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DEVOTED TO SOUND MORALS, POLITICS, LITERATURE, GENERAL INTELLIGENCE, AGRICULTURE AND THE ARTS.

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MISCELLANY.

[From the "Tower of London."]

EXECUTION OF THE LADY JANE GREY.

Monday, the 12th of February, 1554, the fatal day destined to terminate Jane's earthly sufferings, at length arrived. Excepting a couple of hours which she allowed to rest, at the urgent entreaty of her companion, she had passed the whole of the night in prayer. Angela kept watch over the lovely sleeper; and the effect produced by the contemplation of her features during this her last slumber was never afterwards effaced. The repose of an infant could not be more calm and holy. A celestial smile irradiated her countenance; her lips moved as if in prayer; and if good angels are ever permitted to visit the dreams of those they love on earth, they hovered that night over the couch of Jane.

Thinking it cruelly to disturb her from such a blissful state, Angela let an hour pass beyond the appointed time. But observing a change come over her countenance—seeing her bosom heave, and tears gather beneath her eye-lashes, she touched her, and Jane instantly arose.

"Is it four o'clock?" she inquired.

"It has just struck five, madam," replied Angela. "I have disobeyed you for the first and last time. But you seemed so happy that I could not find in my heart to waken you."

"I was happy," replied Jane, "for I dreamed that all was over—without pain to me—and that my soul was borne to regions of celestial bliss by a troop of angels who had hovered above the scaffold."

"It will be so, madam," replied Angela, fervently. "You will quit this earth immediately for heaven, where you will join your husband in everlasting happiness."

"I trust so," replied Jane, in an altered tone, "but in that blessed place I searched in vain for him. Angela, you let me sleep too long, or not long enough."

"Your pardon, dearest madam," cried the other fearfully.

"Nay you have given me no offence," returned Jane kindly. "What I meant was that I had not time to find my husband."

"Oh, you will find him, dearest madam," returned Angela, "doubt it not. Your prayers would wash out his offences, if his own could not."

"I trust so," replied Jane. "And I will now pray for him, and do you pray too."

Jane then retired to the recess, and in the gloom, for it was yet dark, continued her devotions until the clock struck seven. She then arose, and assisted by Angela, attired herself with great care.

"I pay more attention to the decoration of my body now I am about to part with it," she observed, "than I would do, if it was to serve me longer. So joyful is the occasion to me, that were I to consult my own feelings, I would put on my richest apparel to indicate my contentment of heart. I will not, however, so brave my fate, but array myself in these weeds."

And she put on a gown of black velvet, without ornament of any kind; tying round her slender throat (so soon alas! to be severed) a simple white falling collar. Her hair was left purposely unbraided, and was confined by a caul of black velvet. As Angela performed these sad services, she sobbed audibly.

"Nay, cheer thee, child," observed Jane. "When I was clothed in the robes of royalty, and had the crown placed upon my brow—nay, when arrayed on my wedding day—I felt not half so joyful as now."

"Ah! madam!" exclaimed Angela, in a paroxysm of grief, "my condition is more pitiable than yours. You go to certain happiness. But I lose you."

"Only for a while, dear Angela," returned Jane. "Comfort yourself with that thought. Let my fate be a warning to you. Be not dazzled by ambition. Had I not once yielded, I had never thus perished. Discharge your duty strictly to your eternal and your temporal rulers, and rest assured we shall meet again—never to part."

"Your counsel shall be graven on my heart, madam," returned Angela. "And oh! may my end be as happy as yours!"

"Heaven grant it!" ejaculated Jane, fervently. "And now," she added, as her toilet was ended, "I am ready to die."

"Will you not take some refreshments, madam?" asked Angela.

"No," replied Jane, "I have done with the body!"

The morning was damp and dark. A thaw came on a little before day-break, and a drizzling shower of rain fell. This was succeeded by a thick mist, and the whole of the fortress was for a while enveloped in vapor. It brought to Jane's mind the day on which she was taken to trial. But a moral gloom likewise overspread the fortress. Every one within it, save her few enemies, (and they were few indeed,) lamented Jane's approaching fate. Her youth, her innocence, her piety, touched the sternest breast, and moved the pity even of her persecutors. All felt that morning as if some dire calamity was at hand, and instead of looking forward to the execution as an exciting spectacle, (for so such revolting exhibitions were then considered,) they wished it over. Many a prayer was breathed for the speedy release of the sufferer; many a sigh heaved; many a groan uttered; and if ever a soul was wafted to heaven by the fervent wishes of those on earth, Jane's was so.

It was late before there were any signs of stir and bustle within the fortress. Even the soldiers gathered together reluctantly—and those who conversed, spoke in whispers. Dudley, who it has been stated, was imprisoned in the Beauchamp Tower, had passed the greater part of the night in devotion. But towards morning, he became restless and uneasy, and unable to compose himself, resorted to the customary employment of captives in such cases, and with a nail which he had found, carved his wife's name in two places on the walls of his prison. These inscriptions still remain.

At nine o'clock, the bell of the chapel began to toll, and an escort of halberdiers and arquebussiers drew up before the Beauchamp Tower, while Sir Thomas Brydges and Feckenham entered the chamber of the prisoner, who received them with an unmoved countenance.

"Before you set out upon a journey from which you will never return, my Lord," said Feckenham, "I would ask you for the last time if any change has taken place in your religious sentiments—and whether you are yet alive to the welfare of your soul?"

"Why not promise me pardon if I will recant on the scaffold, and silence me as you silenced the duke my father, by the axe?" replied Dudley, sternly. "No, sir, I will have nothing to do with your false and idolatrous creed. I shall die a firm believer in the Gospel, and trust to be saved by it."

"Then perish, body and soul," replied Feckenham, harshly. "Sir Thomas Brydges, I commit him to your hands."

"Am I to be allowed no parting with my wife?" demanded Dudley, anxiously.

"You have parted with her forever—heretic and unbeliever!" rejoined Feckenham.

"That speech will haunt your death-bed, sir," retorted Dudley, sternly. And he turned to the lieutenant, and signified that he was ready.

The first object that met Dudley's gaze, as he issued from his prison, was the scaffold on the green. He looked at it a moment, wistfully.

"It is for Lady Jane," observed the lieutenant.

"I know it," replied Dudley, in a voice of intense emotion. "I thank you for letting me die first."

"You must thank the queen, my Lord," returned Brydges. "It was her order."

"Shall you see my wife, sir?" demanded Dudley anxiously.

The lieutenant answered in the affirmative.

"Tell her I will be with her on the scaffold," said Dudley.

As he was about to set forward a young man pushed through the lines of halberdiers, and threw himself at his feet. It was Cholmondeley. Dudley instantly raised and embraced him. "At least I see one whom I love," he cried.

"My Lord, this interruption must not be," observed the lieutenant. "If you do not retire," he added to Cholmondeley, "I shall place you in arrest."

"Farewell, my dear Lord," cried the weeping esquire—"farewell."

"Farewell forever!" returned Dudley, as Cholmondeley was forced back by the guard.

The escort then moved forward, and the lieutenant accompanied the prisoner to the gateway of the Middle Tower, where he delivered him to the sheriffs and their officers, who were waiting there for him with a Franciscan friar, and then returned to fulfil his more painful duty. A vast crowd was collected on Tower Hill, and the strongest commiseration was expressed for Dudley, as he was led to the scaffold, on which Mauger had already taken his station.

"On quitting the Beauchamp Tower, Feckenham proceeded to Jane's prison. He found her on her knees, but she immediately rose.

"Is it time?" she asked.

"It is, madam—to repent," replied Feckenham, sternly. "A few minutes are all that now remain to you of life; nay, at this moment, perhaps your husband is called before his Eternal Judge. There is yet

time. Do not perish like him in your sins."

"Heaven have mercy on him!" cried Jane, falling on her knees.

And notwithstanding the importunities of the confessor, she continued in fervent prayer, till the appearance of Sir Thomas Brydges. She instantly understood why he came, and rising, prepared for departure. Almost blinded by tears, Angela rendered her the last services she required. This done, the lieutenant, who was likewise greatly affected, begged some slight remembrance of her.

"I have nothing to give you but this book of prayers, sir," she answered—"but you shall have that, when I have done with it, and may it profit you."

"You will receive it only to cast into the flames, my son," remarked Feckenham.

"On the contrary, I shall treasure it like a priceless gem," replied Brydges.

"You will find a prayer written in my own hand," said Jane—"And again I say, may it profit you."

Brydges then passed through the door, and Jane followed him. A band of halberdiers were without. At the sight of her, a deep and general sympathy was manifested; not an eye was dry; and tears trickled down cheeks unaccustomed to such moisture. Jane fixed her eyes upon the prayer-book, which she read aloud to drown the importunities of the confessor, who walked on her right, while Angela kept near her on the other side. And so they reached the green.

By this time the fog had cleared off, and the rain had ceased; but the atmosphere was humid, and the day lowering and gloomy. Very few spectators were assembled; for it required firm nerves to witness such a tragedy. A flock of carrion-crows and ravens attracted by their fearful instinct, wheeled around overhead, or settled on the branches of the bare and leafless trees, and by their croaking added to the dismal character of the scene. The bell continued tolling all the time.

The sole person on the scaffold was Wolffitt. He was occupied in scattering straw near the block. Among the bystanders was Sorroccold leaning on his staff; and as Jane for a moment raised her eyes as she passed along, she perceived Roger Ascham. Her old preceptor had obeyed her, and she repaid him with a look of gratitude.

By the lieutenant's direction, she was conducted for a short time into the Beauchamp Tower, and here Feckenham continued his persecutions, until a deep groan arose among those without, and an officer abruptly entered the room.

"Madam," said Sir Thomas Brydges, after the new comer had delivered his message, "we must set forth."

