

The Rutland Herald.

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

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The Rutland Herald.

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WILLIAM FAY.

POETRY.

From the New York Weekly Messenger.

THE ORPHAN.

The weary laborer homeward goes:

The toils of day are past;
The cradle-babe to its repose
Hath gently sunk at last.

O'er childhood's couch the mother bends,
With tender, serious air,
While from the living tongue ascends
The hymn and simple prayer.

The hymn and simple prayer are said—
"Good night—Good night"—they cry,
And still the mother round the bed
Is hovering watchfully.

Their little gambols all are o'er,
The shout, the merry rail,
The laugh, and song are heard no more—
They slumber, one and all.

Sleep, blessed children, calm and free,
Beneath a parent's eye;
Ye little reek what change would be,
Were she you love to die.

Poor Agnes in the churchyard stands;
There weeping all alone;
To heaven she lifts her little hands,
Home—mother—she hath none.

And she is filled with grief and fear,
For none on earth hath she,
To wipe away the bitter tear,
And soothe her tenderly.

When first her mother died, it seemed
As though her heart would break;
Though naught she knew of death, and deemed
She might once more awake.

And lingered, lingered round the bed,
And listened for her breath,
Till strangers came, and she was led
From the cold bed of death.

The parish took the orphan child,
But cold and stern rebuke,
Unlike her mother's accents mild,
Poor Agnes ill could brook.

Yet 'twas not only words unkind,
That drove the child away,
But something pressed upon her mind,
She could not—would not stay.

And so, one night, when all was still,
And no one by to see,
She stole away, and ran until
She reached the withered tree.

Though far the path her feet had trod,
No shelter would she crave;
She only wished to see the sod,
That made her mother's grave.

The winds of night came rushing by,
It was a mournful sound
To one who had not where to lie,
Save on the damp, cold ground.

She looked about her—"All at rest!
The field-flowers have their home,
The little birds are in their nest;
The bees no longer roam."

But I, to night, my bed must take
Beneath this blasted tree!
Oh, mother, your poor heart would break,
If you could look on me.

While thus she made her childish moan,
Sleep o'er her senses crept,
And there, at midnight, all alone,
The orphan wanderer slept.

No—not alone she slept. The one
Who guards the folded flower,
And opens it to the morning sun,
Watched o'er her in that hour!

Ere the grey mist the hill forsook,
It chanced, an aged dame,
To gather crosses at the brook,
Near the lone grave-yard, came.

A childless widow—she had none
To soothe her downward way;
Her sands of life were almost run,
God was her only stay.

She took the orphan to her home,
For pity warmed her breast;
Now, near by night shall Agnes roam,
Nor e'er unsullied rest.

Miscellany.

THE MYSTERY.

[The incident that constitutes this "mystery" happened just as I relate it. The writer can hurt no one by its recital, for those whose feelings might have been pained by the allusion, are no more.]

In the summer of 1816, the inhabitants of the little village of M— were considerably excited by an occurrence of more than common mystery, which for a time roused its feeling to a pitch of curiosity the more intolerable since it seemed very certain it would never be gratified by any explanation.

It was Saturday evening—the tranquil village in its valley was undisturbed by any noise save the occasional tinkling of the farmers' teams, or the bleating of the flocks in the luxuriant fields—the villagers were all harmlessly enjoying themselves—some standing at the wicket-gates, others sitting at their humble meals with the cottage doors thrown open for the admission of the small portion of the sultry air which was stirring; when, just as the church clock chimed half-past-five, a travelling chariot and four was observed dashing down the hill into the village. The sight alone created no little astonishment; but the marvelling increased when this same dark brown chariot, without arms, crest or initial, stopped at the little public house dignified by the title of the "Castle Inn," and a gentleman alighted, assisting a female figure so completely enveloped in the drapery of summer, that nought save one fair wasted hand, which seemed to cling to the supporting arm of her companion, was visible—it was the left hand, but no gold badge on its third finger tended to confirm the village gossip in their opinion that the visitors were a bride and bridegroom.

