

From the Louisiana Courier.

We publish below Governor White's reasons for vetoing that part of the revenue bill which imposes a tax on all persons coming from beyond the limits of the state. His arguments are forcible, and must carry conviction to the minds of all, of the unconstitutionality of such an enactment, and the evil consequences that would have grown out of such a law. All classes of our fellow citizens speak in high terms of the decision and independence with which Governor White has acted.

New Orleans, 2d April, 1835.

To the House of Representatives:

I have examined with all the attention the lateness of the hour would allow, the bill entitled "an act to impose an hospital tax, and for other purposes," and from the fullest consideration which I can give the subject, I find myself constrained to send the bill back to the house in which it originated.

It proposes to levy on any steam boat, vessel, or water craft, arriving at the port of New Orleans, or its vicinity, from any place beyond the limits of the state, a tax of one dollar from every cabin passenger, and fifty cents for every deck or steerage passenger. A tax of one dollar or fifty cents on every passenger arriving beyond our limits! But the federal constitution guarantees to the people of each state, the privileges and immunities of citizens of the several states, how then can we impose such discriminating burdens upon those who choose to come among us?

Another, and perhaps the most palpable objection to it on constitutional grounds, is, that in effect it is a regulation of commerce, whereas the right to regulate commerce with foreign nations, and amongst the several states is one of the distinctive attributes of Congress, see article 1st, sec. 8. The term commerce as used in the Constitution, comprehends intercourse and navigation, as well as trade. In vain would the state in their several capacities be prohibited from regulating commerce, if it were left optional with them to regulate as they pleased the persons engaged in commerce.

By the Constitution, no state can, without the consent of Congress, lay any impost or duties, other than for executing its inspection laws, or any duty of tonnage. It evidently intends that the intercourse between the different states should be free and untrammelled by local regulations. Now, if it were left to any individual state at its pleasure to clog this intercourse by a tax of one dollar per head on all persons arriving from without, it would be equally free to push the principle much further, even to a total prohibition of all intercourse whatever.

The measure seems to be scarcely less objectionable on the score of policy. It is from persons arriving beyond our limits, for the purposes of commerce, that our city derives, in a great part, its growing wealth and prosperity. They bring with them the property and industry which, ranging themselves within the influence of our system, become the proper and legitimate objects of taxation. Such a law as this would tend to divert these rich streams, by turning them aside into other and more unobstructed channels. While the dollar might be deemed as nothing, the principle of its taxation would probably be opposed to the utmost. The feature could scarcely fail to be odious in the extreme to the citizens of the other states in the habit of resorting to this. They might be led to the adoption of retaliatory regulations upon us, until the contest might terminate in serious animosity and alienation of feeling.

There would likewise seem to be a fatal argument against the bill, deducible from our own state constitution. The bill contemplates the imposition of certain fines for noncompliance with its provisions. These fines are left with the treasurer, in certain cases to remit—whereas, the 11th section of the third article of our constitution requires that fines and forfeitures should be remitted by the governor, with the approbation of the senate.

For these reasons I am compelled to withhold my assent to the bill.

E. D. WHITE.

From the New York Times.

YANKEE PEDESTRIANISM.

The long projected Foot race, for a stake of \$1000 with \$300 added, on a lot of 1000 a side, has just been run on the L. Island course. Nine persons started, all lightly and very neatly dressed. One of the men took the lead and kept it the first mile, which was performed in 5 m. and 40 sec.—the winner in the race being the last in the mile.

In the second mile the winner was the third, the remainder, with the exception of the one who had given up, pretty well together—the winner of the first mile still leading in the second. Time 6 minutes 5 sec.

At the end of the third mile three of the nine had given up, but the others were well together, say from 50 to 75 yards distance between them; the leader of the first two miles being the last now; and a man named Downes, who was a favorite for having the lead. Time 5m. 50s.

At the end of the 4th mile Downes was still in advance, and a man named Henry Stannard second, and the leader of the first mile behind, and losing ground. Time 6m. 18s.

At the end of the fifth mile there was but five of the nine remaining, and the men were nearly all in the same position as at the end of the 4th mile.—Time 5m. 52s.

Half the distance had now been accomplished in 24m. 35 sec. leaving 25 seconds to spare, the racers proceeding vigorously and steadily on their way.

At the end of the seventh mile, Stannard had the lead, Downes being next to him and the rest considerably scattered, the winner of the first mile being from 200 to three hundred yards behind the leader, time 6m. 10s.

Stannard now walked over the score for a few seconds, and took two or three swallows of weak brandy and water, appearing strong and confident. At the end of the seventh mile, Stannard had the lead, without a show for the money from any of the others, except Downes, who was losing ground. Time 6m. 3s.

Five commenced for the eighth mile. Stannard ahead, Downes following, and the winner of the two first miles, lost and still losing ground, being nearly a quarter of a mile behind the leader. Downes gave out on this mile, complaining of his hip, in which he had received an injury some time before. Time 6m. 2s.

