enjoin it upon every intelligent and candid freeman, to read it with the closest observation and scrutiny, and not with that dreamy indolence with which, we fear, too many important state papers are perused, and by which the reader is scarcely able to recall a single sentence of what he has read. It will be found that, although the whole ground of objections is occupied,—the unnecessary pressing of the bill through congress four years before the expiration of the charter, and while charges implicating the purity of its administration were extensively believed—the open avowal that the opposition had insisted upon its passage, at *this time*, as a political contrivance to compel the president to veto it, at the risque of his popularity—either of which, in our mind, would have justified him in withholding his assent,—yet the principal reasons are founded on the absence of power, conferred by the constitution upon congress, to create *such a bank*, and the dangers that are to be apprehended from the existence of such a moneyed monopoly, wholly irresponsible to the laws of the states, to the jurisdiction and sovereignty of the states, over every thing within their respective limits, that does not appropriately belong to the jurisdiction of the United States;— and nothing can be more apparent than that the United States bank is no more a national institution, than any other corporation, for any other purpose.

It has been supposed by many, that this step will injure the popularity of the president.— We have no such apprehensions. Until homage is no longer paid to virtue, and a generous self-devotion to the welfare of the country ceases to inspire admiration and respect, the veto-message of ANDREW JACKSON will contribute to elevate him still higher in the estimation of every disinterested patriot. He has nobly done his duty, regardless of consequences, although the result, if interested cupidity could prevail, would be his own retirement and proscription. Shall it be said that there is not virtue enough in the American community, to appreciate such an act! For one, we cannot doubt that the American people can and will appreciate and reward it, although (adopting the language of the *Globe*) "it is difficult to describe, in adequate language, the sublimity of the moral spectacle now presented to the American people in the person of Andrew Jackson. He had shed his blood in the war of independence; he had won imperishable renown by his defence of New Orleans; and he had been raised by a grateful and just people to the highest office in the world. It seemed that the measure of his glory was full, and that he had but to repose upon his laurels and leave history to perform its office in transmitting the story of his achievements and his reward to countless generations. But danger assailed his country in a new shape. A monied aristocracy, incautiously organized by the alarmed statesmen who had encountered the difficulties of the last war, was acquiring a power over our people, and an influence in their government, which threatened to change the character of our institutions and reduce our states to a degrading dependence on the nobility and gentry of a foreign kingdom. He had but to favor the continuance of what he found in existence, a second time sanctioned and confirmed by both houses of congress, to remove every formidable obstacle to his re-election, and probably enable him to conduct the affairs of the nation in harmony and peace during the residue of his administration. But Andrew Jackson is not the man to seek for repose when his country is in danger. He viewed this insidious enemy, this creeping poison, attacking our institutions at the heart, as more to be feared than hostile armies. It was the germ of an American nobility, an instrument to enable the aristocracy of England to 'raise a revenue in America,' an object which the parliament with the navies and armies of the British Empire could not enforce, and finally to bring these states into a dependence on the British Isles, not less degrading and more fatal to their interests than their colonial condition. Again, to preserve our independence, has the conquering hero and fearless patriot, sacrificed his personal ease, and as his enemies think, put in jeopardy his re-election, if not his future fame. But his enemies miscalculate. It is impossible for any man to doubt the purity of the motives which have impelled him to this act; and in the grandeur of the moral spectacle which his fearlessness and self-devotion present, he will excite an admiration of his virtues and an enthusiasm in his support, which will overwhelm and destroy the mercenary host by which he is assailed. In this act the glories of the battle-field are eclipsed; it is the crowning chaplet of an immortal fame.

It was on the *Fourth of July* that this enemy to our liberty and independence presented itself to our chief, and demanded its surrender. He has done as our fathers did in 1776, asserted the right of our people to freedom, and of our states to independence. His message will be hailed by the true whigs of this day, as a *second declaration of independence*, which they will support, with no less ardor and self-devotion, than their fathers did the first."

