

WASHINGTON, August 14.

It was generally supposed that the President would send a message to the Senate, yesterday, returning the Bank Bill. The Senate Chamber was crowded till two or three o'clock, in this expectation. No message came, however. It was to have been sent, yesterday. The President wished to send it, but was persuaded to retain it for several reasons; the chief of which was that ample time might be allowed to the House, to finish the Bankrupt Bill, and the Senate to act on the Land Bill, before a veto—if there should be one—came to throw both houses in confusion. It is generally believed that the President will refuse to sign this bill, but will indicate his objections to it, and recommend another. It is not supposed, however, that another bill can be got up at this session.

It was supposed that the House would act on the Bankrupt Bill yesterday. Accordingly, Mr. BARNARD moved that it be taken out of Committee at two o'clock, which was agreed to. Subsequently, Mr. BARNARD moved to reconsider this order, and the order was reconsidered. Some excitement was produced by this move. It was declared that the bank whigs were determined to defeat the bankrupt bill unless the President should sign the bank bill. Mr. Wise spoke very strongly against this shuffling on the part of the pretended friends of the bill for political effect. He said it was evident that the bill was not to pass unless in a certain contingency, and the bankrupts were to be cheated out of their promised relief. The bill was to be kept but to make political capital—to throw the responsibility on the President.

The House adjourned over to Monday, to visit Annapolis to-day.

The Senate refused to adjourn over, and will proceed with the Land Bill. "There is no great anxiety to take the question on this measure—one or two will vote against it, if the bankrupt bill does not pass; and others intend to defeat it, and every thing else, if the bank bill is not signed."

WASHINGTON, August 15. About a hundred members of the House, accompanied by the Heads of Department, and many officers of the Government, visited the Delaware yesterday, below Annapolis, and met with a brilliant reception and entertainment from Com. MORRIS. The President was expected to be one of the party, but the cares of State did not permit him to go.

The Senate had also referred to go, to the great annoyance of some of its Members.

The most important matter in the Senate, yesterday, was a Message from the President, and with the message proposed, when the Secretary came in, but the Bill repealing the Sub Treasury Act. "Signed and approved by the President."

So the Sub Treasury, after a brief and stormy existence, is defunct, and with it, its predecessor, the Pet Bank system, which Congress thought fit to include in the same sentence. The third plan of keeping the Public Money, through a Bank of the United States, having been adopted by Congress, is still before the Executive, and, according to all accounts, and appearances, will not be approved. The President, it appears, is willing, however, to recommend and approve a Fiscal Agent, which shall facilitate the financial operations of the Government, and, at the same time, afford incontestably, some facilities to commerce and secure a uniform currency. This plan, it is said, will be a Bank of deposit, issue, and exchange, but which shall be restricted from discounting notes, or lending money. Many who voted for the Bill, which is now before the President, would also vote for such a Bank as this; but it is thought that it will be impossible to get up such a measure and pass it through all the stages of legislation at this session. The feeling of Congress is against any further action at this session on the subject. So, for the present, we shall go on with a Treasury unregulated by law. The President may keep the Public Money in the Banks, or in the hands of individual depositors, as he may please; and the kind of funds taken for the public dues will be specie, treasury notes, or notes of specie paying banks.

The Senate discussed and passed a resolution offered by Mr. CLAY, calling for information as to the Land Scrip issued in payment of Revolutionary Bounties, the amount of said scrip, and the names of the persons to whom it was assigned. There have been many charges of corruption against Members and other Public Officers in relation to this matter, and it is time they should be sifted, particularly as another Scrip Bill has just passed the House.

The Senate, at 11 o'clock, went into Executive Session, and adjourned at an early hour.

SHOOTING MATCH.—The DeKalb Rifle Guards of Camden, a remarkably fine corps commanded by Capt. JAMES P. DIXON, having lately challenged our Richland Volunteer Rifle Corps, commanded by Capt. MAXCY GREGG, to a trial of skill, with the distinctive weapon of each, and the challenge having been accepted, the two gallant Companies met at the Rice Creek Springs, near midway between the two places, on Friday last, to decide the friendly contest. The first prize was a Silver Medal, and the second a Plume; and ten marksmen were chosen from each Corps. The Medal was won by Mr. M. CORLEND of the Richland Volunteer Rifle Corps, and the Plume by Mr. D. MORLEY, of the DeKalb Rifle Guards. The mutual greeting of the two Corps was most

cordial and friendly, as also their parting; and the social enjoyment of the occasion was marred only by the general wet weather.—South Carolinian.

