

# THE OHIO DEMOCRAT.

—OHIO LIBERTAS, DEI PATRIA.— "Where liberty dwells, there is my Country."

BY MITCHENER & MATHEWS.

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## POETRY.

### TO THE EAGLE.

BY G. D. FERRIVAL.

Bird of the broad and sweeping wing,  
Thy home is high in heaven,  
Where wide the stormy banners fling,  
And the tempest clouds are driven,  
Thy throne is on the mountain top,  
Thy fields the boundless sea,  
The heavy peaks that proudly prop  
The skies, thy dwellings are.

Thou art a thing of light  
Amid the noontide haze:  
The midway sun is clear and bright;  
It cannot dim thy gaze,  
Thy plumage, to the rushing blast,  
O'er the burning billows spread,  
Where the vessel plunges, hurry past,  
Like an angel of the dead.

Thou art perched aloft on the heaving erg,  
And the waves are white below,  
And oh, with a haste that cannot lag,  
They rush in an endless flow,  
Again thou hast plumed thy wing for flight  
To lands beyond the sea,  
And away, like a spirit wreathed in light  
Thou hurriest, wild and free.

Thou hurriest over the myriad waves,  
And thou leavest them all behind;  
Thou sweepst that place of unknown graves  
Fleet as the tempest wind,  
When the night storm gathers din and dark,  
With a shrill and boiling woe,  
Thou rushest by the foundering bark  
Quick as a passing dream.

Lord of the boundless realm of air,  
In thy imperial name,  
The hearts of the bold and ardent dare  
The dangerous path of fame,  
Beneath the shade of thy golden wings,  
The Roman legion's glory,  
From the rivers of Egypt's cloudy springs,  
Their pride to the polar store.

For thee they fought, for thee they fell,  
And their oath was on the land;  
To thee the clarions raised their swell,  
And the dying warrior pined,  
Thou wert through an age of death and fears,  
The image of pride and power,  
Till the gathered rage of a thousand years  
Burst forth in one awful hour.

And then a deluge of wrath it came,  
And the nations shook with dread;  
And it swept the earth till its fields were flame,  
And piled with the mingled dead,  
Kings were rolled in the wasteful flood,  
With the low and crouching slave;  
And together lay, in a shroud of blood,  
The coward and the brave.

And where was then thy fearless flight  
O'er the dark mysterious sea,  
To the land that caught the setting light,  
The cradle of liberty,  
There on the silent and lonely shore,  
For ages I watched alone,  
And the world in its darkness asked no more  
Where the glorious bird had flown.

But then came a bold and hardy few,  
And they breasted the unknown wave,  
I sought afar the wandering crew,  
And I knew they were high and brave,  
I wheeled around the welcome bark,  
As it sought the desolate shore,  
And up to heaven, like a joyous lark,  
My quivering pinions bore.

And now that bold and hardy few  
Are a nation wide and strong;  
Amid danger and doubt I have led them through,  
And they worship me in song;  
And over their bright and glancing arms,  
On field, and lake and sea,  
With an eye that fires, and a spell that charms,  
I guide them to victory."

**FREEDOM OF MIND.**—I call that mind free which is not imprisoned in itself or in a sect, which recognizes in all human beings the image of God and the rights of his children, which conquers pride and sloth, and offers itself up a willing victim to the cause of mankind. I call that mind free, which is not the creature of accidental impulses, but which bends its eyes to its own improvement, acts upon an inward spring, for an immutable principle which it has deliberately espoused. I call that mind free, which protects itself against the usurpations of society, which does not owe to human opinions, which feels accountable to a higher law than fashion, which respects itself too much to be a slave of the many or the few.

**COMPOSITY.**—A facetious gentleman travelling in the interior of the State, on arriving at his lodging place in the evening, was met by a hostler whom he thus addressed: "Boy extricate that quadruped from the vehicle, stulticate him, denote him an adequate supply of nutritious aliment and when the Aurora of morn shall again illuminate the oriental horizon, I will award you a pecuniary compensation for your amiable hospitality." The boy not understanding a word, ran into the house saying, "Mansoor, here's a Frenchman wants to see you."

**NEW BRANCH OF EDUCATION.**—A neighboring school master specifies the branches taught in his school in the following words: "Latin and Greek Rudiments, Natural Theology, History, Moral Philosophy and Payment Quarterly in Advance." This last accomplishment strikes us an important chapter in moral ethics, and we trust the day is not far distant when it may be generally taught in schools.

