

The Rutland Herald.

"LIBERTY AND UNION, NOW AND FOREVER ONE AND INSEPARABLE."—JEFFERSON.

VOLUME XLII.

RUTLAND, Tuesday, January 19, 1836.

NUMBER 3.

The Rutland Herald.

PUBLISHED EVERY TUESDAY, AT RUTLAND, VT. BY
WILLIAM FAY.

POETRY.

[From the Boston Centinel.]

A CITY CLERK'S LAMENT TO HIS COUSIN IN THE COUNTRY.

Dear Dick, I hope that U X Q Q Q
This sad attempt to court the M U U—
A thing I never did B 4.
And after this shall try no more.
Y U, dear Dick, are at U E E E.
With night at home U r life to T T T—
I'm fit at work, both night and day,
And fast I'm dropping to D K.
I keep with Mr. Valentine—
We retail groceries and Y n;
Moss kicks then coppers do I get,
When Mr. V. is in a pet.
The least thing wrong my master C C C,
He direful rage I can't sp P P P.
So R T once I was, U know—
But now each day more lean I grow—
So lean a dog, you've er did C,
I look just like an F I G.
Oh! Dick, I'm going very fast,
My court 2 tion cannot last,
And very long I cannot B
In S X street, 363.
My purse is M T—now its true—
I don't forget that I O U.
So when you hear of my D C C C,
Send statement to my Assign E E E.
In haste, I'm Ur's,
JOHN NRY P P P.

DCMber 31st.
["Rd at work"—(hard at work) "R T" (hearty)
—and "Nry" for Henry—clearly indicate the Cockney
origin of this article.]

FRIENDSHIP.

We have been friends together,
In sunshine and in shade;
Since first beneath the chestnut trees
In infancy we played.
But coldness dwells within thy heart,
A cloud is on thy brow,
We have been friends together—
Shall a light word part us now?
We have been gay together;
We have laughed at little jests,
For the fount of hope was gushing
Warm and joyous in our breasts.
But laughter now hath fled thy lip,
And sullen glooms thy brow;
We have been gay together—
Shall a light word part us now?
We have been sad together;
We have wept with bitter tears,
O'er the grass-grown graves, where slumbered
The hopes of early years.
The voices which were silent there
Would bid thee clear thy brow;
We have been sad together—
Oh! what shall part us now?

Miscellaneous.

NATCHES, November 24, 1834.

HOORIBLE. This morning, as a negro man was leading two chained bears through the court-yard of the Mississippi Hotel, kept in this place by Mr. Parker a Malatto woman from the kitchen, imprudently took her little boy out to see the animals, and allowed him to go near them. One of the bears instantly seized the child in his paws, (sinking his claws into the child's abdomen,) threw him on the ground, and began, with frightful avidity to feed upon his carcass. The shrieks of the frantic mother, who, true to nature, had thrown herself upon the prostrate body of her child, and was vainly striving to unclasp the murderous jaw of the beast, brought in a moment to the spot, the keeper of the Hotel and a number of gentlemen, lodgers there; and an attempt was made to rescue the boy by striking the bear with the head of a corn hoe. But the rapacious animal heeded them not, and continued his deadly feast by sucking the blood from a bite in the arm,—when, most providentially, the other bear was engaged, probably by the smell of the fresh wounds, to contest the banquet, a battle ensued between them, which afforded an opportunity of snatching away the child, and also, diverted them both from a fresh attack on any one else. At this instant fire arms were brought, and two or three deadly aims dispatched each of them for further mischief. Dr. Dashiell was called to the child and promptly dressed his wounds. He will probably recover, but a lesson has been taught to his mother, and to all mothers, of the criminal folly of leading their children into danger in order to please them with sights. Let them remember this bear story.