Jane made a motion of assent, and the party issued from the Beauchamp Tower, in front of which a band of halberdiers was drawn up. A wide open space was kept clear round the scaffold. Jane seemed unconscious of all that was passing. Preceded by the lieutenant, who took his way toward the north of the scaffold, and attended on either side by Feckenham and Angela as before, she kept her eyes steadily fixed on her prayer-book.

Arrived within a short distance of the fatal spot, she was startled by a scream from Angela, and looking up, beheld four soldiers carrying a litter covered with a cloth, and advancing towards her. She knew it was the body of her husband, and, unprepared for so terrible an encounter, uttered a cry of horror. The bearers of the litter passed on, and entered the porch of the chapel.

While this took place, Mauger, who had limped back as fast as he could after his bloody work on Tower Hill—only tarrying a moment to exchange his axe—ascended the steps of the scaffold and ordered Wolffitt to get down. Sir Thomas Brydges, who was greatly shocked at what had just occurred, and would have prevented it if it had been possible, returned to Jane and offered her his assistance. But she did not require it. The force of the shock had passed away, and she firmly mounted the scaffold.

When she was seen there, a groan of compassion arose from the spectators, and prayers were audibly uttered. "She then advanced to the rail, and in a clear, distinct voice, spoke as follows:—

"I pray you all to bear me witness that I die a true Christian woman, and that I look to be saved by no other means except the mercy of God, and the merits of the blood of His only son, JESUS CHRIST. I confess when I knew the word of God I neglected it, and loved myself and the world, and therefore this punishment is a just return for my sins. But I thank God of His goodness that He has given me a time and respite to repent. And now good people, while I am alive, I pray you assist me with your prayers."

Many fervent responses followed, and several of the by-standers imitated Jane's example, as on the conclusion of her speech, she fell upon her knees and recited the *Miserere*.

At its close, Feckenham said in a loud voice, "I ask you, madam, for the last time, will you repent?"

"I pray you, sir, to desist," replied Jane meekly. "I am now at peace with all the world, and would die so."

She then arose, and giving the prayer-book to Angela, said—"When all is over, deliver this to the lieutenant. These," she added, taking off her gloves and collar, "I give to you."

"And to me," cried Mauger, advancing and prostrating himself before her according to custom, "you give grace."

"And also my head," replied Jane. "I forgive thee heartily, fellow. Thou art my best friend."

"What ails you, madam?" remarked the lieutenant, observing Jane suddenly start and tremble.

"Not much," she replied, "but I thought I saw my husband pale and bleeding."

"Where?" demanded the lieutenant, recalling Dudley's speech.

"There, near the block," replied Jane. "I see the figure still. But it must be mere fantasy."

Whatever his thoughts were, the lieutenant made no reply; and turning to Angela, who now began with trembling hands, to remove her attire, and was trying to take off her velvet robe, when Mauger offered to assist her but was instantly repulsed.

He then withdrew, stationed himself by the block, assumed his hideous black mask, and shouldered his axe.

Partially disrobed, Jane bowed her head while Angela tied a kerchief over her eyes, and turned her long tresses over her head to be out of the way. Unable to control herself, she then turned aside and wept aloud. Jane moved forward in search of the block, but fearful of making a false step, felt for it with her hands, and cried—"What shall I do? Where is it? Where is it?"

Sir Thomas Brydges took her hand and guided her to it. At this awful moment, there was a slight movement in the crowd, some of whom pressed nearer the scaffold, and amongst others Sorroccold and Wolffitt. The latter caught hold of the boards to obtain a better view. Angela placed her hands before her eyes, and would have suspended her being, if she could; and even Feckenham veiled his countenance with his robe.

Sir Thomas Brydges gazed firmly on—By this time Jane had placed her head on the block, and her last words were—"Lord into thy hand I commend my spirit!"

The axe then fell, and one of the fairest and wisest heads that ever sat on human shoulders fell likewise.

A HARD CASE. The Rochester Daily Advertiser, in an excellent article under the head "Deal Justly," intended to enforce the importance of honest dealing, and the faithful performance of promises, relates the following:—

"We knew a man of open and confiding disposition who had invested what he had of worldly goods, in the purchase of a farm, paying part down and promising the rest at a future day. That day was approaching, but not too rapidly for him, as he was prepared to meet his claims according to his promise. In the mean time a 'respectable' man, as the world goes, wished to borrow my friend's money for a few days, promising faithfully to return it in time to meet the demand it was intended to satisfy. The promise was taken—the money lent. The time came round, but not the fulfillment of the promise of the borrower—he, 'respectable man,' then and now found it convenient 'to fail' with his hands full, while the one who reposed on his honor, lost his money and the farm it was intended to secure to him with all he had previously paid. Did the consequence of this single broken promise end here? Far from it. The confiding, but duped man reduced to penury, grew morbid and melancholy and soon thereafter went down to the grave by a self-inflicted death. An expected bride was overwhelmed with sorrow, while his aged mother and sire were compelled to end their days in the poor house. These were among the evils of a single broken promise—a promise made without the remotest intention of fulfilling it. Such are the consequences resulting from a disregard of the injunction to 'deal justly.'"

EXCELLENT HINTS TO MECHANICS. There is so much truth, wholesome advice, and good sense in the following, which we extract from an exchange paper, that we cannot avoid giving it a place in our columns:—

"Avoid giving long credits, even to your best customers. A man who can pay easily will not thank you for the delay, and a slack, doubtful paymaster is not too valuable as a customer to *dun sharply and seasonably*. A fish may as well attempt to live without water, or a man without air, as a mechanic without punctuality and promptness in collecting and paying his debts. It is a mistaken and ruinous policy to attempt to keep on and get business by delaying collections. When you lose a slack paymaster from your books, you only lose the chance of losing your money—and there is no man who pays more money to lawyers than he who is least prompt in collecting for himself."

CAUSE OF THE LAST WAR.

Mr. Editor—In the Herald for 21st September, 1827, is the following account of the cause of the last war, from the Brooklyn (Ct.) Advertiser. I know nothing of its truth. If it is true it affords a signal example of the truth of the adage, 'Little affairs produce great events.' Illustrious hog! immortal hero! (for, judging by the same standard others have done, he must be both illustrious and immortal)—compeer of Semiramis, Jenghis Khan, Tamurlane, Mahammed, Alexander, Pompey, Julius Caesar, the Scipios, Hannibal, Charlemagne, Alric, Charles XII., Sweden, Peter, Frederic, Richard Cœur de Lyon, Charles V. of Germany, Edward I. of England, and England's other Edwards, Richards, Henrys and Williams and of that greater than all of them, the master of war, Napoleon Bonaparte!—though disowned, thou wouldst be by those things equals, (for in what were their actions more meritorious,)—yet thou hast produced such a revolution in this country as shall be felt to the end of time! Greater than either or all of them could have done! Then let not their admirers boast, since they have done no more than thou hast in the same line.

Poor pig! how little he thought, as he broke into the garden, that he was breaking the peace between the two most powerful nations in the world! He knew not that every clod of earth he overturned was a party overthrown!—that every vegetable he destroyed was the destruction of the hopes of some aspiring statesman!—and that every particle that he rooted up from the place it before occupied beneath the surface and placed 'on high,' was the advancement of an obscure individual to some post of honor or renown! Yet it was so. But for that unfortunate peregrination, peace would have been maintained between England and our country; John Quincy Adams would have been honored with a re-election to the office of President, undoubtedly by a unanimous vote of the electoral colleges, and Andrew Jackson would probably never have risen above the common mass.

Talk no more of trifles—of things beneath notice:—Look at the picture and learn to regard the smallest matter as an affair of the greatest moment. Let every person look well to his pig-stye. Get the best of boards and the best of nails, and make your pen so strong that your pig will have to stay within doors:—for oh! who can tell what might be the consequence, were another pig to break from his confines and ransack his neighbor's garden?—who could conceive of the evils that would follow? What might they not be? Let us not attempt to imagine them. The reality once experienced is enough. Oh! let us not have a recurrence of those scenes. Beware! beware of your pigs!—*Newburyport Herald*.

Sometime since, a party of village wise heads assembled in the bar-room of the Farmers' Hotel in S—, Rhode Island, were exhausting their learning and temper, in discussing the causes of the late war. As the dispute waxed warm and seemed about coming to the decision so common on such occasions, of 'bloody heads and disfigured faces; thus proving that we have enough of the war spirit among us to make light causes sufficient to light the flame; I say just at this critical period, a plain, honest farmer stepped forward and interposed with 'don't lose your temper, gentlemen, you are all wrong, I can explain the whole matter to you. Orders in council, Berlin and Milan decrees, free trade, sailor's rights, and all your nonsense has nothing to do with it. The war was owing to neighbor M.'s pig getting into neighbor T.'s garden; hold still gentlemen and I will prove it. Burrill, you know, was M.'s lawyer, and got the case for him. T. was representative to the Assembly from the town of S—; now you know Burrill and Howell were candidates for Uncle Sam's Senate, and every body was at work one side or t'other, and after counting noses, Burrill's friends thought all was safe; but when the votes were taken, T. though a good staunch Federalist, and of course, bound to vote for Burrill, remembering the pig law-suit, would not vote for him, so that Howell, by voting for himself, got elected by one majority. Now if it had not been for the pig-law-suit, T. would have voted for Burrill, and he would have been chosen Senator. Now don't interrupt, gentlemen—you all remember that when the question of declaring War came before the Senate, Mr. Bayard moved to postpone it six weeks, to give time to hear from England, and his motion was lost by one vote—one Jerry Howell voted against it. Now if Burrill had been there he would have voted for the motion, and the declaration of War would have been deferred. Before six weeks expired, news arrived that the Orders in Council were repealed, and thus the principal alleged cause of War was removed. Of course, if the delay had been obtained, War would not have been declared, and thus I have proved that neighbor M.'s pig getting into neighbor T.'s garden, was the real cause of it. Hurrah from all hands—six more mugs of flip

our town of S— has the honor of having produced the cause of the last War, and of making Gen. Jackson into the bargain—for if it had not been for the War, he would never have been the Hero of New Orleans—and in that case nobody would ever have thought of him for President.