The blinds of the room into which they were ushered were instantly drawn down, and after having simply ordered "rooms for four," the maid and man servant retired to their sitting apartment. No

luggage required the footman's care—no baskets detained the maid—no card informed the wondering landlord whom he entertained, and little M— was all up in arms.

About two hundred yards out of the village was a venerable pile remarkable for its magnificent site and gallery of pictures, called M— Place, and it being what is termed a "snow-house," many were the visitors from the surrounding towns, one of which was a fashionable and frequented watering-place. On Wednesdays and Saturdays, it was, as is now, open from 11 until 6, after which time the Emperor of all the Russias might demand admittance in vain.

At ten minutes to six, the *nouveau arrivee* was observed walking down the village at a rapid pace—he turned into the church-yard—threw his way with hasty steps through the grave-stones, and after springing over the stile, crossed the noble lawn on which stood the Castle ruin, and rang violently at the portal gate.

It was opened by the old portress.
"Is M— Place still to be seen?" demanded the stranger.

"It is open on Wednesday and Saturday, but you are too late to see it to-day," was the answer.
"Too late!" exclaimed the agitated applicant, "impossible!—it is not yet six—do not deny me—I cannot be too late—a friend, ill, dying perhaps, is with me—we have travelled seventy miles this day on purpose—I am not too late!"

"It wants five minutes to six, Sir," said the old woman, "and being Saturday night we shut up earlier—I cannot admit you, Sir."

"My good woman?" cried the visitor in a voice of suppressed agony, "if money will open that gate it is yours—my fortune—any thing, shall be yours, only allow a lady—a young lady to enter for one short hour."

"But, sir," persisted the portress, "it is against my Lord's rules."

"Impossible! the owner would not hesitate did he know all—all that I do! My good woman, if to night is impossible, will you admit us to-morrow?"

"Sunday, sir! oh no—can't the lady come on Wednesday?"

"Wednesday? Good God! one may end her life. My friend," continued the stranger, grasping the old woman's arm, "I will tell you the truth—this lady is young, beautiful, and dying—in a strange land—her last and only wish is to see but for a moment these ruins, where her happiest hours were spent; it is impossible that she can live a week—now pause before you answer me—this is a case almost of life and death—will you open these gates by nine to-morrow, before service?"

The old woman wavered some time and at last consented.

"Thank you," said the stranger, drawing his hat over his eyes "you will not regret this—we will be punctual."

As may be imagined, this alone tended to mystify the portress greatly, who had seen from the ramparts the new arrival; and the next morning before nine, she was waiting at the stile in a state of hurried expectation.

No sooner had the hour chimed, than the stranger and his companion entered the church-yard.

Curiously did the old woman observe them both as they slowly advanced towards the stile from which the first glorious view of M— Place was obtained. The gentleman was tall, fair, and young, but a shade of the deepest, the most bitter anguish was upon his countenance. The portress glanced from one to the other—she fancied there was a strong likeness.

The arm of the stranger was thrown round the slight, shadowy figure of the lady, whose lovely face, colorless as the purest alabaster, bore traces of the sad ravages of disease. She advanced with slow and feeble steps, her eyes fixed on the ground until they stopped at the stile. Then, as the magnificent building with its sloping lawn and stately elms, burst on the sight, she raised them, and clasping her small thin hands on her breast, a gleam of delight lit up their deep blue with sudden splendor; she leant her head on her companion's arm, and suppressed sobs agitated her feeble frame. The emotion was but for a moment—the next she rose—

fixed on the stranger one long fond gaze, then turning again towards the ruin, she breathed her last faint sigh whilst regarding its apparently dearly-loved walls.

To paint the wild agony of the stranger were beyond the power of mortal hand. Shocked as was the old portress at the tragical event, she was more distressed to witness the grief of the wretched survivor; yet amidst it all, he preserved his incognito; no name escaped his lips, and still the question went round, "Who is he?"