Mr. Parker and the other gentlemen on the spot deserve much credit for their laudable temerity in assaulting the animals at the risk of being wounded themselves.—*Conr. and Journal.*

ATROCIOUS MURDER.—We learned accidentally, last evening, that a murder of singular atrocity had been committed in Bridgewater, Oneida co. The bodies of Mr. and Mrs. BARBOCK, highly respectable residents in that town, were found shockingly butchered, in their sleeping apartment. The name of the murderer is Vandell. A great deal of excitement was occasioned in the neighborhood by an event, marked as this was by cold-blooded wickedness and cruelty.—*Albany Advertiser.*

BOSTON IS COMING!—The stock of the railroad from Boston to Albany is announced in the Massachusetts papers, as all taking. Of course, then, the work goes on, for it is no stock-jobbing matter. We congratulate the citizens of Boston—and those of Buffalo no less—upon this auspicious event. We most cordially extend to New England the hand of fellowship in this matter; the West will second all her efforts, and promptly meet her at the Hudson with railroads that shall almost indefinitely prolong the one she has undertaken.—*Buffalo Mag.*

[From the National Intelligencer.]

In a debate which occurred in the House of Representatives on Thursday last, upon the resolution offered by Col. Johnson of Ky., for supplying with copies of the printed Documents certain Heads of Department and Bureaus, and other officers of Government, some remarks were made by Mr. WISE of Virginia, which although the subject of the debate was in itself of no great magnitude, deserve to be brought out into strong relief. We have always been under the impression that a majority of the last House of Representatives was opposed, in conscience and in principle, to the removal of the deposits of public money from the Bank of the United States; and something was said, in other quarters, of the management by which their votes were made to misrepresent their opinions. But we never expected to hear the facts of such management to be made a matter of confident and uncontradicted assertion on the floor of the House, as they were by Mr. WISE in the remarks which follow.

REMARKS OF MR. WISE OF VIRGINIA.

In the House of Representatives on Thursday, Mr. WISE said, that he was utterly opposed to this resolution on the score of economy, but in another and much more important point of view, such a resolution was actually abhorrent to the principles of our Government, and to the independence of the legislation of this House. Sir, instead of being what we are by the Constitution, an independent branch of the National Legislature, this resolution would resolve us into a mere COMMITTEE to report proceedings of the Legislative department to the Executive! Gentlemen may not intend such an effect, but this resolution does, in semblance and in substance, recognize a responsibility on the part of this House to the Executive for its legislative acts and proceedings. What, Sir! has it come to this, that we shall daily carry to the foot of the throne a report of our proceedings, in order to show—not to the President, but to his very underlings—"thus far have we gone?" in order that they may say, "thus far shalt thou go and no farther?" The Executive Department, sir, intermeddles already too much with the performance of our legislative duties and functions, and I do solemnly protest against resolving upon this written invitation to superintend and interfere with our action here, more than it has already done. I wish to preserve our own independence and the checks and balances of our Government.

[Here Mr. ANTHONY (of Pa.) made some remarks, which he concluded by saying that "the Executive Departments had a right to know what we were doing in this House.]

Mr. WISE again rose and said, that he was astonished to hear such a right admitted or claimed for the Executive on that floor. He would only call the attention of the House and the country to this claim for the Executive as a right!

Mr. JOHNSON of Kentucky, in reply to the gentleman from Virginia, challenged him to put his finger upon any one act of Executive usurpation; remarking at the same time, that it was easy to deal in general denunciations and declarations, but more difficult to support them by facts. He, Mr. J. looked to the voice of the people as his guide, and he doubted not that the President did. The President had been supported, in all his acts, by a large majority of the people, and could, therefore, with more reason, complain of the course of the gentleman, than the gentleman could of his.