TOO TRUE.

The Philadelphia National Gazette in the following article, gives a vivid and just description of 'man's ingratitude to man.' True it is, that those for whom we have labored with all our might, mind and strength—whom we have been instrumental in bolstering into power—are the first to look down from the lofty eminence they have gained and consider us as unworthy rounds in the ladder. Many an one who has toiled and done the drudgery of party has felt the pang that withered when neglected by such as have obtained elevation by his exertions.

The public, we may say without incurring the charge of egotism for the sentiment, is under a good many obligations to editors of the newspaper press. In general they do far more than any one pays them for adequately, even when all is given that is asked.

Yet are they often not only forgotten, but proscribed by those whom they have most served. Used while their labors are needed, and cast off ungraciously when their favor is esteemed of no farther avail, they generally endure patiently the ingratitude with which they must become familiar, and silently permit others to bear away the meed of profit or applause which is properly their own. What a tale could almost any editor or proprietor of a daily press, of a few years experience, tell of

"The insolence of office, and the spurns That patient merit of the unworthy takes!"

A mite from each of the myriad whom he has specially served would satisfy the dreams of oriental avarice. But the world thinks he should be contented with the satisfaction of having acted well his part; and he in time learns almost to think so too. He may put his shoulders to the wheel of some nobody's car, and push him up to the summit of influence and power; and when he suggests the propriety of reward for his toil, finds that the vision of the great man is so dazzled in the glory of his elevation that objects in his former level cease to be perceptible.

There is more than loving kindness—there is a *superabundance* of goodness in every part of nature. The presence of some races of animated beings is a source of pleasure to others—the glittering joy of a summer day is occasioned by the general stir of happy existence. Suppose all the other creatures extinct, and man left the solitary master of the globe, what a different being would he become! how would the face of nature be changed! there would be desolation, and in the prospect the heart would sink.

THE SUBLIME. The greatest touch of the sublime we have lately seen, is contained in the following stanza:—

"There was a man in our town,
That got into a scuffle,
And filled a warning-pan with frog,
And threw it on the people."

DYSENTERY. As the season is at hand when all classes of citizens are liable to be afflicted with Dysentery, Diarrhea, etc., we deem it our duty to make public the following simple and efficacious remedy, which has been known to us for several years, and which we have repeatedly used with complete success. It is simply to take a tumbler of cold water, thicken it with wheat flour to about the consistency of thick cream, and drink it. This is to be repeated several times in course of the day, or as often as you are thirsty; and it is not very likely you will need to try it on a second day. We have not only used it in our own case, but have recommended it to our friends in many instances; and we never knew it to fail of effecting a speedy cure, even in the worst stages of dysentery. It is a simple remedy, and costs nothing. Try it, all who need it.—*Farmer's Gazette*.

TOMATO TARTS. We find the following recipe for making tomato tarts in the Philadelphia Saturday Courier. A friend of ours who ought to be a judge of good eating, has tried it and pronounces them (the tarts) delicious.—Try it, housewives.—*Herald*.

RECIPE. Roll out your dough very thin, and place it on the plate in which you intend baking your tart, and slice your tomatoes very thin, spread them over the dough thinly, then take about two table spoonfuls of brown sugar, and one of ground cinnamon bark—spread the two over the tomatoes, bake it well, and you have a delightful tart.

FOUR pounds of beef lose one pound by boiling; one pound five ounces by roasting, and one pound three ounces by baking. Four pounds of mutton lose four ounces by boiling; one pound six ounces by roasting, and one pound four ounces by baking.

VETO MESSAGE.
To the House of Representatives of the United States:

It is with extreme regret that I feel myself constrained to refuse my assent to the bill which you have passed, and to the best of my ability to preserve, protect and defend the Constitution of the United States; to return to that House in which it originated the Bill "to provide for the better collection, safe-keeping and disbursement of the public revenue by means of a corporation to be styled the Fiscal Corporation of the United States," with my written objections.

In my message sent to the Senate on the 16th day of August last, returning the Bill "to incorporate the members of the Fiscal Bank of the United States," I distinctly declared that "my own opinion has been uniformly proclaimed to be against the exercise of the power of Congress to create a National Bank to operate *per se* over the Union," and entertaining that opinion, my main objection to that Bill was based upon the highest moral and religious obligations of conscience and the Constitution.

I readily admit, that, whilst the qualified Veto with which the Chief Magistrate is invested, should be regarded, and was intended by the wise men who made it a part of the Constitution, as a great conservative principle of our system, without the exercise of which, on important occasions, a mere representative majority might urge the government, in its legislation, beyond the limits fixed by its framers, or might exert its just powers too hastily or oppressively, yet, it is a power which ought to be most cautiously exerted, and perhaps never, except in a case eminently involving the public interest, one in which the oath of the President, acting under his convictions both mental and moral, imperiously requires its exercise. In such a case he has no alternative. He must either exert the negative power entrusted to him by the Constitution chiefly for its own preservation, protection, and defence, or commit an act of gross moral turpitude.

Merely regard to the will of a majority, must not, in a Constitutional Republic like ours, control this sacred and solemn duty of a sworn officer. The Constitution itself regards and cherishes as its embodied and written will of the whole People of the United States. It is their fixed and fundamental law, which they unanimously prescribe to the public functionaries, their mere trustees and servants. This their will, and the law which they have given us as the rule of our action, has no guard, no guarantee of preservation, protection, and defence, but the oath which it prescribes to public officers, the solemnity with which they shall religiously observe those oaths, and the participation with which the people shall shield it by their own sovereignty, which has made the Constitution supreme. It must be exerted against the will of a mere representative majority, or not at all. It is alone in pursuance of that will that any measure can reach the President; and to say that because a majority in Congress have passed a bill the President should therefore sanction it, is to abdicate the power altogether, and to render the insertion in the Constitution a work of absolute supererogation. The duty is to guard the fundamental will of the people themselves from—in this case I admit unintentional—change or infraction by a majority in Congress; and in that light alone do I regard the constitutional duty which I now most reluctantly discharge.

In this bill, now presented for my approval or disapproval, such a bill as I have already declared could not receive my sanction? Is it such a bill as calls for the exercise of the negative power under the Constitution? Does it violate the Constitution by creating a National Bank to operate *per se* over the Union? Its title, in the first place, describes its general character. It is "An act to provide for the better collection, safe-keeping and disbursement of the public revenue by means of a Corporation, to be styled the Fiscal Corporation of the United States." In style, then, it is plainly national in its character. Its powers, functions, and duties, are those that pertain to the collecting, keeping and disbursing of the public revenue. The means by which these are to be exerted, is a Corporation, to be styled the Fiscal Corporation of the United States. It is a corporation created by the Congress of the United States, in its character of a national legislature for the whole Union, to perform the fiscal purposes, meet the fiscal wants and exigencies, supply the fiscal uses, and extend the fiscal agencies of the Treasury of the United States.

Such is its own description of itself. Do its provisions conform to its own title? They do not. It is true that the first section provides that it shall be established in the District of Columbia, but the amount of its capital—the manner in which its stock is to be subscribed for and held—the persons and bodies corporate and politic by whom its stock may be held—the appointment of its directors and their powers and duties—the fundamental agencies in any part of the Union—the corporate powers now limited to establish any other corporation, with similar powers, for 20 years, with express reservation, in the same clause, to modify or create any bank for the District of Columbia so that the aggregate capital shall not exceed five millions—without enumerating other features which are equally distinctive and characteristic—clearly show that it cannot be regarded as a bill to establish a local business, with powers seemingly more limited than have heretofore been granted to such an institution. It operates *per se* over the Union, by virtue of the unaided, and in my view, assumed authority, of Congress as a national legislature, as distinguished from a Bank created by Congress for the District of Columbia, as the local legislature of the District.

Every United States Bank heretofore created, has had power to deal in Bills of Exchange and in local discounts. Both were trading privileges conferred, and both exercised by virtue of the assented powers of Congress, over the whole Union. The question of power remains unchanged, without reference to the extent of privilege granted. If this proposed corporation is to be regarded as a local Bank of the District of Columbia, invested by Congress with general powers to operate over the Union, it is obnoxious to still stronger objections. It assumes that Congress may invest a local institution with general or national powers. With the same propriety that it may do this in regard to a Bank of the District of Columbia, it may do so to a State Bank. Yet, who can indulge the idea that this Government can rightfully, by making a State Bank its fiscal agent, invest it with the absolute and unequalled powers

conferred by this bill? When I come to look to the details of the bill, they do not recommend it strongly to my adoption. A brief notice of some of its provisions will suffice:

First. It may justify substantially a system of discounts of the most objectionable character. It is to deal in bills of exchange drawn in one State and payable in another, without any restraint. The bill of exchange may have an unlimited term to run, and its renewability is no where guarded against. It may, in fact, assume the most objectionable form of accommodation. It is not required to rest on any actual, real, or substantial exchange basis. A drawer in one place becomes the acceptor in another, and so in turn the acceptor may become the drawer upon a mutual understanding. It may at the same time indulge in mere local discounts under the name of bills of exchange. A bill drawn at Philadelphia on Camden, New Jersey—at New York on a border town in New Jersey—at Cincinnati on Newport, Kentucky, not to multiply other examples, might, for anything in this bill to restrain it, become a mere matter of local accommodation. Cities thus relatively situated would possess advantages over cities otherwise situated, of so decided a character as most justly to excite dissatisfaction.