A week passed, and a spot of ground in the romantic churchyard received the remains of the young and lovely girl. No breath of communication passed the lips of the officiating minister, if the secret had been disclosed to him.

Immediately after the funeral, the chariot and four wound up the hill out of the village, and the stranger, its mysterious and bereaved owner, was never seen again. But there stands now in the churchyard a fair white marble monument enclosed within rails. It is composed of a tall square pedestal, on which stands an urn; on one side of the pedestal is the relief of two doves, one lifeless, the other hovering above its body; on the other side is this simple inscription in black letters—"ELLEN."
London Court Journal.

TEMPERANCE AT THE SANDWICH ISLANDS. Rev. Levi Chamberlain, missionary of the A. B. C. F. M. in a letter to Robt. Ralston, Esq. of Philadelphia, dated Honolulu, Jan. 25, says: "In November a petition signed by every ship-master then in the Port of Lahaina, 18 in all, was addressed to the Governor imploring him to stop the sale of ardent spirits, which had been brought to that port from Oahu, and their petition was promptly attended to."

Soon after, some of the same ship-masters seconded by others, than at this port, petitioned the King to annihilate the traffic.

A respectable body of the chiefs and common people have petitioned their sovereign to put a stop to the manufacture of native rum, and the sale of ardent spirits of every kind throughout the Sandwich Islands. These efforts we trust will not be in vain.

Political.

WASHINGTON, APRIL 7, 1836.

TO GEN. WM. H. HARRISON.

Sir—I consider it the right of every citizen of the United States to ask and demand, and to be fully informed of, the political principles and opinions of those who are candidates for the various offices in the gift of the People, and the imperious duty of the candidate to frankly and fully avow and declare the opinions which he entertains. I, therefore, as a voter, a citizen, and an individual, feeling a deep and abiding interest in the welfare and prosperity of our common country, and an ardent desire to see the perpetuity of our free and happy form of Government, take the liberty of asking you to give me your opinion and views on the following subjects:

1st. Will you (if elected President of the U.S.) sign and approve a bill distributing the surplus revenue of the United States to each State, according to the federal population of each, for internal improvements, education, and to such other objects as the Legislatures of the several States may see fit to apply the same?

2d. Will you sign and approve a bill distributing the proceeds of the sale of the public lands to each State, according to the federal population of each, for the purposes above specified?

3d. Will you sign and approve bills making appropriations to improve navigable streams above ports of entry?

4th. Will you sign and approve (if it becomes necessary to secure and save from depreciation the revenue and finances of the nation, and to afford a uniform sound currency to the People of the United States) a bill (with proper modification and restrictions) chartering a Bank of the U. S.

5th. What is your opinion as to the constitutional power of the Senate or House of Representatives of the Congress of the U. States, to expunge or obliterate from the journals the records and proceedings of a previous session?

A frank, plain, and full answer to the foregoing inquiries is respectfully and earnestly solicited.—Your answer is desired as soon as possible. I intend this and your answer for publication.

I have the honor to be your humble and obedient servant,

SHERROD WILLIAMS.

GEN. HARRISON'S REPLY.

NORTH BRUN, MAY 1st, 1836.

Sir: I have the honor to acknowledge the receipt of your letter of the 7th ultimo, in which you request me to answer the following questions:

1st. "Will you, if elected President of the U. S. sign and approve a bill distributing the surplus revenue of the U. S. to each State, according to the federal population of each, for eternal improvement education, and to such other objects as the Legislature of the several States may see fit to apply the same?"

2d. "Will you sign and approve a bill distributing the proceeds of the sales of the public lands to each State according to the federal population of each, for the purposes above specified?"

3d. "Will you sign and approve bills making appropriations to improve navigable streams above ports of entry?"