Mr. WISE said, in rejoinder, that the gentleman from Kentucky (Col. JOHNSON) had called upon him to do that which it was the easiest thing imaginable to do. He would give him and the country the information asked for with the greatest pleasure; was happy to have the opportunity to give the gentleman a satisfactory and direct reply, and was ready and willing to put his finger upon some acts of Executive interference with the legislation of that House. When I speak, however, of Executive interference, I do not mean the acts of the President alone, and let me be so understood, but the acts of the whole of the Departments. Is it possible, sir, that the gentleman means to be understood by his making this call, and by his manner of making it, that he himself does not suppose specifications of active intermeddling with our business of legislation can be made? Why, sir, the gentleman trips! Not specify acts of Executive interference! Surely the gentleman knows that the Constitution makes it the duty of the President to communicate to Congress, by his Message, his, the Executive's views, of all our relations, and on all subjects of legislation. He is constitutionally bound to give as officially his opinion on what we should do and should not do as legislators.

But let not the gentleman understand me as pointing to this constitutional duty as one of the specifications of Executive interference. To send his message is no act of intermeddling—it is an act of duty and obligation. Sir, I do not intend to evade the gentleman's call. I never will evade any responsibility on any occasion. I allude to this constitutional duty, to contrast it expressly with other acts which the President's or the Executive's duty forbids. I allude to it for the purpose of reminding the gentleman that the Constitution fixes the measure and mode of Executive interposition in acts of legislation. The Constitution intends that the President shall, by a public message, call our attention to all subjects of legislative action, and that then the Executive functions shall cease until we have performed our acts, and referred them to him for his constitutional sanction or veto. And the Constitution intends, most cautiously and jealously intends, that whilst discussing, whilst deciding upon laws to be passed or rejected, we shall be free and independent of Executive influence. And now, sir, what I have said, meant to say, and mean to repeat, is, that we are not thus free and independent, that the Executive does intermeddle, improperly, dangerously and frequently with our legislative action! The gentleman asks for me to point to the instances, and I will specify some of them.

Was it not admitted the other day on this floor by a member of "the party," and the Chairman of a Committee, (Mr. SUTHERLAND) that our Committees do not make their own reports? Who does make them? not write them, sir, make them!

Who but those who are consulted, and who advise on all our leading measures, and upon the "quace" of the "lead" of all our measures? The underlings and all tell us what is to be done, and what not! Upon the appropriation bills, particularly, who has the chief control, the Executive or the Legislative Department? Sir, I refer to all the members of the House as witnesses. I ask of all the chairmen of committees, of every member of each committee, if the Executive Departments do not interfere with our legislation? Not always, perhaps, with the knowledge and consent or by the order of the President, but habitually without orders, and always in pursuance of their own interests.

But this is dealing too much in generalities for my own interest, and is trifling, comparatively, with a subject of most serious moment. I will specify a more signal and warning instance of Executive interference with the legislative action of this House by the President himself, the facts in relation to which I can verify and make good before the House and the nation.

Sir, the power of the President over a single appointment alone, commanded, on this floor, thirty-five votes at least, in favor of one of the most important Executive acts which ever agitated this country or affected its interests. On no other question than the great Deposit Question of last session, I verily believe and have reason to know—I would, if required, make oath in support of the opinion—that the majority of the House was decidedly against the act of the President, in reason, conviction and conscience. But, sir, the true sense of the Commons was stifled. The Speaker of the House was kept in that chair, (pointing to the Speaker's Chair,) with an Executive promise in his pocket until the work of the master was finished. There sat the Speaker, like a cancer on the body politic, which ramified its roots to more than two or three, or two or three dozen seats on this floor! There were no less than four Chairmen of the principal Standing Committees with their eyes of aspiration fixed upon that high place, each longing to be successor to the incumbent; and besides these, there was another candidate, also on an important committee. To say nothing of the subordinates on these committees, who so doubt were some of them willing to have their chairmen respectively elected Speaker, to create a fair vacancy for themselves, it is surely moderate in calculation to say that each of those five candidates had at least a half dozen of zealous friends—they were poor indeed if they had not. Each candidate looked to what is here called "Administration votes,"—a term which imports Executive interference, by the by—to elect him, and according to my arithmetic, sir, the five candidates with their six friends each, made thirty-five votes, that according to the worth of the price of Speaker's chair, were morally certain to be "Administration votes." Less than one third of that number of votes would, if changed from one side to the other, have changed the vote of the House on that vital question; and I presume that no one here, who sees and knows what we all see and know, can doubt that these thirty-five votes taken as the least possible number to be affected, were not influenced by, but left free and independent of Executive influence! By the aid of these two officers, the Minister to England and the Speaker of the House of Representatives, the one Executive the other legislative—one of whom the President appoints, and the other he does not actually appoint—the President, I suppose, was not enabled to command a majority on this floor! What may not our President do in legislation when he has our Speaker for his tool! So much for Specifications, by which let it be understood, I do not intend to be involved in any personalities.