At the end of the ninth mile, there were but three left, Stannard, a German, and the winner of the first two miles, a native of Ireland. Stannard being ahead of the German from 120 to 140 yards.—Time 5m. 55 sec.

There were now but 6m and 5 sec in which to accomplish the arduous undertaking of ten miles within the hour. Stannard faltered in the first quarter of a mile, and bets of two to one were made that the match would be unsuccessful.

He however recovered, and bounded with the elasticity of deer, finally coming to the winning post in the last mile, in 5m and 50 sec, and having accomplished the whole distance in 59m. 45 sec. The German came in 35 sec. after him, being 30s. too late, and the winner of the two miles reached 62 minutes beyond the time, and 2 m. 15 seconds behind the winner.

Stannard is a native of Stonington, Conn. After winning the race he mounted a horse and rode among the people, receiving their congratulations and looking like one of the victors of old, flushed from the triumphs of the tournament, but not appearing to be the least distressed or fatigued.

He had exhibited genuine Yankee agility, and bottom, and had pocketed moreover, as his reward, the very comfortable sum of \$1300. Enough to make any man look pleasant.

In about two hours after the race, notwithstanding he had partaken of a hearty dinner, an offer was made to back the victor to any amount that he would run a mile in six minutes; which he offered to perform, but no person thought proper to hazard the money against him. It would assuredly have been lost.

We understand Mr. Stevens made the two unsuccessful competitors, who went the distance, a present of \$200 each, which was augmented by a subscription.

There were not less than 30 or 40,000 persons present on the course, and a very large sum of money changed hands, the excitement at the foot race having been nearly as great as at the memorable race between Sir Henry and Eclipse:

Family of Snakes. The Somerville Messenger says—Mrs. Isaac Messler of Hunterdon, near the banks of the Lamington river, found in one hole about a foot below the surface, on the 27th ultimo, seventy-one black snakes, eleven water snakes, and two garter snakes—all of the largest size, except two measuring about three and a half feet.

We copy the following account of the trial of Mr. Buchanan from the Annapolis Republican. There is an affecting interest in it, such as few judicial exhibits:

Buchanan Acquited. Seldom has a case occurred in our community eliciting so intense an interest, as that excited in the trial of young Buchanan, which took place on Thursday last in Annapolis County Court.

The public have been apprised, through the columns of the public papers, that in a recontre which took place some three weeks ago at Waterloo, Buchanan, son of Thomas Buchanan, Esq., Chief Judge of the highest tribunal of this State, had shot a man by the name of Ellis, and that he had been committed for trial.

Mr. Buchanan was acting in the Engineer department upon the line of the Baltimore and Washington Rail Road, and the deceased was one of the persons employed thereon. The scene lay at the spot where so many acts of violence had recently been committed, and the catastrophe may be considered as one of those deplorable results which were so much to be apprehended from the posture in which society was then placed for the time being, when unusual precaution for self defence became almost indispensable.

After inquiry into the facts of the case, a number of very influential individuals determined immediately to lay a statement thereof before Governor Thomas, with a full confidence that those facts, taken with the whole concurrent circumstances, formed such a case as to call for the exercise of that high and delicate prerogative which is entrusted to the Governor alone, of arresting all further proceedings against an accused. While this was in progress, however, Judge Buchanan reached the city, and instantly, with that high tone of human energy which we hope will become no less characteristic of America than it has heretofore as it exclusively designated as Roman Virtue, placed his veto upon all attempts of the kind, and pronounced that his son should await the verdict of his country.

The Grand Jury having indicted Mr. B. for the higher, as *pro forma*, including the inferior grades of homicide, he was arraigned on Thursday morning, and a jury was empanelled. Such impressions as the countenance, personal appearance, and deportment of an individual so circumstanced, are calculated to make, served to deepen the interest which pervaded the whole scene. An affectionate brother was at his side. But the most striking moral spectacle we ever witnessed—which we ever expect to witness—was the entry of the venerable Judge Buchanan into the court—a place where for more than thirty years we have all been in the constant habit of seeing him approach only for the purpose of presiding in chief, and to which station was gathered around him, by as long a course of the gentlest courtesy, not less of the endearments, than by his distinguished talents, he had accumulated respect and veneration, for all those qualities which belong pre-eminently to the station he fills—and when entering not only stopping short at the accustomed elevation, but taking his seat in a position so *constrained* to all that had been. There was a moral difficulty in conceiving the broad basis upon which is founded and the ample elevation to which are reared our civil institutions, as at that moment demonstrated before our eyes. Probably no man breathing could bring to such a position more of those sensibilities which properly belong to man and a father, than Judge Buchanan. He was conducted into court and to a seat by Roger B. Taney of Baltimore city, and Joseph I. Merrick of Washington county, who had volunteered their services in the case, as did also Reverdy Johnson and Thomas S. Alexander, Esqrs.