Second. There is no limit prescribed to the premium in the purchase of bills of exchange, thereby correcting none of the evils under which the community now labors, and operating most injuriously upon the agricultural States, in which the inequalities in the rates of exchange are most severely felt. Nor are these the only consequences: a resumption of specie payments by the banks of those States would be liable to indefinite postponement—for, as the operation of the agencies in the interior would chiefly consist in selling bills of exchange, and the purchases could only be made in specie, or the notes of banks paying specie, the State Banks would either have to continue with their doors closed, or exist at the mercy of this national monopoly of brokerage. Nor can it be passed over without remark, that whilst the District of Columbia is made the seat of the principal bank, its citizens are excluded from all participation in any benefit it might afford, by a positive prohibition on the bank from all discounting within the District. These are some of the objections which prominently exist against the details of the bill, others might be urged of more force—but it would be unprofitable to dwell upon them. Suffice it to add, that this charter is designed to continue for twenty years without a competitor—that the defects to which I have alluded, being founded in the fundamental law of the Corporation, are irrevocable, it would be over hazardous to pass the bill into a law.

In conclusion I take leave most respectfully to say, that I have felt the most anxious solicitude to meet the wishes of Congress in the adoption of a Fiscal Agent, which, avoiding all constitutional objections, should harmonize conflicting opinions. Actuated by this feeling, I have been ready to yield much in a spirit of conciliation to the opinions of those who differ from me. And it is with great pain that I now find time to differ from Congress a second time in this session, inclined from choice to defer to the legislative will, I submitted to Congress the propriety of adopting a Fiscal Agent, which, without violating the Constitution, would separate the public money from the Executive control, perform the operations of the Treasury without being onerous to the people, or inconvenient to the Government.

It is deeply to be regretted that this Department of the Government cannot, upon Constitutional grounds, concur with the Legislative Department in this last measure proposed to attain these desirable objects. Owing to the brief space between the period of the death of my lamented predecessor and my own installation into office, I was, in fact, not left time to prepare and submit a definite recommendation of my own, in my regular message; and since, my mind has been wholly occupied in the most anxious attempt to conform my action to the legislative will. In this communication, I am constrained by the Constitution to my objections, simply to this bill, but the period of the regular session will soon arrive, when it will be my duty under another clause of the Constitution "to give to the Congress information of the state of the Union, and recommend to their consideration such measures as I shall judge necessary and expedient." And I most respectfully present differences of opinion, whether the propriety of the measure, and whether the peculiarity of my situation does not entitle me to a postponement of this subject to a more auspicious period for deliberation.

The two Houses of Congress have distinguished themselves at this extraordinary session, by the performance of an immense mass of labor, at a season very unfavorable, both to health and action, and have passed many laws, which I trust will prove highly beneficial to the interests of the country, and fully answer its just expectations. It has been my good fortune and pleasure, to concur with them in all measures except this. And why should our difference on this alone be pushed to extremes? It is my anxious desire that it should not be. I too have been burdened with extraordinary labors of late, and I sincerely trust, that the greater solicitation, on this the greatest difficulty of my administration. May we not now pause, until a more favorable time, when, with the most anxious hope that the Executive and Congress may cordially unite, some measure of finance may be deliberately adopted, promotive of the good of our common country. I will take this occasion to declare that the conclusions to which I have brought myself, on my opinion on a just view of the Constitution. That in arriving at it, I have been actuated by no other motive or desire than to uphold the institutions of the country, as they have come down to us from the hands of our God-like ancestors—and that I shall esteem my efforts to sustain them, even though I perish, more honorable than to win the applause of men by a sacrifice of my duty and my conscience.

JOHN TYLER.
Washington, Sept. 9, 1841.

The blind pertinacity of some of our political friends, in insisting upon their peculiar views and preferences, without reference to the wishes of the great majority of those who act with them, is well illustrated in one of the counties of Alabama, where the whigs have a majority of six hundred, and by running six candidates, allowed a loco foco to be elected to the Legislature.

CONGRESS.

MONDAY, SEPT. 6. The Senate again took up the Revenue Bill, the question being on the exception of Salt from the duty of twenty per cent.

In the course of debate, Mr. Clay said the protective duty on Salt would not, under the compromise act, be reduced either now or in June, 1842. The protective duties preserved by that act were obligatory forever. But, if the duty was taken off, it would only prostrate the domestic establishments for making salt without reducing the price of the article.

Mr. Walker contended that the example of Great Britain, which had been held up in favor of the protective policy, was adverse to any duty on salt. That article had been entirely exempted from duty in Great Britain.

The motion to exempt salt was finally lost. Mr. Buchanan renewed his motion to impose the same duty on rail-road iron as on other iron. On motion of Mr. Berrien, the amendment was modified so as to postpone the operation of the duty till 2d March, 1842, and, in this form, the amendment was agreed to.

In the House, the Report of the Committee of Elections adverse to the right of Mr. Levy to hold his seat as a delegate from Florida was taken up. The Committee came to the conclusion that Mr. Levy was not a citizen of the United States. It appears that his father, Moses E. Levy, was a native of Morocco, and a Jew; that he settled in St. Thomas; that he became a resident of Florida about the year 1822; that he held that territory to the United States; that his son, some years after, having been brought up in the family of a highly respectable citizen of Norfolk, Mr. M. Myers, settled in Florida after the age of twenty one; that the senior Levy was naturalized in 1822; and that the son claims citizenship in virtue of his father's right of citizenship under the provisions of Gen. Jackson, in Florida, when he took possession of the territory, subsequent to its surrender, the main point of dispute in the case is whether the main point of the case is whether the senior Mr. Levy was a resident of Florida at the time of the change of flags, June 17th, 1821. Gen. Hernandez and others state that he arrived after that time.

Mr. Levy moved that the subject be postponed till next Session, to afford him time to prove his citizenship. The question was discussed at length, and no conclusion was arrived at.

TUESDAY, SEPT. 7. In the Senate the Diplomatic Appropriation Bill passed, with the Ways and Means for a full mission to the Courts of Spain and Brazil; but striking out the appropriation for the Charge at Naples, notwithstanding a nomination for the office and the representation of a probable commercial treaty with the government. The argument of *délicate* outweighed all this; and for the reason that the Neapolitan Government has not thought proper to send a minister here, none is to be sent there. An effort was made to reduce the Agents abroad to the grade of Charge, both at Brazil and Madrid. The importance of the positions was a good reason for successfully resisting the motion. A young Emperor is upon the throne of Brazil, who has manifested interest enough in our affairs, to request a minister of full grade.

The Revenue Bill, has passed through its pearly ordeal and escaped unscathed. The bill passed the Senate this evening by a vote of thirty-four to eleven. The engrossment was ordered before four o'clock, and the final passage occurred before five o'clock. The discussion through the day was conducted in the best temper possible, though with some sparring among the Senators.

The House of Representatives have killed time to some purpose to day, having dealt in a variety of matters. The delegate from Florida has a breathing spell,—the majority having allowed until the first Monday in December next to prove *versus* the people of Florida that he is not alien, and that he is entitled to his seat.

Next to this an Appropriation Bill has been reported, passed, and sent to the Senate for concurrence, for the repair of the fortifications on Staten Island. The sum proposed is \$33,000. Thirdly, the House have adopted a resolution calling upon the Secretary of the Treasury to state the why and wherefore, the cause and authority, for placing furniture in the Committee on Custom House. Finally, the Committee on Foreign Relations, have reported a Resolution requesting the President of the United States to open negotiations with the British Government, for the purpose of releasing the American prisoners at Van Diemen's Land, and other of the British Provinces. Mr. Ferris of New York, made a sophomoric speech upon this Resolution, all about Sparta, Leonidas, France and the Revolution, and sundry other matters, which made up what Mr. Adams sarcastically enough called "a sublime oration."

The Ex-President, the old man eloquent, replied to Mr. F. with his usual display of extraordinary ability. He spoke of the "Patriotism" of '37, and did not display much regard for those who took part in the insurrection. In the present position of the McLeod case, he thought it hardly proper to propose such a negotiation. Mr. Holmes of S. C., an irascible pugilist, but a very amiable sort of a man, was disposed to make an insurrection of slaves through the interference of England, to compare with the rebellion in Canada through the interference of American citizens. Mr. Holmes pricked up his ears at the mention of the word slaves, and fancied, though in no offensive sense, that he had found a mare's nest. Mr. Adams did not undeceive him, and before a vote was taken, the House adjourned.

WEDNESDAY, SEPT. 8. In the Senate, the bill from the House making appropriations for the repairs of fortifications on Staten Island was taken up, and after various proceedings, postponed till the 1st Monday of December next.

Mr. Bayard submitted his resolution to draw from the Journal the black lines drawn against a resolution censuring President Jackson for removing the Deposits, which lies on the table.

The House went into Committee on the Senate's amendments to the Revenue Bill. The amendment providing that a duty of more than twenty per cent. shall not be laid on any article, was disagreed to, and a proviso was adopted that nothing contained in this act should affect the distribution of the proceeds of the public lands.

After the bill was reported, Mr. Wise moved

to amend by making salt free of duty, which was agreed to—yeas 94, nays 88.

On motion, sugar and cotton were also exempted from duty—yeas 105, nays 75.

Mr. Birdseye moved a reconsideration of the vote exempting salt from duty, and Mr. Wise moved to reconsider the votes exempting sugar and cotton,—when the House adjourned.

THURSDAY, SEPT. 9. In the Senate, the Revenue bill came back from the House—Mr. and Mr. Clay moved to disagree to the amendment providing that nothing in the act shall interfere with the Distribution Bill—which was agreed to, and a committee of conference was ordered.

In the House, the amendments to the Revenue bill were again considered. The votes exempting salt, sugar and cotton from the duty of twenty per cent. were reconsidered and the same reversed.