The gentleman says that he "looks to the voice of the people!" Ay, sir, and so do I, and so do we all. The time is now short—in due time, sir—yet a little while longer, and that voice shall come up to us and to high places, in tones of thunder.

The gentleman says that I have denounced the President. Denounced the President! I deny it, sir. Twice have I supported the President for his office, with a zeal, if not ability, which might exert itself equally ardent again, under the same circumstances. But, sir, not for the President, nor myself, will I conceal facts and truths from the people, when they are so pointedly called for by both the gentleman and the good of the country. Has it come to this, that political truth dare not be told lest the President be denounced! Yes, sir, there is a party which makes the President "a scape goat" for its sins, and which always take shelter under his great name. There are those who, if their acts be denounced, always raise the cry of "denunciation against the President," who has as much reason as any man I know of, to pray God to save him from some of his friends! Why should I denounce the President in the discussion of this question? He does not I hope, call for this resolution. For the country's sake, I hope he does not desire this debasing obsequiousness from this House. No patriot can ask that one department of Government shall humble itself to another. Sir, I hope that the gentleman himself, if he apprehended what I do from this resolution, would withdraw it and spurn it. I have that respect for him to believe—he knows that I am personally his friend—that if he foresaw the effects which I think I foresee from this, his measure, so humiliating to this House, he would abandon it at once. But, sir, may I say, not, however, in allusion to this instance, that there are too many voluntary and gratuitous offerings of flattery and flattery made to the President, which must ensnare him who is attempted to be flattered by them, which gall the spirits of freemen attached to him, and which impair the spirit of free institutions to which those freemen are still more attached. Sir, the underlings always transcend, infinitely transcend the utmost ambition of Kings themselves in doing honor and homage; and two often are our President's compelled to be answerable, and made to be odious, for the officiousness of adulation and praise! I never will halt, however, in the path of my duty because the President or his parasites stand in my way.

The gentleman has said that he did not expect such a debate as this to arise upon such a proposition. I should have been surprised indeed, if no

voice here had been raised against such a proposition. This is no small matter, either in point of the money or of the principle which is proposed to be squandered and prostrated; and I beg the gentleman to reflect that the line of march towards the concentration and consolidation of power is always begun by short steps at first, which are gradually and imperceptibly stretched into vast and fast strides, hastening onwards to the certain and fearful end of despotism!

Mr. JOHNSON, of Kentucky, then said that the gentleman had, no doubt, spoken what he believed to be true, in which he was perfectly justifiable. But what he had stated was a matter of personal opinion, in which he (Mr. J.) did not coincide. For his own part, though he had been in this and the other House for twenty-nine successive years—ever since the first session after the attack on the Chesapeake—he could conscientiously say, that he had never acted under any improper influence, and had never known any other member so to act. On the occasion alluded to by the gentleman from Virginia, he had not the least doubt that every member, on one side as well as on the other, voted conscientiously, and free from Executive or other improper influence. This was his opinion.