## VETO OF THE BANK BILL.

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 the 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. Congresses 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 and against. The country has been, and still is, deeply agitated by this unsettled question. It will suffice me to say, that my 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 opinion thus entertained has been unreservedly expressed. I declared it in the Legislature of my native State.—In the House of Representatives 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 and reaffirmed, 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 my mind to the convictions 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 meted 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 exchanges, I have not been able to satisfy myself that the establishment by this Government of a Bank 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 as 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 a bank, in the regulating of the currency and the exchanges? Let the history of the late United States Bank aid us in answering this inquiry.

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 1820 its embarrassments had become so great, that the directors petitioned Congress to repeal that article of the charter which made its notes receivable every where in payment of the public dues. It had, up to that period, dealt to but a very small extent in exchanges, either foreign or domestic, and as late as 1822 its operations in that line amounted to a little more than seven millions of dollars per annum. A very rapid aug-

mentation 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 \$22,000,000, and the notes of the bank were regarded as equal to specie all over the country; thus showing almost conclusively 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 the country. Its power of local discount has, in fact, proved to be a fruitful source of favoritism and corruption, alike destructive to the general weal.

The capital invested in banks of discount in the United States, created by the States, at this time exceeds \$350,000,000; 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.

Is 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 application of the Legislature of such State, Congress may by law require the same. And the said directors may also 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 or 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 officers to establish such offices accordingly."

It will be seen 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 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 said State shall thereafter be 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 forthwith; and delay, postponement, or incapacity to answer, produces an implied assent, which is ever after irrevocable. Many of the State elections have already 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 ever 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 to such an inference. Let one or two in addition suffice.

The popular branch of the Legislature, may express its dissent by an unanimous vote, and its resolution may be defeated by a tie vote in 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 this 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. This State may afterwards protest against such unjust interference, 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 interferences at the expense of reason. A State in a condition of duress would be presumed to speak, as an individual, manacled and in prison, might be presumed to be in the enjoyment of freedom. Far better to say to the 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 power to do so. If the Legislature of New York or Pennsylvania, or any other State, should be found in such a condition as I have supposed, could there be any security 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 else should it have been introduced? And I will 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 interest, 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 asserting the power to be in Congress to establish officers of discount in a State, but 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, waiving all other considerations growing out of its provisions, I return it to the House in which it originated, with these my objections to its approval.

JOHN TYLER.

Washington, Aug. 16, 1841.

## FROM FLORIDA.

SAVANNAH, Aug. 17.

The steamer Forester, Capt. Wray, arrived yesterday from Pilatka. From Capt. W. we learn that Capt. Fulton, who went in pursuit of the Indians that shot at the Express rider, near Fort Holmes, struck their trail near the place designated by the Express rider. He followed it about three miles, which took him to a swamp, where he lost it. Not being able to overtake the red skins, he returned to Pilatka on Friday, without discovering any further Indian signs. about fifteen miles this side of Pilatka, the Forester passed the U. S. Steamer Cincinnati, from St. Augustine, bound to the former port.

LATER.—Since the above was in type we have received the subjoined letter from a correspondent, together with the St. Augustine News and Herald, of Friday last brought by the U. S. steamer Newbern, Capt. McNulty, arrived last evening.

From a friend who came passenger in the Newbern, we learn that 207 Indians were to be shipped from Tampa for the West, on the 27th of this month. Col. Worth had told some of the warriors that unless their people were in on the 16th, (yesterday) he would hang them. He writes, our informant tells us, that the war will be closed in three months.

Correspondence of the Savannah Republican.

FLORIDA, Aug. 14.

Gentlemen.—The scouts from Fort Russell and King, have returned after a most fatiguing march of four days. That from Fort King, under Lieut. and Adj. J. W. Anderson, 3d Infantry, caught a Sub-Chief of Mr. Haleck's band, by name "Haleck Hajo," and he calls himself 2d

in command. This is pressing the Chief bravely, and must discourage him very much. He says Haleck is on an island in the St. Johns, and promises to lead the troops to him.