The Senate amendment providing that no duty higher than twenty per cent. ad valorem shall be levied on any article hereafter imported, was stricken out, and the following inserted: "Provided, that nothing herein shall in any wise affect the distribution of the proceeds of the public lands, as provided for at the present session."

The House went into Committee of the Whole on the Diplomatic Bill. The Senate amendment, striking out the appropriation for a Charge at Naples, was discussed at length, and finally disagreed to.

The House galleries were, from an early hour, crowded with spectators convened in expectation of the Veto. At 12 o'clock, precisely, the Secretary of the President appeared at the door of the Hall with the long bill in his hands, and a sealed "message" in writing.

The members stood a tip-toe in expectation. The message was read, and attentively listened to by all. The Senators, including Mr. Clay, were present. Intense interest was manifested by all. At some passages, the Locos could not refrain from manifesting by smiles and whispers, their approbation. But for the Whigs there was also much comfort in the message—if they would only take it. Mr. Morrow, of Ohio, the oldest member, I believe, (as to years and membership) moved that the message be spread on the Journal and printed, and that at 12 o'clock to-morrow the House take up the returned bill for consideration; which was agreed to.

The Diplomatic Appropriation Bill was then again taken up, and the discussion on the expediency of different missions was continued. A fracas took place between Mr. Wise of Virginia, and Mr. Stanley of North Carolina, which is thus reported in the Intelligencer:

Mr. Stanley had made some remarks on Mr. Wise's course, his consistency, etc. and some taunting things were also said, perhaps on both sides. "While Mr. Fillmore was in the midst of a sentence, the reporter (who had noticed Mr. Wise cross over to the seat of Mr. Stanley, and had observed those gentlemen in conversation of a very exciting character) saw Mr. W. raise his hand violently, and aim a blow at the face of Mr. S. who instantly followed, and in less time than it can be described in this report, a scene of mingled uproar and fight, such as the reporter in many years experience has never witnessed on the floor of the House, ensued. Messrs. Wise and Stanley were lost to the sight of the reporter, while Mr. Arnold of Tennessee and Mr. Butler of Kentucky were noticed in grappling with each other. Mr. Dixon of Lewis, Mr. Gilmer, and others were seen in the midst endeavoring to quell the disturbance, which had now reached a point at which it seemed impossible to arrest its progress. The members had rushed from all parts of the hall, some rushing over and others standing upon the tables, literally piling themselves one on the other, and several cases were raised up as if in the act of falling. The speaker during this time had resumed his chair informally, but no one paid the least attention to him, who were in vain on the officers, none of whom were observed by the reporter, with the exception of the door-keeper, who closed the doors and windows against the crowd from without, who attempted to rush within the hall."

Order was at length restored, and Mr. Wise rose and apologized to the House for his part in the heat of passion to which he had been led in the House, and submitting himself to any punishment the House saw fit.

Mr. Stanley rose, not to make an apology, but an explanation. He then stated the circumstances of the attack upon him by Mr. Wise, and said—"but I warded off the blow and if the House had not interfered, I would have given him as good a whipping as ever a man had."

A committee of seven was appointed to look into the matter.—The Diplomatic Bill was then finally passed, and the House adjourned.

FRIDAY, SEPT. 10. In the Senate, the bills from the House of Representatives were laid before the Senate, among them the Bill making appropriations for the Diplomatic Agents. The important amendment in relation to the Charge at Naples was insisted upon by the House, and Mr. Rives, as chairman of the committee of Foreign Relations, moved that the Senate should concur.

The Senate then concurred with the House in reinstating the mission. The other amendments which were immaterial were agreed to, and the bill was thus prepared for the President of the United States.

Mr. Clay reported that the Committee of Conference on the disagreeing votes of the two Houses in relation to an amendment to the Revenue Bill, had agreed to insert in the bill the following proviso:

"Provided, that if, in virtue of this section, any duties exceeding the rate of twenty per cent. ad valorem, shall be levied prior to the 30th of June, 1842, the same shall not in any wise affect the disposition of the proceeds of the public lands, as provided for by an act passed at the present session of Congress: And provided, further, That no duty higher than twenty per cent. ad valorem, in virtue of said section, shall be levied and paid on any manufactured article."

After some time spent in the consideration of Executive business, the Senate adjourned.

In the House, the Speaker announced the names of the following members as the select committee ordered to be appointed yesterday on the breach of privilege which had taken place in the House.

Mr. Ingersoll of Pennsylvania, Mr. Morrow of Ohio, Mr. Everett of Vermont, Mr. Caruthers of Tennessee, Mr. Saltonstall of Mas-

sachusetts, Mr. Holmes of South Carolina, and Mr. Ferris of New York.

At 12 o'clock the special order, on the Veto Message, was called up by Mr. Bots, who addressed the House, not on the message of the bill, but on his own position, and in reply to the speech of Mr. Cushing, made some days ago. Before he had concluded he was interrupted by the expiration of the hour, and was followed by Mr. Gilmer, in defence of the course of the President. He was followed by Mr. Bots in explanation, by Mr. Profit in an eulogy on the President, by Mr. Mason and Mr. Jones, and by Mr. Thompson of Ind.

The previous question being moved and seconded, the main question on reconsideration of the bill, whether the same should pass notwithstanding the objections of the President, was then taken, to carry which a majority of two-thirds is required. The result was as follows:—yeas 103—nays 80.

So the vote required by the Constitution (as above stated) not having been obtained, the bill was rejected.

Some further proceedings on other bills were had and, at seven o'clock, the House adjourned.

SATURDAY, SEPT. 11. In the Senate, the Secretary of the Treasury laid before the Senate a report in answer to a resolution of the Senate, calling for information as to the amount of money due from the Bank of the United States to the General Government. The report was ordered to be printed. The Senate went into Executive session.

In the House, after a speech from Mr. McKean on the McLeod resolution, the Committee on Privilege made their report, which, after a long debate, was objected to by the House, and a motion made and carried, 104 to 47, to re-commit, with instructions to report back to the House, as follows:

"That the Hon. Henry A. Wise who was the assailant of the Hon. Edward Stanley on the floor of the House of Representatives, on the 9th inst. has made the proper acknowledgments to the House, and as the controversy between the parties has been amicably and honorably adjusted,

"Resolved, That all further proceedings on the part of this House in regard to said assault be discontinued."

This Report will be adopted by the House, and thus an end be put to the subject.

The debate upon this Report threatened for a time to be more acrimonious than that which led to the quarrel. The good sense of the House, however, prevailed, and the quarrel subsided. The debate continued through the day, for the reason that the House had no other business.

FROM TEXAS. The steamboat Savannah arrived at New Orleans on the 4th, with Galveston dates to the 1st inst. The Presidential Election engrossed all thoughts there.

Hon. J. M. Houshaff has returned from surveying the Eastern Boundary of Texas, in connection with the United States Commissioners. He states that the distance from the Sabine to the Red River is much less than has been supposed; that the line crosses the Sulphur fork of Red River only nine and a half miles from its mouth, and that, running due north from this point 12 or 15 miles, the line strikes the lower bend of Red River nearly at right angles. From this point the Texas have gained by the survey a large tract of valuable land hitherto presumed to belong to the United States, which reside a hundred planters, with estates worth \$10,000 each.

The Mexican Gen. Arista had sent in two Commissioners with despatches to "Mr. Lamar" which, of course were not received by the President. The report was understood to be a proposal of truce between Mexico and Texas while Arista made a campaign against the Camanches. It was suspected that he intended rather to cut off the Santa Fe Expedition. President Lamar sent back two Commissioners to ascertain Arista's real meaning.

Three wagons loaded with goods, on their way from the Coast to Bexar, was lately attacked and captured by the Mexicans. This has caused great excitement on the Western frontier, where the people clamor loudly for a campaign against Mexico.

The Mexican General Anaya, it is stated, after aiding to revolutionize Yucatan, the Chiapas, and to free each from the road to Centralism, has resigned his command successively in each, and is now engaged in the same work in another province.

Gen. Urrea, who failed in his attempt to overthrow the Central Government last year, it is now stated in these papers, is at the head of a large party of Federalists in Lower California, and that the Mexican Government has not the power to put him down.

INDIANS. Mr. Osborne, who arrived recently from San Antonio by way of Austin, reports that while he remained in the latter place, a gentleman arrived from the encampment of the Santa Fe Pioneers, about 250 miles distant, who stated that a large body of Indians, supposed to be about 4,000 in number, had been discovered about 70 miles from the encampment. They have sixty negroes, and a large number of horses, mules, etc., and 400 acres of corn. The pioneers were waiting for a reinforcement of 500 men, who were expected to join them previous to the 25th inst. at which time it was intended to attack the village. The position occupied by the Indians is a valley surrounded by mountains with only one entrance about 500 yards in width. The Santa Fe troops were said to be in fine health and spirits, and were determined to pursue their route after having a brush with the Indians.

Mr. Osborne also states that a party of Indians came down and stole fifteen horses below Bastrop on Saturday night last.

THE DEAD OF THE ERIE. The Buffalo Commercial gives a description of an additional number of bodies which have been recovered from the Lake. Their names are Hiram Carpenter, the owner of the racehorse Half-Moon, which was on board the Erie; two of the painters, Henry Weaver and Wm. Van Avery; G. Nergold, a Swiss; Patrick Foley, a deck hand; Noah Crittenden of Geneva; P. Eggar, musician; David Mills, black; Ambrose Stratton of Lyndon; Thomas J. Moore of Milo; Mr. Lynde, Osgood of Lockport; James R. Miltmore of Aiken; John Allen, 2d Engineer; John Angel of Providence; Philip Barber, a painter. More or less property was found on the bodies, all of which has been put in proper hands.—Boston Atlas.

THE PROCEEDS OF PUBLIC LAND SALES.