**EDITORIAL ANNOUNCEMENT.**—The editor of the paper is well, and piously adds—"all good paying subscribers are requested to make mention of him in their prayers, the other class need not do so; as the prayers of the wicked avail nothing."

**SUPERSTITION.**—Superstition in the poetry of the United States.

## THE FAIR PENITENT.

It was evening. The last rays of the setting sun fell upon the richly painted windows of the abbey, and threw a "dim religious light" upon the marble floor beneath the fretted pillars that rose on all sides. A young female dressed in virgin white, advanced up the aisle with slow and irregular steps, her eyes timidly bent upon the ground, and her lovely locks half shading her countenance in which health and innocence seemed to vie with each other which should add more beauty to features the form of which was beauty itself.

She stopped for a moment as she reached the open portal of the chapel that formed a recess on one side of the aisle, and then turned into the recess, entered a confessional, and fell upon her knees.

What "ignorance" could this sweet one have committed that required absolution at the hand of her holy father confessor!

We shall see. Having first pronounced her accustomed prayer with a timid voice, she seemed to gain confidence by this act, and proceeded to relate first, her little acts of contumacy towards her school mistress, (for though bordering on womanhood, she had not left the convent school; then her little sins of actual commission, reserving the gravest for the last. At length, though she had evidently not concluded her confession, she made a full stop, as if reluctant to proceed farther.

"Come, daughter," exclaimed the priest, "proceed; you must not permit a false pride or delicacy to deter you from that full confession, without which absolution were vain. What more?"

"I'm afraid to tell you, good father." The priest said something to encourage her but the pretty penitent still hesitated, and as she covered her sweet face with her two hands as if afraid to have it seen, the tears made their way between her pretty fingers.

"Come, come!" said the holy father, "this must not be. I must interrogate you. What is it? Have you done anything to injure or offend your good parents?"

"Worse father!"  
"Have you been reading in wicked books?"  
"I have not been reading at all, father."  
"Did you play or laugh last Sunday during service?"

"A great deal worse, father!"  
The priest began to be seriously alarmed, yet he did not know how to frame his question so as to avoid suggestions, which if he should be wrong in his suspicions, might render the remedy more mischievous than the disease.

At last the young beauty, as if by a desperate effort, relieved him from his embarrassment.

"Father," said she, with a trembling and half suppressed voice, "I will tell you all if Heaven will give me the strength to speak. But, pray be indulgent, good father! It was the first time—and I'm sure I never thought much harm would come of it. Besides, it was not my own fault, it was partly his. And he is so very handsome too—(the good priest trembled,) and so fond of me; he used to follow me about wherever I went; he seemed to think and care about nobody but me." She paused a moment and then continued, "Well father, one night after I had retired to rest, I would you believe it?—I found him in my chamber." The holy father groaned aloud, "I never could tell how he got there, for I shut the door carefully, as I always do."

"Well!" exclaimed the confessor in an anxious tone, "what more?"  
"Oh father the worst is to come. That night in particular, it was last Tuesday, father he looked so very handsome, and seemed so very fond of me—and—in—short—"

"But exclaimed the pious priest, with a sudden show of indignation, 'did your mother never warn you of the terrible danger of such conduct? Did she never tell you the fatal consequences of—'

"No, father!" interrupted the fair penitent, 'she never told me there was anything wrong in being fond of such a very beautiful cat and—'

"A cat! was it a cat?"  
"Yes, father! a large, beautiful white Angora, that I was so wicked as to steal from the pastry cook's, opposite where we live, and have kept him concealed in my room ever since."

"In nomine Patris et Filii et Spiritus Sancti te absolvo," said the good priest, and never did he pronounce the words with a more full and gratified feeling of pious satisfaction.

**FIGURATIVE.**—John Neal tells of a Baltimore lawyer, who being employed to defend a man charged with cutting timber on his neighbor's land, burst out in the following strain of judicious eloquence:—"Looking at him gentleman of the jury. There he stands, walking about with the cloak of hypocrisy in his mouth, trying to withdraw three oak trees from my client's pocket."

**EMPHASIS.**—A writer on English grammar gives the following example on wrong emphasis:—A clergyman, on reading the twenty-seventh verse of the eighteenth chapter of the first book of Kings, generally placed the emphasis on the words denoted by italics. "And he spake to his sons, saying, Saddle me, the ass, and they saddled him!"

"MUNGER MOON FOUL."—They say that there is a place in New Hampshire where they cut up old maids to make dried apples!—All our exchange papers.—Sat. Ev. Post.