☞ The publication of the veto-message has stinted us for room, to-day, so much as to compel us, reluctantly, to defer the favors of a correspondent, whose chirography, familiar as it is to the conductor of the English side of this paper, recalls many pleasing recollections of by-gone times. We shall certainly avail ourselves of the license he has given us, and most respectfully solicit his correspondence. On a former occasion, but through another medium, he was greeted by us in phrase more studied—but, in the words of Sheridan, "who the d—l may we take liberties with, if not with our friends." On the occasion of the veto-message, we could again quote the lines of Pope, which, on a former occasion, we quoted—but, we forbear. Compliment to him is altogether supererogatory.

Returns from all the parishes in the third congressional district, except Ouachita, give Mr. Bullard 248 majority over Mr. Mouton. Ouachita may reduce Mr. B's majority 25 or 50,—consequently he is re-elected.

The New York board of health report that, during the 24 hours ending at 12 o'clock on the 11th inst. there were 45 new cases of cholera in private residences, with 10 deaths; and 84 new cases in the hospitals, with 30 deaths. Together 129 new cases with 50 deaths.

Up to 12 o'clock on the 10th, there were 44 new cases at private houses, with 10 deaths, and 76 new cases in the hospitals, with 34 deaths. Together, 120 new cases, with 44 deaths.

Up to 12 o'clock on the 9th, there were 16 new cases in private houses, with 4 deaths, and 37 new cases in the hospitals, with 10 deaths. These reports show that the cholera is increasing at New York.

The senate had not acted upon the veto-message, at our latest date from Washington, (the 16th instant) nor had any *compromise taken place between the two houses in regard* to the amendments to the tariff bill.

Extract a letter from D. W. Smith, esq. United States consul at Matamoras, to the Collector of this port, dated July 12, 1832.

SIR—I had the honor to inform you on the 30th ult. that the forces of general Santa Anna were in possession of this place. On the 6th inst. a capitulation was concluded between colonel Guerra and colonel Mexia, by which it was stipulated and agreed, that hostilities should be suspended, and that both parties should abide the result of the negotiation depending between general Calderon and general Santa Anna; that colonel Guerra be forthwith reinstated in the command of the government troops at this station, and *that colonel Mexia re-embark his forces* and proceed with his fleet to Texas, as soon as practicable, in order to quell some disturbances that had taken place between the government troops and the inhabitants of the colony. Col. Austin is here, and intends to accompany the expedition: a more efficient mediator could not have been selected.— He stands high in the estimation of both parties, and there is no doubt but that his interposition and personal influence will effect an amicable adjustment of the existing difficulties. The country wants repose—and it is to be hoped that hostile operations may not be renewed. Col. Mexia withdrew his troops from this town on the morning of the 10th inst. and probably embarked them yesterday. Information has been received here of the untimely death of general Teran, who committed suicide on the 3d instant, at Padilla. It is supposed that the surrender of this place (his head quarters), and the ill-success of his party elsewhere, induced him to commit the rash deed.

I beg leave to say, that the transaction of business in this place has been, by virtue of the capitulation, restored to its former channel. The government officers, both civil and military, have been reinstated, and are now performing their official duties as heretofore.

General Santa Anna has despatched a vessel to bring general Pedraza from the United States, for the purpose of placing him at the head of the government. It is stated that he dictated to Calderon the arrangement for an armistice, and it is therefore to be presumed, that the result of that negotiation will be altogether in his favor.

NEW YORK, July 11.

FROM ENGLAND.

The Carroll of Carrollton, arrived yesterday, brought Liverpool papers of the 4th and London of the 3d ult. They are not so late as is stated to have been received in Canada, and they contain no news of the least importance. Consols are quoted at 85 1 2 to 86.