In great haste, yours,

From the St. Augustine News.

The information from Tampa continues highly favorable. More than two hundred Indians are now there, and about to be shipped for the West, and it is confidently hoped that the several land and water expeditions, now operating at the South, may succeed in breaking up and capturing the remainder of the bands of Sam Jones, Hospitaka, and Aleck-Tustenuggee, who are the only chiefs of note, now left in that region.

Some fugitive Creeks together with a few of Tigertail's band, are still infesting the country west of the Apalachicola, and middle Florida, where they have recently committed some murders; but strong detachments of the 3d Infantry are in pursuit, and will continue to hunt for them, until they are captured or destroyed.

There have been fewer murders and outrages committed by the Indians since Col. Worth has been in command, than at any preceding time of the war; and this will be found a correct statement whether we estimate the loss of life by a weekly average, the summer months, or a cessation of arms under the delusion of treaties. It requires no revelation to assign a cause for security, and if murders of the solitary traveller, do take place, it only shows the difficulty of guarding against assassination, and the criminality of neglecting those means of protection which, on a partial, are still more eminently conducive to safety than "troops in summer quarters," and a system of "defensive warfare." Less blood has been shed by the Indians since the change of measures of which we speak, than at any given preceding time; and it is pleasant even with the conviction that though war still exist among us, that it is shorn somewhat of the horrors of the repeated murders which too frequently have occurred in this immediate neighborhood.

Extract of a letter received in this city, dated FORT BROOK, (Tampa Bay) Aug. 3, 1841.

I am happy to be able to inform you, that our Indian affairs are steadily and successfully progressing. We have now at this Post about 170, and 29 more have come in to Fort Cummings, and are on their way under guard to this Post, where they will arrive in two or three days.

Those of your citizens who doubted the policy (I am sure only because they did not know him), of our able and energetic Commander, in bringing the celebrate Coacoochee back to his fatherland, will now, I am sure, be ready to admit that they were too hasty. All that the friends of Col. Worth ever asked for him, is, that his plans should have time to mature, before they are condemned. All the band of this chief, (with the exception of one small party,) are now here, and I entertain no doubt that every man of his people will be here on or before the 15th of August—the time allotted to him for that purpose. Among the recent arrivals at this Post, were a party of 17 from Sam Jones' camp, brought here by a friendly Indian sent to them by Col. Worth. Several of them are very intelligent, and have made important disclosures; they will be of incalculable benefit to the Col. in his operations to the South and East in the fall. Our intelligence from Fort King is also very cheering. Col. Riley has received a message from Aleck-Tustenuggee and we hope he will be able to procure a conference with him. The messenger reports that he is in bad spirits; has nothing to eat, and nothing but gofer shells to cook in; that the whites have pushed him too close; and if Sam Jones would only give up, he would at once come in.

The messenger also reports, that all his fields have been destroyed as well as those of Tigertail's and that all their strong holds, where all their women, and children, with their provisions have been quietly garrisoned since the war commenced, and where the foot of the white man never was before known, have been penetrated and every thing they had destroyed. You may rely on it, the game is nearly up with them; and the appointment of Col. Worth to the command here, does honor to the War office.

For the first, I begin to think the war is nearly over, and I believe your citizens will very soon be restored to their wonted peace and quiet, which may God speedily grant.

From the Herald.

The Tallahassee mail failed last week, and again this. It is reported that the riders have both been killed. The body of one of them was found near Newnansville, mutilated and the mail carried off.

Two children, daughters of Mr. Morris Simons, were murdered in Jackson County, about the end of July, by a gang of 30 Indians.

The prospects of closing the war are brightening by the surrenders of the predatory bands which have infested the Territory. Upwards of two hundred Indians are waiting at Tampa to be shipped to Arkansas, and more coming. A greater proportion of warriors than usual, we are informed, present themselves.

Notice is given that an application will be made by the Vestry and Wardens of St. MARK'S CHURCH, Clarendon, to the Legislature at its next sitting, for an act of incorporation. August 11, 1841.