That accounts for the fact that all the dried apples in the market are everlasting sour.—Box, Courier.

## THE VETO.

"Sound the loud trumpet of our mountain and sea,  
The Bank Bill is VETOED, the people are free.  
No more shall the Bank with its vast monied power,  
O'ershadow the land, our rights to devour:  
Sound principles triumph, the victory's achieved,  
The poor man and orphan will now be relieved.  
In vain do usurpers attempt to obtain  
The wealth of the nation, in this wide domain,  
To wield for the purpose of making them great,  
While Tyler's the helm, of the great ship of State,  
That has outrode the storm of the dark Fiscal sea,  
While her "star-spangled banner" floats high in the breeze.

Though some may regret, (but that day they will rue,  
That they fixed upon Tyler, the firmest the true;  
The same, years before, as to-day, he appears,  
Unblasted by glory, unshaken by care.

Old-fashioned Democracy now is revived,  
Our national honor is once more retrieved:  
Aristocracy staggers and soon will be low,  
While Democracy onward, like rivers, shall flow  
By highland and glen, where the Muse sits attired,  
In the wilderness of nature, with Alpha inspired,  
To illumine the path of the great and the good,  
Who true to their country in peril have stood.  
Hence we'll tune up our harp and to Tyler we'll sing,  
Till woodland and dale with our music shall ring,  
That Banks and Monopolists are put asleep;  
And our seamen proclaim in each far-distant clime,  
That America needs no Nic Biddle to chime  
To the tune of Twelve Millions, to make it good luck  
For Britons to nurch-oo the most of the stock.  
Monarchical zealots may bow to its nod,  
But our free republic that worships no god,  
But the Author of Nature—(whom alone we adore,)  
Fiscal, Banks, Clay, and Biddle will ne'er worship more.

The regalia of monarchs by none here is worn,  
For where ALL are monarchs, no master is known.  
"Tis with joy that we hail the bright dawn of this day:  
It brightens our hopes, drives the shadows away,  
Which long has enshrouded 'the land of the free,'  
And free from Clay's Bank Bill it ever shall be;  
For though the Bank swindlers may labor and try  
To revive the Great Fiscal now laid up to dry,  
'Twill all be in vain, for the People will say,  
"We'll have nothing to do with the Bank Bill  
OR CLAY."

## MESSAGE.

THE PRESIDENT OF THE U. STATES,  
Returning, with his objection, the bill to incorporate the Fiscal Bank of the United States, August 16, 1841.

To the Senate of the United States:  
The bill entitled "An act to incorporate the subscribers to the Fiscal Bank of the United States," which originated in the Senate has been considered by me, with a sincere desire to conform my action in regard to it, to that of the two Houses of Congress. By the constitution it is made my duty, either to approve a bill by signing it, or to return it with my objections to the House in which it originated. I cannot conscientiously give it my approval, and I proceed to discharge the duty required of me by the constitution—to give my reasons for disapproving.

The power of Congress to create a National Bank to operate *per se* over the Union, has been a question of dispute from the origin of our government. Men most justly and deservedly esteemed for their high intellectual endowments, their virtue, and their patriotism, have, in regard to it, entertained different and conflicting opinions. Congress have differed. The approval of one president has been followed by the disapproval of another. The people at different times have acquiesced in decisions both for & against. The country has been, and still is, deeply agitated by this unsettled question. It will suffice for me to say that my own opinion has been uniformly proclaimed to be against the exercise of any such power by this Government. On all suitable occasions; during a period of twenty five years, the opinions thus entertained have been unreservedly expressed. I declared it in the Legislature of my native State. In the House of R. of the U. States it has been openly vindicated by me. In the Senate chamber, in the presence and hearing of many who are at this time members of that body, it has been affirmed, in speeches and reports there made, and by votes there recorded. In popular assemblies I have unhesitatingly announced it, and the last public declaration which I made, and that but a short time before the late presidential election, I referred to my previously expressed opinions as being those then entertained by me, with a full knowledge of the opinions thus entertained, and never concealed, I was elected by the people Vice President of the United States. By the occurrence of a contingency provided for by the Constitution, and arising under an impressive dispensation of Providence, I succeeded to the Presidential office.—Before entering upon the duties of that office, I took an oath that I would "preserve, protect, and defend the Constitution of the United States." Entertaining the opinions alluded to, and having taken this oath, the Senate and the country will see that I could not give my sanction to a measure of the character described, without surrendering all claim to the respect of honorable men—all confidence on the part of the people—all self-respect—all regard for moral and religious obligations; without an observance of which no Government can be prosperous, and no people can be happy. It would be to commit a crime which I would not wilfully commit to gain any earthly reward, and which would justly subject me to the ridicule and scorn of all virtuous men.