4th. "Will you sign and approve (if it becomes necessary to secure and save from depreciation the revenue and finances of the nation, and to afford a uniform sound currency to the People of the U. S.) a bill (with proper modifications and restrictions,) chartering a Bank of the U. S."

5th. "What is your opinion as to the constitutional power of the Senate or House of Representatives of the Congress of the United States, to expunge or obliterate from the journals the records and proceedings of a previous session?"

From the manner in which the four first questions are stated, it appears that you do not ask my opinion as to the policy or propriety of the measures to which they respectfully refer; but what would be my course, if they were presented to me (being in the Presidential chair of the U. S.) in the shape of bills, that had been duly passed by the Senate and House of Representatives.

From the opinions which I have formed of the intention of the Constitution, as to the cases in which the veto power should be exercised by the President, I would have contended myself with giving an affirmative answer to the four first questions; but from the deep interest which has been, and indeed is now, felt in relation to all these subjects, I think it proper to express my views upon each one separately.

I answer, then, 1st. That the immediate return of the surplus money which is, or ought to be, in the Treasury of the U. S. to the possession of the People, from whom it was taken, is called for by every principle of policy, and indeed, of safety to our institutions, and I know of no mode of doing it better than that recommended by the present Chief Magistrate in his first annual message to Congress in the following words: "To avoid these evils it appears to me as the most safe, just and federal disposition which could be made of the surplus revenue, would be its apportionment among the several States according to the ratio of representation."

This disposition has reference to a state of things which now actually exists, with the exception of the amount of money thus to be disposed of—for it could not have been anticipated by the President that the surplus above the real wants of convenient expenditures of the Government would become so large, as that retaining it in the Treasury would so much diminish the circulating medium as greatly to embarrass the business of the country.

What other disposition can be made of it with a view to get it into immediate circulation but to place it in the hands of the State authorities? So great is the amount, and so rapidly is it increasing, that it could not be expended for a very considerable time on the comparatively few objects to which it could be appropriated by the General Government; but the desired distribution amongst the People could be immediately effected by the States, from the infinite variety of ways in which it might be employed by them. By them it might be loaned to their own banking institutions or even to individuals—a mode of distribution by the General Government which I sincerely hope is in the contemplation of no friend to his country.

2d. Whilst I have always broadly admitted that the public lands were the common property of all

the States, I have been the advocate of that mode of disposing of them which would create the greatest number of freeholders, and I conceived that in this way the interests of all would be as well secured as by any other disposition; but since, by the small size of the tracts in which the lands are now laid out, and the reduction of the price, this desirable situation is easily attainable by any person of tolerable industry, I am perfectly reconciled to the distribution of the proceeds of the sales as provided for by the bill introduced into the Senate by Mr. Clay; the interest of all seems to be well provided for by his bill; and as from the opposition which has hitherto been made to the disposition of the lands heretofore contemplated by representatives of the new States, there is no probability of its being adopted, I think it ought no longer to be insisted on.

3d. As I believe that no money should be taken from the Treasury of the United States to be expended on internal improvements but for those which are strictly national, the answer to this question would be easy, but from the difficulty of determining which of those that are from time to time proposed would be of this description. This circumstance, the excitement which has already been produced by appropriations of this kind, and the jealousy which it will, no doubt, continue to produce if persisted in, give additional claims to the mode of appropriating all the surplus revenue of the U. S. in the manner above suggested. Each State will then have the means of accomplishing its own schemes of internal improvement. Still there will be particular cases when a contemplated improvement will be of greater advantage to the Union generally, and some particular States, than to that in which it is to be made. In such cases, as well as those in the new States, where the value of the public domain will be greatly enhanced by an improvement in the means of communication, the General Government should certainly largely contribute. To appropriations of the latter character there has never been any very warm opposition.—Upon the whole, the distribution of the surplus revenue amongst the States seems likely to remove most, if not all, the causes of dissension of which the internal improvement system has been the fruitful source. There is nothing, in my opinion, sacredly incumbent upon those who are concerned in the administration of our Government than that of preserving harmony between the States. From the construction of our system there has been, and probably ever will be, more or less jealousy between the General and State Governments; but there is nothing in the Constitution—nothing in the character of the relation which the State bear to each other—which can create any unfriendly feeling, if the common guardian administers its favors with an even and impartial hand. That this may be the case, all those to whom any portion of this delicate power is entrusted should always get upon the principles of forbearance and conciliation; ever more ready to sacrifice the interests of their immediate constituents rather than violate the rights of the other members of the family. Those who pursue a different course, whose rule is never to stop short of the attainment of all which they may consider their due, will often be found to have trespassed upon the boundary they had themselves established. The observations with which I shall conclude this letter on the subject of the veto power by the President will apply to this as well as your other questions.