London, June 1.—The French papers of Tuesday contain some further accounts of the disturbances in the west—of the meeting of the opposition deputies at Lafitte's—of the state of the southern departments— and of the journey of the Prince Royal to the south.

The King of the French had set out from St. Cloud for Compeigne, to meet the King of the Belgians.

It would be needless to speculate about the object of this interview, in which probably the interests of a political as well as a family alliance may be discussed and arranged.

The letters from Glasgow announce the stoppage of a private bank there, under the firm of T. & R. Watson.

A Lisbon mail has arrived this morning, but it brings little news. Several of the Portuguese merchants and capitalists, threatened with punishment for having neglected to pay their subscriptions to the forced loan, have taken refuge on board the ships of war in the Tagus.

London, June 2.—Never were the illuminations on the King's birth day more splendid, nor the drawing rooms more filled with all that is noble and beautiful in the land. This is the rallying of the aristocracy about the Throne.

The Reform Bill will be the law of the land in the course of the week. There is not a doubt of it now. We have now a new constitution—how is it to work remains to be seen.

PARIS, *May* 29.—*Meeting of the opposition at Lafitte's.* The following is the result of the meeting holden at M. Lafitte's by the Deputies of the Opposition:—

"To our Constituents—The undersigned Deputies present at Paris, convinced of the perils of the system which renders the government even farther from the revolution which created it, regard it, in the present situation of France, the most imperious of their duties to render an account to their constituents of their principles and their views.

If it has not been in their power to bring back the government to the conditions of its own preservation, it is at least in their power to point out the danger. Our revolution of 1830 has been variously appreciated.

Some have seen in it but an incident, a modification of the restoration, and have thence concluded that the men and principles of the restoration were to be the principles and men of the new government. The influence of this opinion is to be found in all the journals."

COMMERCIAL.

[*By the Carroll of Carrollton, at New York.*]

LIVERPOOL, June 4.

The import of cotton in the week ending 1st inst. was 35,000 bags, of which 28,000 were from the United States. The sales were 12,000 bags, including 4000 Uplands at 5½ to 7½d, being generally a decline of ⅛d. Yesterday was Sunday, and this morning there is very little inquiry for cotton, and the market is quiet. Our corn market is without any interest.

MARINE JOURNAL.

PORT OF NEW-ORLEANS.

CLEARED.

Packet ship Nashville, Rathbone, New York,	Foster & Hutton
Ship Cassander, Davenport, Havre,	L H Gale
Ship Grecian, Eldridge, Liverpool,	Lincoln & Green
Brig Wm Osborn, McManus, Cowes,	Hefrod & Quarles
Brig Rufus, Jordan, Boston,	L H Gale
Brig Rolla, Dunton, Boston,	W G Hewes
Schr Lafayette, Bunroe, Franklin,	master

ARRIVED.

† Towboat Grampus, Bebee, having put her tow to sea—towed up schrs Santa Anna and Anice. Reports nothing in sight. ☞ The Grampus will leave for sea this afternoon with line ship Nashville, Rathbone, for New York; ship Hope, Ashton, for Liverpool, and brig Manuelito, Salas,

Schr Santa Anna, Bund, from Vera Cruz—cargo
Schr Anice, Reed, from Rio Grande.
Schr Pomona, Bradley, from Galveston.
Schr Two Brothers, Harper, from Tampico.
Steamer Walter Scott, Nelson, from Manchester, with 225 bales cotton, &c.—passengers.

MEMORANDA.

Hence at Havre, May 21st, ship Woodbury.
Cleared at Havre for this port, May 21st, ship Salem.
Hence at New York, July 11, brig Charles Miller.
Hence at Liverpool, June 3, ship Lord Cochran, and the Arcturus.
Cleared at N York for this port, July 11, ship Saratoga.
Schr Cora, Carson, hence at Charleston, 17th inst.
Hence at Norfolk, 5th inst. schr Robert Center,
Schrs Frances and Augustine, hence at Boston, 7th inst.