I deem it entirely unnecessary at this time to enter upon the reasons which have brought me to the conclusions I feel and entertain on this subject. They have been over and over again repeated. If some of those who have preceded me in this high office have entertained and avowed different opinions, I yield all confidence that their convictions were sincere; I claim only to have the same measure voted out to myself. Without going further into the argument, I will say that, in looking to the powers of this Government to collect, safely keep, and disburse the public revenue, and incidentally to regulate the commerce and exchange, I have not been able to satisfy myself that the establishment by the government of discount in the ordinary acceptance of that term, was a necessary means, or one demanded by propriety, to execute those powers. What can the local discounts of the bank have to do with the collecting, safe keeping, and disbursing of the revenue? So far as the mere discounting of paper is concerned, it is quite immaterial to this question whether the discount is obtained at a State bank or a United States Bank. They are both equally local—both beginning and both ending in a local accommodation. What influence have local discounts, granted by any form of bank, in the regulating of the currency and the exchange? Let the history of the late United States Bank aid us in answering this enquiry.

For several years after the establishment of that institution, it dealt almost exclusively in local discounts; and during that period the country was, for the most part, disappointed in the consequences anticipated from its incorporation. A uniform currency was not provided, exchanges were not regulated, and little or nothing was added to the general circulation; and in 1829 its embarrassments had become so great, that the directors petitioned Congress to repeal that article of the charter which made its notes receivable everywhere in payment of the public dues. I had, up to that period, dealt to but a small extent in exchanges, either foreign or domestic, and as late as 1823 its operations in that line amounted to a little more than seven millions of dollars per annum. A very rapid augmentation soon after occurred, and in 1833 its dealings in exchanges amounted to upwards of one hundred millions of dollars, including the sales of its own drafts; and all these immense transactions were effected without the employment of extraordinary means. The currency of the country became sound, and the negotiations in the exchanges were carried on at the lowest possible rates. The circulation was increased to more than 20,000,000, and the notes of the bank were regarded as equal to specie all over the country; thus showing almost exclusively, that it was the capacity to deal in exchanges, and not in local discounts, which furnished these facilities and advantages. It may be remarked, too, that notwithstanding the immense transactions of the bank in the purchase of exchange, the losses sustained were merely nominal, while in the line of discounts the suspended debt was enormous, and proved most disastrous to the bank and country. Its power of local discount has, in fact, proved to be a fruitful source of favoritism and corruption, alike destructive to the public morals and the general well.

The capital invested in banks of discount in the United States, created by the States, at this time, exceeds 350,000,000 of dollars; and if the discounting of local paper could have produced any beneficial effects, the United States ought to possess the soundest currency in the world; but the reverse is lamentably the fact.

In the measure now under consideration of the objectionable character to which I have alluded it is clearly so, unless by the 16th fundamental article of the 11th section it is made otherwise. That article is in the following words:

"The directors of the said corporation shall establish one competent office of discount and deposit in any State in which two thousand shares shall have been subscribed, or may be held, whenever, upon the application, of the Legislature of such State, Congress may by law require the same. And the said directors may establish one or more competent offices of discount and deposit in any Territory or District of the United States, and in any State with the assent of such State, and when established, the said office or offices shall be only withdrawn or removed by the said directors prior to the expiration of this charter, with the previous assent of Congress: Provided, in respect to any State which shall not, at the first session of the Legislature thereof, held after the passage of this act, by resolution, or other usual legislative proceeding, unconditionally assent or dissent to the establishment of such office or offices within it, such assent of the said State shall be thereafter presumed: 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 directors to establish such office or offices accordingly."

It will be seen that by this clause the directors are invested with the fullest power to establish a branch in any State which has yielded its assent; and having once established such branch, it shall not afterwards be withdrawn, except by order of Congress. Such assent is to be implied, and to have the force and sanction of an actually expressed assent, provided in respect to any State which shall not at first session of the Legislature thereof, held after the passage of this act, by resolution or other usual legislative proceeding, unconditionally assent or dissent to the establishment of such office or offices within it, such assent of said State shall be thereafter presumed.