ADDRESS OF GOV. RITNER. We make the following extracts from Gov. Ritner's inaugural address. The new Governor, in the outset, takes a firm stand in opposition to the encroachments of power. His principles in regard to the currency, and the supremacy of the laws are such as we have ever taken pride in advocating.—*Boston Centinel.*

Extracts from the Address

"Before entering upon questions of more immediate interest to us, as citizens of this State, I would desire it distinctly to be understood, that I possess a proper estimate of the importance of Pennsylvania, both as a State and as a member of the great national family. While the rights and feelings of every part of the Union will be scrupulously respected, and its perpetuation and honor cordially promoted, I shall not consent to sacrifice her interests to propitiate power, or conciliate favor in any quarter, however high and influential.

"Among subjects of State policy, there is one of most prominent interest. The great system of Internal Improvement; in which we have been for years engaged, has encumbered the resources, and deranged the finances of the Commonwealth; produced new but as yet nearly untried channels for business, and springs to private enterprise; and materially affected the occupations and interests of the people. The cares and duties of those who administer the Legislative and Executive Departments of the Government, are in the same proportion increased. Sound policy demands, that operations which have thus shaken the old order of things, and that public works which have cost so much, should as speedily as possible, be made to answer the great object for which they were originally designed—the public good. To accomplish it, the most vigorous measures and the most rigid economy are absolutely necessary, and will be enforced. Every exertion will be made to give energy and certainty to a system which, as yet, has exhibited little more than a doubtful promise of utility commensurate with the sacrifices made for its accomplishment.

"The maintenance of a sound currency is one of the most difficult but indispensable duties of those who administer the government, in a community possessing such various interests as that to which we belong. Convenience, and that consideration alone, has caused the substitution of paper money for specie. The idea that money was to be made by speculating on the inconvenience of a metallic currency, or that paper money was to be created, merely to enable a few to realize large sums by turning the act of its creation to their own account, never entered the minds of those who first adopted this useful and valuable expedient. Their object was the attainment of a representative possessing all the utility and value, without any of the inconvenience of the thing represented. In this point of view the increase of the substitute beyond the actual value and amount of its principal, is a fraud upon the public. The man who takes it in payment for his labor, his goods, or his land, is cheated. My object will, therefore, be on the one hand, to confine, as far as in me lies, the amount of paper money within the bounds just stated, while on the other, public accommodation and the demands of business will be consulted.

"The supremacy of the Laws and the equal rights of the people, whether threatened or assailed by individuals, or by secret, sworn associations, I shall so far as may be compatible with the constitutional power of the Executive, endeavor to maintain, as well in compliance with the known will of the people, as from obligations of duty to the Commonwealth. In these endeavors I shall entertain no doubt of zealous co-operation by the enlightened and patriotic Legislature of the State. The people have willed the destruction of all secret societies, and that will cannot be disregarded.

"In the attempt to render the power of the Laws equal and supreme over all, that certainty in their operation which is so essentially conducive to the prevention of crime, should be also kept in view. In a community possessing a criminal code so proverbially mild, and a mode of trial so fair and open, as that to which we belong, the pardoning power should be rarely and with extreme caution interposed. I trust I shall be enabled, in the use of it, to listen only to the demands of public justice and the general good. No consideration arising from feelings of mere pity, or from respect of person or station, shall influence my conduct. When punishment is certain, crime decreases, and then only may the severity of the laws with safety be still further mitigated.

"The Hon. D. AZRO A. BUCK, one of the staunchest federalists and Whigs of Vermont, and elected their Speaker, like many other of our old conscientious friends, who could stand it no longer, took occasion to—just jump over the fence, some two or three years ago, and found more ardent friends. The Middlebury American says he has received a lucrative appointment in the Treasury Department, and has proceeded on to Washington. N. H. Scot.

Laws of Vermont.

No. 27.

An Act, in addition to an act entitled "An act in addition to an act reducing into one the several acts for laying out, making, repairing and clearing highways," passed Nov. 6, 1834.