4th. I have before me a newspaper, in which I am designated by its distinguished editor "The Bank and Federal Candidate." I think it would puzzle the writer to adduce any act of my life which warrants him in identifying me with the interests of the politics of the latter. Having no means of ascertaining the sentiments of the directors and stockholders of the Bank of the U. S. (which is the one, I presume, with which it was intended to associate me) I cannot say what their course is likely to be in relation to the ensuing election for President. Should they, however, give me their support, it will be evidence at least that the opposition which I gave to their institution in my capacity of representative from Ohio in Congress proceeded, in his opinion, from a sense of duty which I could not disregard.

The journals of the second session of the thirtieth, and those of the fourteenth Congress, will show that my votes are recorded against them upon every question in which their interests were involved. I did, indeed, exert myself in the Senate of Ohio to procure a repeal of the law which had imposed an enormous tax upon the branches which had been located in the boundaries at the request of the citizens. The ground of those exertions was not the interests of the Bank; but to save what I considered the honor of the State, and to prevent a controversy between the State officers and those of the U. S.

In the spring of 1834 I had also the honor to preside at a meeting of the citizens of Hamilton county called for the purpose of expressing their sentiments in relation to the removal of the public money from the custody of the Bank by the sole authority of the executive. As President of the meeting, I explained at some length the object for which it was convened; but I advanced no opinion in relation to the re-chartering of the Bank.

A most respectful memorial to the President in relation to the removal of the deposits was adopted as were also resolutions in favor of re-chartering the Bank; but, as I have already said, this was not the purpose for which the meeting was called, and not one upon which, as presiding officer, I was called upon to give an opinion, but in the event of an equal division of the votes.

As a private citizen, no man can be more entirely clear of any motive, either for re-chartering the old institution, or creating an old one, under the authority of the U. S. I never had a single share in the former, nor indeed in any bank, with one exception; and that many years ago failed, with the loss of the entire stock. I have no inclination again to venture in that way, even if I should ever possess the means. With the exception above mentioned, of stock in a bank long since broken, I never put out a dollar at interest in my life. My interest being entirely identified with the cultivation of the soil, I am immediately and personally connected with no other.

I have made this statement to show you that I am not committed to any course in relation to the chartering of a Bank of the U. S., and that I might

if so disposed, join in the popular cry of denunciation against the old institution, and upon its misconduct predicate an opposition to the chartering of another.

I shall not, however, take the course so opposite to that which I hope I have followed through life, but will give you my sentiments clearly and fully, not only in regard to the future conduct of the Government on the subject of a national bank, but in relation to the operations of that which is now defunct.

I was not in Congress when the late bank was chartered, but was a member of the 13th Congress, after the first session, when the conduct of the Bank in its incipient measures, was examined into; and believing from the result of the investigation that the charter had been violated, I voted for the judicial investigation, with a view of annulling its charter. The resolution for that purpose, however, failed; and shortly after, the management of its affairs was committed to the talents and integrity of Mr. Cheves. From that period to its final dissolution, (although I must confess I am not a very competent judge of such matters,) I have no idea that an institution could have been conducted with more ability, integrity, and public advantage, than it has been.