The assent or dissent is to be expressed unconditionally at the first session of the Legislature, by some formal legislative act, and if not so expressed, its assent is to be implied; and the directors are thereupon invested with power at such time thereafter as they may please, to establish branches which cannot afterwards be withdrawn, except by resolve of Congress. No matter what may be the cause which may operate with the Legislature, which either prevents it from speaking, or addresses itself to its wisdom, to induce delay, its assent is to be implied. 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 for the ill; and delay, postponement, or incapacity to answer, produces an implied assent which is ever thereafter receivable. Many of the State elections have a ready taken place, without any knowledge, on the part of the People that such a question was to come up.

The Representatives may desire a submission of the question to their constituents preparatory to final action upon it, but this high privilege is denied; whatever may be the motives and views entertained by the Representatives of the People to induce delay, their assent is to be presumed, and is afterwards binding, unless their dissent shall be unconditionally expressed at their first session after the passage of this bill into a law. They may, by formal resolution, declare the question of assent or dissent to be undecided and postponed, and yet in opposition to their express declaration to the contrary, their assent is to be implied. Cases innumerable might be cited to manifest the irrationality of such an inference. Let one or two in addition suffice. The principal branch of the Legislature may express its dissent by a unanimous vote, and its resolution may be defeated by a tie vote of the Senate, and yet the assent is to be implied. Both branches of the Legislature may concur in a resolution of decided dissent, and yet the Governor may exert the veto power conferred on him by the State Constitution, and their legislative action be defeated; and yet the assent of the legislative authority is implied, and the directors of the contemplated institution are authorized to establish a branch or branches in such State whenever they may find it conducive to the interest of the stockholders to do so; and having once established it, they can under no circumstances withdraw it, except by act of Congress. The State may afterwards protest against such unjust influence, but its authority is gone. Its assent is implied by its failure or inability to act at its first session, and its voice can never afterwards be heard. To inferences so violent, and as they seem to me irrational, I cannot yield my consent. No 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 inferences at the expense of reason. A State in a condition of distress 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 States boldly and frankly—Congress wills and submission is demanded.

It may be said that the directors may not establish branches under such circumstances. But this is a question of power, and this bill invests them with full authority to do so. If the Legislature of New York, or Pennsylvania, or any other State, should be found to be in such condition as I have supposed, could there be any authority furnished against such a step on the part of the directors. Nay, is it not fairly to be presumed that this proviso was introduced for the sole purpose of meeting the contingency referred to? Why also should it have been introduced? And submit to the Senate, whether it can be believed that any State would be likely to sit quietly down under such a state of things? In a great measure of public interest their patriotism may be successfully appealed to; but to infer their assent from circumstances at war with such inference, I cannot but regard as calculated to excite a feeling of fatal enmity with the peace and harmony of the country. I must therefore, regard this clause as securing the power to be in Congress to establish offices of discount in a State, not only without its assent, but against its dissent; and so regarding it, I cannot sanction it. On general principles, the right in Congress to prescribe terms to any State, implies a superiority of power and control, deprives the transaction of all pretence to compact between them, and terminates, as we have seen, in the total abrogation of freedom of action on the part of the States. But further, 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 such State, will appear to rest on a constructive necessity and propriety, and nothing more. I regard the bill as asserting for 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 this Union with or without their consent; a principle to which I have always heretofore been opposed, and which can never obtain my sanction. And waving all other considerations growing out of its other provisions, I return it to the House in which it originated, with these my objections to its approval.

JOHN TYLER.  
Washington, August 16, 1841.

**NOVEL COMBAT.**—A few days ago, a large Newfoundland dog dashed into the lake at Pittville, in pursuit of two beautiful swans and their cygnets, who were tranquilly enjoying the lake. The parent swans immediately prepared to convey their charge out of danger, the male bird gallantly bringing up the rear, like a man-of-war protecting its convoy. The dog, emboldened by their flight, gave chase still more vigorously, when the male swan suddenly tacked about, and by a dexterous manœuvre sprang from the water and perching himself on his assailant's back, instantly sank him. The dog had nothing for it but to dive, which he did to a considerable distance, and on coming to the surface made the best of his way out and home, regardless of the whistle of his master while the beautiful bird arched his neck, and sailed triumphantly after his convoy.—Eng. pap.

**WHERE WERE YOU HURT?**—Where were you hurt? said a friend to one who had received an injury in a personal rencounter. "Was it near the vertebra?" "No, no," answered the other, "it was near the race course."

**ELOQUENCE.**—"Yes, gentlemen of the jury, these wolves of Kentucky, when all nature is locked in the arms of Morpheus, step forth, at the silent hour of midnight, and devour whole litters of pigs."

**A BULL.**—"You all know, fellow citizens, that I fought, bled and died in the C—tion."

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