SEC. 1. It is hereby enacted by the General Assembly of the State of Vermont, That when the county court of any county in this state shall appoint a committee under the act to which this is in addition, said committee may take into consideration whether any adjoining town or towns will be particularly benefited by such bridge, and if, upon examination, such committee shall be of opinion that such adjoining town or towns will be so benefited, such committee shall assess such town or towns for the expense of building or repairing such bridge, in proportion to the benefits they are likely to receive, having regard as well to the accommodation of each of said towns as to their ability to pay.

Provided, Said committee shall give at least twelve days notice, in writing, to one or more of the selectmen of each of said adjoining town or towns, of the time and place when and where they may be heard in the premises, to show cause why said adjoining town or towns should not be so assessed.

[Passed Nov. 9, 1835.]

TIMOTHY MERRILL, Sec. of State.

No. 28.

An Act incorporating Aqueduct Associations within this State, and giving them certain powers and privileges.

SEC. 1. It is hereby enacted by the General Assembly of the State of Vermont, That whenever any number of persons shall associate for the purpose of supplying any town, district, neighborhood or village in this state by means of an aqueduct, such association so formed is hereby made and constituted a body corporate and politic, in deed and in name, by such name and style as a majority of the members of said association may agree upon, and by such name may sue and be sued, plead and be impleaded, may purchase, hold and convey so much personal and real estate as may be necessary to carry into effect the object of such association, may have a common seal and the same alter at pleasure, and enjoy all the privileges and powers incident to corporations for the purpose of making, repairing and enjoying an aqueduct and all the benefits and privileges thereof.

§ 2. It is hereby further enacted, That each and every corporation so formed shall have full power to make their own by laws and regulations, such as appointing the time and place of holding their meetings, regulating the mode of electing their officers, determining the authority and duty of each officer, dividing the stock of said corporation into as many shares as they deem proper, and establish the mode of transferring the same either by private sale, or the payment of such assessments and taxes as may be ordered and directed by said corporation—which shares shall be considered personal estate to all intents and purposes, and when any share or shares shall be attached on mesne process an attested copy of such process and of the officer's return thereon shall be by the officer serving the same lodged with the clerk of said corporation, otherwise the writ or attachment shall be void and the said share may be sold in the same manner as is provided for the sale of other personal property, and the officer serving the execution by virtue of which such sale shall be made, shall leave a copy of said execution with his return thereon endorsed, with the clerk of said corporation within twelve days next after such sale, and said share or shares so sold as aforesaid shall to all intents and purposes be vested in the purchaser.

§ 3. It is hereby further enacted, That the form of agreement for constituting such association shall be as follows:

The undersigned inhabitants of do hereby voluntarily associate for the purpose of according the first section of an act entitled an act incorporating aqueduct associations within this state and giving them certain powers and privileges, passed the day of A. D. 1835.

In witness whereof we have hereunto severally set our hands; dated at this day of in the year of our Lord

Which said agreement, after the due execution thereof, shall be filed in the office of the town clerk for the town where such associations shall be formed, as aforesaid, and who is hereby required duly and fully to record the same, and which shall be together with the record thereof in said town clerk's office, sufficient evidence of said association.

§ 4. It is hereby further enacted, That any future Legislature may alter, amend, modify and repeal this act at any time, as the public good may require.

[Passed Nov. 4, 1835.]

TIMOTHY MERRILL, Sec. of State.

No. 29.

An Act, in addition to the several acts relating to highways and bridges.

It is hereby enacted by the General Assembly of the State of Vermont, That from and after the first day of January next, whenever any committee, appointed by any County or supreme court, upon any petition for laying out or altering any public highway, shall report in favor of the prayer of the petition, and the report shall be finally accepted and established by the court, such court shall render judgment against the several towns through which such highway shall be laid, for the proportion of all costs and charges accruing on said petition, and issue execution therefor in due form of law.

[Passed Oct. 25 1835.]

TIMOTHY MERRILL, Sec. of State.

No. 30.

An Act, repealing an act therein mentioned, and providing for advertisements relating to land taxes and notices.

It is hereby enacted by the General Assembly of the State of Vermont, That the act passed November