We publish to-day the act of Congress, which received the signature of the President on the 4th inst., for appropriating the proceeds of the sales of the public lands of the United States. This is a very important law, as it puts the States of the Union in possession of a very valuable patrimony, which was made by years since appropriated to the security and payment of the debt of the Union, and is now with propriety made to revert to the States, to be appropriated by them to such purposes as in their opinion will best advance the public welfare.

This act will take effect on the 1st of January next, and the principal provisions of it, of surveying the land office, salaries and commissions of registers and receivers, and the five per cent. to new States shall be first deducted from the gross proceeds, to ascertain the amount of net proceeds.

2d. There shall be paid to each of the States of Michigan, Ohio, Indiana, Illinois, Missouri, Arkansas, Alabama, Mississippi and Louisiana, ten per cent. of the net proceeds of the sales of lands to be made within such States, from the date of their cession to the said net proceeds shall be divided among the twenty-six States of the Union, the District of Columbia, and the Territories of Wisconsin, Iowa and Florida, in proportion to the federal representative population of each, as ascertained by the last census, to be applied by their respective Legislatures to the said purposes as they may direct, with the exception of the share of the District of Columbia, which is to be used for the promotion of education in such other form as Congress may direct. The distribution is to be made semi-annually on the 1st day of July and January, and payment made to such persons as shall be authorized by the Legislatures of the respective States and Territories, or in default of appointments by them, by the Governors. In case new States are admitted into the Union, they are to receive their proportion, on the principle of the act.

4th. The act is to continue in force until otherwise provided by law, unless the United States shall be involved in war with any foreign power, in which case it shall be suspended during the continuance of such hostilities; or unless Congress shall pass any law lessening the minimum price of lands, in which case the distribution shall cease; or unless there shall be an imposition of duties on imports, inconsistent with the provisions of the Act of March 2, 1833, beyond the rate of twenty per cent. ad valorem, limited by that act, in which case this act is to be suspended during the continuance of such increased duties.

5th. The act contains various provisions and regulations in relation to sales, rights of pre-emption, and claims which may arise under existing acts.

The passing of this law the Whig party have a right to regard as exclusively a Whig measure. It was adopted without any aid from the other party, and in spite of their strenuous opposition. The Whigs should recollect also that in carrying this measure, they have had the ready co-operation of President Tyler. By his hearty concurrence in this measure, and his affixing his name to a bill which the opposition party has so violently resisted, he has shown that he has no sympathy, and wishes to hold no relations with that party. This fact should moderate the resentment of those Whigs who are annoyed at his opposition to the National Bank, and have been disposed to question his fidelity to the party.—Boston Advertiser, 10th inst.

TEA AND COFFEE.

Will those loco loco editors who are making such a fuss about tea and coffee, have the goodness to tell their readers that Mr. Levi Woodbury, Mr. Van Buren's Secretary of the Treasury, anticipating the diminution of revenue, only last winter recommended laying a duty of 20 per cent on TEA and COFFEE. After shunning along for four or five years because of the objection to a trifling deficit in the Treasury, he has now recommended a large tax on tea and coffee, and that some measure be necessary to replenish the coffers. Accordingly Mr. Woodbury was called upon to devise a plan, and on the 19th of January, A. D. 1841, he made report to the Senate; and from that report we quote the following:

"It is supposed that there should be selected from the free articles those which may be regarded as the most taxable, and in every respect best adapted to the class; such as Tea, Coffee and Silks; should we then add to them others, conflicting with similar American productions, such as worsteds, linens, etc., and the amount of the duty of 20 per cent. on tea, would be \$29,026,443. A duty of 20 per cent. on coffee, after paying the expenses of collecting, would yield about the same amount of five millions.

This seems to contain the general data, for the most eligible and unexceptionable revision."

Articles specified by Mr. Woodbury: Silks, and manufactures of Grade Salt Peter, of Silk and Worsted, Animals (not dressed) Worsteds Stuffs, Linsens, bleached, etc., Coffee, Tickenburgs, etc., Tea, Shotings, Copper in pigs, Bolting cloths, Sheathing, do, Wool, under 8 cts. per lb Old do.

Here you have it—a tax on tea and coffee, recommended as the most eligible and unexceptionable revision that could be made. And yet the same Mr. Woodbury, now in the Senate, moved last week to include tea and coffee among the free articles.

Had Mr. Van Buren been re-elected, and a majority to sustain him in Congress, the whole list of free articles would have been stricken out, and all brought up to twenty per cent. Nor is this all, the Surplus Revenue divided among the States in 1837 would have been called for again by the General Government! It was only deposited with the States, and Mr. Woodbury, in all his reports, has reckoned it among the resources of the National Treasury!—Kennebec Journal.

THE LAST NEW STYLE OF RAIN. With in the last few weeks we have had in various parts of this extraordinary country, showers of frogs, squid, felt hats and animal matter. On Friday it commenced raining catfish at Rochester, in this State. One was "seen to fall" in Main street. The "critter" measured six inches from tail to snout. More are expected, and the one in question being looked upon as the land lay region, it is supposed to ascertain how the land lay region is supposed to have some connexion with the veto.

THE U. S. DEPARTMENT OF THE INTERIOR. The Secretary of the Interior, Mr. Cass, has issued a circular to the several States, in relation to the land lay region, and has requested the several States to supply him with information in relation to the same.

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KENNEBUNK GAZETTE.

SATURDAY, SEPT. 18, 1841.

THE ELECTION.

The annual election for '41 has taken place, and the whigs are routed "horse, foot and dragons." The opposition have been in the field during the whole campaign armed with every description of missile, while the whigs have "stacked their arms" and "kept camp."

The returns show that neither party has polled so many votes this fall as at the elections last year—that there has been a great falling off on the part of the whigs and that the opposition have probably succeeded in electing their Governor, and majorities of the members of both branches of the Legislature, by a vote considerably smaller than that thrown by them last fall, when they were defeated at all points. So we go.

It is unquestionably true that a majority of the voters in this State are decided whigs, and still, with the power in their hands, they have consented to transfer the administration of the State Government to the hands of the opposition. The causes of this state of things, so much to be deplored, are too well understood, by all parties, to need one word by way of explanation. Perhaps a sentence or two by way of comment may be profitably spoken. Now is the time to remove those causes, trifling in themselves and requiring only the exercise of those gentlemanly feelings and that spirit of magnanimity which are tenants of the breast of every good citizen. Now is the time to commence, and perfect and seal the work of reconciliation—to restore the old watchwords, "union and perseverance"—and bring to the support of our noble principles strong hands and willing hearts. With this, the party can take the field again with every prospect of future success—without it, they are divided, inefficient and powerless.

We publish below the returns of the votes for Governor, in this County. Those for Senators, Register of Deeds and County Treasurer, differ very little from the gubernatorial vote. The loco majority is in the vicinity of 2000, and still they have polled very few more votes than at the election last November.

FOR GOVERNOR.—YORK COUNTY.

Table with 4 columns: Name, 1841, 1840, and a fourth column. Lists candidates like Acton, Alfred, Biddeford, Buxton, Berwick, Cornish, Eliot, Hollis, Kennebec, Kennebec-port, Kittery, Lebanon, Limerick, Limington, Lyman, Newfield, North Berwick, Parsonsfield, Saco, Sanford, Shapleigh, South Berwick, Waterborough, Wells, York, and their respective vote counts for 1841 and 1840.

Scattering.—In Kennebec 4755—Limerick 6—South Berwick 22.

REPRESENTATIVES.

Kennebec, Abel M. Bryant—by a majority of 1 vote! Kennebec-port, William Huff. Alfred and Lyman, James Nason. Acton, S. Thompson. Biddeford, no choice. Buxton, no choice. Hollis, Samuel Bradley. Kittery, C. G. Bellamy. Lebanon, no choice. Limington, James Frost. Parsonsfield, Jonathan Tuck. Saco, Frederick Greene. Sanford, N. Butler. Shapleigh, L. Bragdon. South Berwick, C. N. Cogswell. Waterborough, John Hill. Wells, Amos Sargent. York, B. C. Bartlett. Eliot, John P. Rogers.

WHIGS IN ITALICS.

The second veto message will be found in the preceding columns. It is conciliatory in its tone, but nevertheless unpopular with a large portion of both parties. It is exceedingly unfortunate that President Tyler should have felt obliged to exercise the veto power in this second instance—for himself, the harmony of the party by which he was elevated to power, and the country. It is useless however, to multiply words upon the subject—the whigs must "wait coming events" with so much of patience and equanimity as they can command, and with a disposition to aid all in their power in bringing about such a result, hope that all will end well.

LAUNCH. The ship —, about 400 tons burthen, was launched from the ship yard of Mr. Jacob Perkins, at the Landing, in this town, on Tuesday morning last. She is of fine model, built of excellent materials, copper fastened, and in all respects a first rate vessel. Capt. WILLIAM LORD, jr. is the owner.—Mr. PERKINS the builder. She is intended for the freighting business.

GEN. WILSON. We are gratified to learn that the nomination of Gen. Wilson of Keene, N. H. as Surveyor General of Iowa Territory has been confirmed by the Senate.

ELECTION RETURNS.

Complete returns are in from York and Cumberland only. Those from York will be found in the preceding column.

In Cumberland, Kent has 5172 and Fairfield 6520 votes; Scattering 156.

Twenty-seven towns in Lincoln give Kent 4036, Fairfield 3915;—Scattering 153.

Twenty towns in Kennebec give Kent 4459; Fairfield 3519; Scattering 242.

Forty-one towns in Penobscot give Kent 3137; Fairfield 4421; Scattering 200.

Seven towns in Oxford give Kent 757; Fairfield 1243; Scattering 32.

Twenty-one towns in Somerset give Kent 2373; Fairfield 2034; Scattering 242.