Under these impressions, I agree with General Jackson in the opinion expressed in one of his messages to Congress, from which I make the following extracts: "That a Bank of the U. S., competent to all the duties which may be required by the Government, might be so organized as not to infringe on our delegated powers, or the reserved rights of the States, I do not entertain a doubt." But the period for re-chartering the old institutions has passed as Pennsylvania has wisely taken care to appropriate to herself the benefits of its large capital.

The question then, for me to answer, is whether under the circumstances you state, if elected to the office of President, I would sign an act to charter another bank. I answer, I would if it was clearly ascertained that the public interest in relation to the collection and disbursement of the revenue would materially suffer without one, and there were unequivocal manifestations of public opinion in its favor. I think, however, the experiment should be fairly tried, to ascertain whether the financial operations of the Government cannot be as well carried on without the aid of a national bank. If it is not necessary for that purpose, it does not appear to me that one can constitutionally be chartered. There is no construction which I can give the Constitution which would authorize it on the ground of affording facilities to commerce—

The measure, if adopted, must have for its object the carrying into effect (facilitating at least the exercise of) some one of the powers positively granted to the General Government. If others flow from it, producing equal or greater advantages to the nation, so much the better; but these cannot be made the ground of justifying a recourse to it.

The excitement which has been produced by the Bank question, the number and respectability of those who deny the right to Congress to charter one, strongly recommended the course above suggested.

5th. I distinctly answer to this question, that in my opinion, neither Houses of Congress can constitutionally expunge the Record of their proceedings. The power to rescind certainly belongs to them; and is, for every public legitimate purpose all that is necessary. The attempt to expunge a part of their Journal, now making in the Senate of the U. S., I am satisfied could never have been made but in a period of the highest party excitement, when the voice of reason and generous feeling is stifled by long protracted and bitter controversy.

In relation to the exercises of the veto power by the President, there is, I think, an important difference in opinion between the present Chief Magistrate and myself. I express this opinion with less diffidence, because I believe mine is in strict accordance with those of all the previous Presidents to Gen. Jackson.

The veto power, or the control of the Executive over the enactment of laws by the legislative body, was not unknown in the United States previously to the formation of the present Federal Constitution. It does not appear, however, to have been in much favor. The principle was to be found in but three of the State Constitutions; and in but one of them (Massachusetts) was the Executive power lodged in the hands of a single Chief Magistrate. One other State (South Carolina) had, indeed, not only adopted this principle, but had given its single Executive Magistrate an absolute negative upon the acts of the Legislature. In all other instances it has been a qualified negative, like that of the United States. The people of South Carolina seem, however, not to have been long pleased with this investment of power in their Governor, and it lasted but two years; having been adopted in 1776 and repealed in 1778; from which time the acts of the Legislature of that State have been entirely freed from Executive control. Since the adoption of the Constitution of the United States, the veto principle has been adopted by several other States, and until very lately, it seemed to be rapidly growing into favor.

Before we can form a correct opinion of the manner in which this power should be exercised, it is proper to understand the reasons which have induced its adoption. In its theory, it is manifestly an innovation upon the first principles of Republican Government—but the majority should rule. Why should a single individual control the will of that majority? It will not be said that there is more probability of finding greater wisdom in the Executive chair than in the halls of the Legislature. Nor can it possibly be supposed that an individual residing in the centre of an extensive country can be as well acquainted with the wants and wishes of a numerous people, as those who come immediately from amongst them—the partakers, for a portion of the year, in their various labors and employments, and the witnesses of the effects of the laws in their more minute as well as general operations. As far, then, as it regards the wants and wishes of the People, wisdom to discover remedies for existing evils, and devising schemes for increasing the public prosperity, it would seem that the Legislative bodies did not require the aid of the Executive Magistrate. But there is a principle recognized by all the American Constitutions, which was unknown to the ancient Republics. It would be in vain that