Twenty-one towns in Waldo give Kent 1665; Fairfield 4050; Scattering 2.

Four towns in Piscataquis give Kent 216; Fairfield 300.

Sixteen towns in Hancock give Kent 1271; Fairfield 1758.

Five towns in Washington give Kent 553; Fairfield 354.

Seventeen towns in Franklin give Kent 1392; Fairfield 1880; scattering 127.

Total, in 233 towns, Kent 28,744, Fairfield 35,776, Scattering 1187.

REPRESENTATIVES, (so far as heard from.)

Table with 4 columns: Name, Whig, Loco, No choice. Lists names like York, Cumberland, Lincoln, Kennebec, Somerset, Penobscot, Waldo, Franklin, and their respective party affiliations.

VERMONT ELECTION.

The General Election for the choice of State officers occurred in Vermont on Tuesday last week. Three tickets were run for State officers—whig, loco and abolition,—and it appears from the returns received that no choice has been effected by the people of Governor, Lt. Governor, or Treasurer. As in this State, there has been a great falling off in the whig vote, compared with that cast last fall—the loco vote is also considerably less than it was last fall.

The members of the Legislature ascertainment to be elected are, in the Senate, whigs 19, opposition 7, and 4 doubtful. In the House of Representatives, whigs 111, opposition 71; no choice 6.

FROM WASHINGTON. We learn from the seat of Government, that Messrs. EWING, Secretary of the Treasury; BADGER, of the Navy; BELL, of War, and CRITTENDEN, Attorney General, sent in their resignations on Friday last week, to take effect on the Saturday following. The President immediately nominated to the Senate the following gentlemen to fill the vacancies created in the Cabinet by these resignations, viz:—

WALTER FORWARD, of Pennsylvania, to be Secretary of the Treasury;

ABEL S. UPSHUR, of Virginia, to be Secretary of the Navy;

JOHN McLEAN, of Ohio, (now Judge of the Supreme Court of the United States), to be Secretary of War;

HUGH S. LEGARE, of South Carolina, to be Attorney General.

It is a source of deep regret that the gentlemen who have tendered their resignations have felt constrained to take a step which will deprive the country of their valuable services, in the important stations which they have filled with so much credit to themselves and so satisfactorily to a large majority of the American People. The gentlemen nominated to supply their places are, however, sound whigs, and well qualified to discharge with ability the duties of the several posts assigned them.

Mr. GRANGER, Post-Master General, resigned his place on Saturday.

Mr. WEBSTER, Secretary of State, remains at his post, for the present at least, in compliance, it is said, with the wishes of the President, and on the recommendation of the Massachusetts delegation.

SUICIDES. The wife of Mr. John Stoffer, of West Nantmeal township, Pennsylvania, committed suicide in a field near her residence, a few days since, by hanging herself—the loop was made of a skein of thread. She was partially deranged. When the news of this event was communicated to her mother, an aged lady, she fell and expired.—In the same township, on the day previous, the wife of Mr. Joseph Neely committed suicide by cutting her throat with a razor, at her home, surrounded by her children. Mrs. N. was also laboring under temporary derangement.

ACCIDENT. Capt. Jacob Bright, of the United States Navy, was instantly killed, at the Navy Yard, in Washington, on the 7th inst. while engaged in charging or handling a thirty-two pound shell, filled with detonating powder, which exploded and blew Capt. B. into atoms. The left arm of the unfortunate man was literally separated from his body, his entrails were scattered and his face and head shockingly mutilated and disfigured.

SWINDLING. The teller of the Bank of Columbus (Geo.) absconded recently, with about \$75,000, the money of depositors, which he checked out by signing his name for them.

THE CINCINNATI MOB. The city continued quiet at the last dates. Some twelve or fifteen of those arrested as in the mob, after examination before the mayor, were committed—four were discharged.

ACCIDENT.

Mr. Thomas Hatch, of Saco, was seriously injured, while blasting rocks upon the rail-road, last week. The charge went into his face, and so mangled it as to deprive him of the sight of one eye, and it is feared of both.

CINCINNATI, Sept. 5. During the night of Friday our fair city became the scene of one of the most terrific riots that ever disgraced a civilized community. The circumstances as near as I can learn them, are as follows:—On Thursday evening, the 1st inst. a slight difficulty arose between some rowdy boys in the lower part of the city, and some negroes; and in the course of the affray one of the whites was stabbed, and it is said, since dead. This roused the passions of the men who follow the river, and who are in general of desperate character, and they determined to revenge themselves upon the negroes, by attacking the quarter in which they live. This the negroes heard of on Friday, and armed themselves for the purpose of defending their property. On the evening of that day a mob of some two thousand persons assembled near Broadway and Sixth streets—where the principal portion of the negro population live—and began the riot by assaulting the houses with missiles of every description. On this the negroes fired a number of muskets upon the mob, killing one or two and wounding a great number.—This for a short time checked the assault; but soon some of the more daring procured muskets, and a six pound cannon was by some means obtained, which was charged to the muzzle with pieces of scrap iron and other deadly implements, and fired several times by the infuriated mob directly on the houses of the negroes, causing them to fly in all directions.

At this juncture several military companies, which had been called out by the mayor, made their appearance, secured the gun, and for the time quelled the out-break. Yesterday morning the city was all excitement, and a meeting of the citizens was called by the authorities. In order to end the outrage the negro quarter was guarded all day by a strong military force, and all the colored men in the city were brought here by the civil officers, it was said, to prevent their being maltreated. Various measures were resorted to in order to restore the peace of the city, and it was determined to enforce a law passed in 1807, compelling the negroes to give security for their good behavior or to leave the city. In the evening, however, the mob again assembled in the very face of the authorities, and in spite of the military force under arms, they tore open the office of the Emancipator, (the abolition paper) destroyed the types, and dragged the press piece-meal to the river, for the purpose of drowning it, which they did most effectually. Thence they went to Mr. Burne's house, who is well known here as a most fanatical abolitionist, and destroyed the whole interior of his house, leaving but the walls standing. They likewise endeavored to destroy one or two churches, whose members were known to be favorable to the cause of abolition, but were prevented by the presence of the soldiers, and a strong civic force. Large numbers of those actively engaged in this most daring riot; the authorities seem afraid to act with the decision called for by the circumstances, and men look at each other, wondering what will be the end. I am afraid that there will be new and fearful scenes of violence to-night. In all the mobs I have ever seen, whether in England or this country, I have never beheld more cool determination.—Undoubtedly many of the colored people will be forced to leave the city, and it will be well if they escape with no greater evil.

A ludicrous circumstance mingles oddly with the other features of this riot. All our barbers being colored men, there are no means of getting shaved this morning, as usual, and the lamentations of the bearded are loud and grievous, the knights of the razor being panned up like sheep.—N. Y. Com. Ado.

LATEST FROM MARACABA.

Our political news from New Grenada is cheering; we have had an arrival from Santa Martha within a few days, bringing authentic accounts of a counter revolution, and a declaration by the inhabitants and troops occupying Cartagena, in favor of the Constitution.—Government of New Grenada. Santa Martha never la Hache still hold out against the Government. Gen. Carmona is besieging the fortress of Cartagena with a handful of men, say one thousand or twelve hundred, and is blockading the port with four vessels, but we learn from good authority that the British Admiral at Jamaica will not admit the legality of the blockade, and has ordered a brig of war off that port.

This morning we have had an arrival from Cuba, bringing us official accounts of the complete defeat of the murderer Obanda, at La Palma, near Popenay, by the Government General Mosquera, on the 11th July inst. Col. Sauchy killed, and Col. Sarrier dangerously wounded. Obanda had a force of eighteen hundred men in the battle; his loss in killed, wounded and prisoners not ascertained, but it must be considerable. In short, the war at the South is at an end, and Obanda will be taken and executed. Carmona must now abide by the consequences. This news can be relied on, as I am very particular in giving political news from this quarter.—Philadelphia North American.

LATEST FROM FLORIDA. From the Savannah Republican of Friday last, we copy the following:—

"The steamer Gen. Clinch, Capt. Brooks, arrived last evening from Pilatka. Brookes, we learn that Hospitaka and all his band had come in at Tampa. Tigertail has sent in word to Gen. Worth that he will be in by the 6th inst. with his people. There were two hundred and forty Indians in at Tampa before Hospitaka came in with his tribe. None of the Indians have yet been shipped to the West. Our informant assures us that every thing appears favorable for a speedy termination of the war."

THE ARMISTED NEGROES. We learn from the New Haven Palladium that the Committee, having charge of these negroes, have determined to employ a competent person to go to Sierra Leone, accompanied by two of the negroes and James Covey, a native of Mendi, and make inquiries in regard to the situation of Mendi, and if necessary, to visit it. If, on the return of this commission, the way appears to be open for the safe return of the negroes, then they are to be immediately sent out. An effort is also to be made to send a Christian mission with them.

HYMENEAL.

MARRIED.—In Boston, 9th inst. Mr. John A. Peabody, to Miss Eliza M. Baxter, both of B. In Berwick, Mr. Amasa Horn, to Miss Bethunia Brooks.

In Dover, 11th inst. Mr. Samuel Rowell, of Amesbury, Mass. to Miss Lydia J. Neal, of North Berwick.

OBITUARY.

DIED.—In Kennebec-port, 4th inst. Mr. Jacob Goodwin of Lebanon, aged 68 years; 8th inst. Mr. ISRAEL LITTLEFIELD, aged 50 years. In Saco, a child of Mr. Thomas S. Fowler. In Limington, 7th inst. Mr. William Chick, aged 63 years. 8th, widow Mercy Strout, aged 83 years.

In Gorhamfield, 30th ult. Rev. Levi Chadbourne, aged 84 years. In Berwick, 28th ult. Mr. Joseph Davis, aged about 21 years.

SHIP NEWS.

KENNEBUNK, SEPT. 18, 1841.

ARRIVED.

Sept. 11.—Scho. Nile, Ward, Boston. Elizabeth, Perkins, do. Martha, Cridford, do. Ocean, Oakes, do.

SAILED.

Sept. 11.—Scho. Superior, Emery, Boston. 13.—Scho. Grape, Wormwood, do. Moro, Mitchell, do. Martha, Cridford, do. 15.—Nile, Ward, do. Stoic, Wormwood, do.

New Goods!!

—JUST RECEIVED BY— JOSEPH CURTIS & Co.

AN assortment of New Goods,—among which may be found the following:— Pilot Cloths; Broadcloths; Cassimers; Satinets; Beaver Cloth; Cashmere; Silk Velvet and Satin Vestings.

English and French Merinos; Saxony Cloths; Roslyn and Caroline Plaid; Alpecca Lustre; Bk and Blue bk Alpines; Indiana Cloth; a splendid article for Ladies' Cloaks; Cannelene; Bombazines.

Black Lace and Gauze Veils; Silk and Cotton Velvets; Bk Italian and Bonnet Silks; Scarfs; Calicoes; Plain and Fig'd Mous-de-Laines; Gingham.

Mohair, Ribbed and Silk Hose. Linen Cambric, Mous-de-Laine, Bk Italian, Flag, Cotton and Fancy Hd'k's.

Silk, Highland, Drab and Bk Filled, Merino and Long Shawls. Cotton, Bk Goat, Pic-Nic, Kid, Mohair and Silk Gloves.

White, Green, Red, Yellow Cotton and Printed Flannels; Printed and Plain Book; Bishop's Lawn; Book Muslin; Jack-onet; White and Col'd Cambrics; Brown and White Linen; Plaid Linsey; Ladies' Morocco and Kid Slippers; Children's do.

Comforters; White and Mix'd Woolen Yarn; Hooks and Eyes; Horse and Rose Blankets; Suspender, Vest, Coat and Strap and Bleached Cloths; Striped Shirting; Linen and Cotton Thread; Warp Yarn; Knitting Cotton; Piping Cord; Cold Wadding; Russia Diaper; Crash; Silica; Foundation; Wound Yarn; Pound and Paper Pins; Needles; Bk and Assorted Sewing Silk; Twist; Umbrellas; Artificial Flowers; Mohair, Worsted, Carpet and Bed Binding; Bk Tafteta and Cap Ribbons; Thimbles, &c.

Porto Rico Molasses; New-Orleans, Brown, White, Havana and Leaf Sugar; Coffee; Green and Black Tea; Pepper; Gro. Cassia; Starck; Salsaparilla; Baz and Cask Raisins; Winter-strained and Refined Oil; Mess and Clear Pork; Bacon; Hog's Lard; Closes; Nutmegs; Bar and Cake Soap; Cheese; Salt Leather; 4d to 40d Nails; 7 by 9 and 8 by 10 Glass; Brooms; Entry and Chaise Mats; Pans.

Herds Grass and Red Top Seeds; Wood Saws; Steel Nail Hammers; Sheet Lead, &c. &c.

Also—CROCKERY & GLASS WARE. Kennebec, Sept. 18. 3w

Rare Work.

THE TEACHER'S AND ADVANCED SCHOLAR'S ARITHMETIC.

CONSISTING OF the intricate questions, and the rare and useful items from twenty different works on Arithmetic, well explained, and systematically arranged.

Preceptors of Academies and the Press pronounce it as being a work peculiarly adapted to the wants of Teachers and advanced Scholars. It is the production of Mr. C. WATERHOUSE, and entitled

"TYRO'S SPY-GLASS. ARITHMETICAL LEXICON, —AND— SCHOOL TEACHER'S ASSISTANT."

For sale by Kennebec, Sept. 18. D. REMICH. 3w

Notice.

SANFORD, Sept. 15, 1841.

KNOW all men by these presents, that I, Jonathan Tibbets, 3d, of Sanford, in the County of York and State of Maine, yeoman, have this day given to my minor children, Reuben C. Tibbets and Olive Jane Tibbets, their time, and that I shall not claim any of their earnings, or pay any debts of their contracting after this date.

JONATHAN TIBBETS, 3d. Sept. 18. 3w

Brushes.

CLOTHES, Hair and Teeth Brushes,—a great variety, just received and for sale very low by D. REMICH. Kennebec, Sept. 18.

Union Academy.—Kennebec.

THE next term of this Literary Institution will commence on WEDNESDAY, SEPTEMBER 22.—Terms for Tuition as usual.—Good board can be had—for young Gentlemen, from \$1 50 to \$1 75 per week;—for young Ladies, \$1 25 to \$1 50.

L. COLBY, Sec'y Trustees. Sept. 4. 3w

At a Court of Probate, held at

Alfred, within and for the County of York, on the sixth day of September, in the year of our Lord eighteen hundred and forty-one, by the Hon. WM. A. HAYES, Judge of said Court.

INCREASE S. KIMBALL, named executor in a certain instrument purporting to be the last will and testament of JACOB GOODWIN, late of Lebanon, in said county, deceased, having presented the same for probate:

ORDERED.—That the said executor give notice to all persons interested, by causing a copy of this order to be published in the Kennebec Gazette, printed in Kennebec, three weeks successively, that they may appear at a Probate Court to be held at Alfred, in said county, on the first Monday of November next, at ten of the clock in the forenoon, and show cause, if any they have, why the said instrument should not be proved, approved, and allowed as the last will and testament of said deceased.

Attest, JOHN SKEELE, Register. A true copy.—Attest, JOHN SKEELE, Register. Sept. 18. 3w

At a Court of Probate, holden

at Alfred, within and for the County of York, on the first Monday of September, in the year of our Lord eighteen hundred and forty-one, by the Hon. WM. A. HAYES, Judge of said Court:

ON the petition of DAVID BOYD, executor of the Will of JOHN EARL, late of South-Berwick, in said county, deceased, representing that the personal estate of said deceased is not sufficient to pay the just debts which he owed at the time of his death, by the sum of eighty-four dollars, and praying for a license to sell and convey so much of the real estate of said deceased as may be necessary for the payment of said debts and incidental charges; and also his first account of administration on the estate of said deceased being presented for allowance:

ORDERED.—That the petitioner give notice thereof to the heirs of said deceased, and to all persons interested in said estate, by causing a copy of this order to be published in the Kennebec Gazette, printed in Kennebec, in said county, three weeks successively, that they may appear at a Probate Court to be held at Limerick, in said county, on the first Monday in October next, at ten of the clock in the forenoon, and show cause, if any they have, why the prayer of said petition should not be granted.

Attest, JOHN SKEELE, Register. A true copy.—Attest, JOHN SKEELE, Register. Sept. 11. 3w

At a Court of Probate, held at

Alfred, within and for the County of York, on the first Monday in September, in the year of our Lord eighteen hundred and forty-one, by the Hon. WM. A. HAYES, Judge of said Court:

WILLIAM GORDON, guardian of JOHN LEWIS, of Kittery, in said county, a spendthrift, having presented his third account of guardianship of his said ward for allowance:

ORDERED.—That the said guardian give notice to all persons interested, by causing a copy of this order to be published three weeks successively, in the Kennebec Gazette, printed at Kennebec, in said county, that they may appear at a Probate Court to be held at Limerick, in said county, on the first Monday of October next, at ten of the clock in the forenoon, and show cause, if any they have, why the same should not be allowed.

Attest, JOHN SKEELE, Register. A true copy.—Attest, JOHN SKEELE, Register. Sept. 11. 3w

To the Honorable County Commissioners of the County of York:

THE petition of the undersigned, inhabitants of the County of York, respectfully represents, that the road from Sanford through the upper part of Wells is circuitous and hilly, and that the convenience and necessity of the inhabitants of said County require that a public way be laid out and established, commencing at or near the Branch Brook in Sanford, and running southeasterly in nearly a direct line, so as to intersect the road running south from the free School House, so called, near Ebenezer Storers' house in said Wells, or at such other point as you shall determine in that vicinity, or by such other course between said termini, as your Honors shall deem most for the public convenience; and your petitioners pray, that after the proceedings are had in the premises, a highway may be established accordingly. Also, extend said road from the foot of the Hill, near the dwelling house of Capt. James Hobbs, to the dwelling house of Sayward Hobbs, near the Burnt Mills, so called, or make such alterations and straightenings in the present road leading by said S. Hobbs' to Wells stage road, as you shall deem for the public interest.

SAMUEL LORD, and 104 others. August, 1841.

STATE OF MAINE.

YORK ss.—At the regular session of the County Commissioners of the County of York, begun and held at Alfred, within and for said County, on the Tuesday next before the last Monday of May, A. D. 1841, and by adjournment of the same term, held at Alfred aforesaid, on the fourth Monday of August, A. D. 1841.

ON the foregoing petition, Ordered, that the petitioners notify all persons and corporations interested, that said Commissioners will meet at the dwelling house of Capt. James Hobbs, in Wells, in said County, on the fourth day of October next, at 10 of the clock in the forenoon, and will then proceed to view the route for the highway prayed for; and immediately after such view, will, in some convenient place in the vicinity, hear the petitioners and those opposed to the prayer of said petition. Said notice to be, by causing an attested copy of said petition and of this order thereon, to be published three weeks successively in the Kennebec Gazette, a newspaper published in said County; by causing the Town Clerks of Wells and Sanford, in said County, respectively to be served with a like copy, and by posting up the same in three public places in each of said towns of Wells and Sanford. The first of said newspaper publications and each of the other notices to be thirty days, at least, before said fourth day of October.

Attest, HIRAM H. HOBBS, Clerk. Copy of petition and order thereon, Attest, HIRAM H. HOBBS, Clerk. Sept. 4. 3w