The court was occupied the whole day, and excepting a short respite for dinner, until seven o'clock in the evening, in the examination of the witnesses, which was conducted by Mr. Boyle for the State, and principally by Mr. Johnson for the prisoner. We should do injustice were we to omit here to say what must have been manifest to all who were present, that Col. Boyle not only opened the case in an impressive style, but conducted the examination with the single view of eliciting the truth, whatever it might be, and of fulfilling the duties of his station to the utmost, however painful the obligation might become.

The occasion seemed indeed to inspire a solemnity of judicial proceeding, which should give that full confidence in the impartial administration of law and justice, which constitutes at last, the bond of our social system. If called upon to propose a sample of what trials ought always to be, we would unhesitatingly adduce this one of Mr. Buchanan, as furnishing the most unexceptionable specimen we have ever looked upon—and not the less unexceptionable because the jury empannelled were treated upon this occasion, as if esteemed to possess some share of intellect of their own.

The evidence in the case was entirely conclusive of the fact, that Mr. B. being in company with an acquaintance, *within a house*, was by concern called out thereof, for the purpose of being called to account; that when thus outside and unaccompanied, the deceased, as a man who, it was in evidence, was of bullying habits as well as athletic frame, without the slightest pretence of personal injury, and though warned in mild terms by Mr. B. that being entirely ignorant of the dispute he ought to have nothing to do in it; and still further warned, that he, Mr. B., being armed, would repel any attempt upon his person, thus apparently threatened by several, not only volunteered to "take the part" of the person who had Mr. B. called out, but advanced to the most unequivocal demonstration of carrying his threat to instant effect. There remains no doubt that whilst in the act of attempting a blow, he received his death.

The testimony on behalf of Mr. Buchanan's general character, as well as that in relation to his deportment since being in the vicinity of Waterloo, was unequivocal and entirely satisfactory. Persons of the first respectability who had associated with him from childhood, testified that his distinctive character through life was that of "amiability of disposition and simplicity of manners," whilst that of Mr. Merrill, of Waterloo, testified that during his sojourn at his Hotel he had been the favorite of his whole family, and regarded more like a member thereof or a son, than as a boarder.

The testimony having been closed, the Prosecutor arose:

"Gentlemen of the Jury, you have heard with due attention the whole of the evidence in this case. It is committed to your decision without argument on either side, in full assurance that justice will be done by your verdict.—*It.*

The Court. "Sheriff call a Bailiff." Several Jurymen. "No Bailiff is required."

The jury being called over and asked for their verdict, "Not *Gilty!*" was instantly pronounced. The spontaneous burst of feeling which even the grave authority of the Court could not suppress, told how much it was in accordance with the judgment of those who heard.

There were tears, many tears, seen glistening in many an eye, as hands in succession grasped the hand of the venerable Judge, in hearty congratulations. Chief Judge Dorsey presided—both the associates, Wilkinson and Kilgour, were upon the bench.

Horrid Murder.—A murder was committed in a rum shop kept by a man named John Rogers, No. 15 Peck Slip, on the person of a seaman named Joseph Sheridan, of New Bedford, in this state.—It appears that Sheridan, the landlord, his bar keeper, and hired girl, were all drunk during the evening. A quarrel took place between Sheridan and Rogers, and the latter struck the former a violent blow with a poker across the right eye towards the temple, which caused a concussion of the brain, and also broke the bone of the upper arm, immediately above the elbow joint. Sheridan was subsequently carried up stairs and put to bed, where he remained until 12 o'clock on Friday night, without any thing being given him but a cup of coffee. On Friday night an old shipmate by the name of Cooper called and enquired for Sheridan, and was shown to him by the servant girl. He immediately called the watch, who, upon his arrival, ascertained that Sheridan was dead. On Saturday afternoon a party of sailors, indignant at the supposed murder of their comrade, assembled, and toward evening proceeded to the house of Rogers, broke it open, demolished the furniture, and destroyed the beds, &c., and then tore the whole front part of the house to pieces, breaking doors, and all in their power to destroy, and left it a tottering ruin. A posse of police officers, headed by the high constable, proceeded to the place and arrested Joseph Brown, William Evans, James Nugent, Harvey Marston, and three others, who were committed to prison for a riot. They also discovered a quantity of bones which are supposed to be human, under the floor of the house, and a part of a shirt completely saturated with blood, which were carried to the Police office. Rogers, his bar keeper, and female servant, were, after an examination, committed to prison.

Superior Statesman.

From the Exeter N. H. Newsletter.

Married in Canada, Mr. Samuel Woodman, to Mrs. Sally Woodman. They had previously lived together in the marriage state for nearly 30 years.—

At the last term of the superior court in this county, the wife's petition for a divorce was granted. A new courtship commenced—the hatcher was buried—

and the fond couple too impatient to abide the law's delay of a fortnight, for the usual punishment, repaired incontinently to a magistrate,

who united the ardent lover and the blushing bride in those sacred bonds that nothing but death or the Superior court can sever.

"Divorc'd, like a scissors rent in twain,

Each mourn'd the river out,

Now what and rivet'd again

They'll make the old shears cut."

A Jeremiah from the Richmond Whig.

"SOLD TO THE DUTCH!"

"We have met the enemy, and—WE ARE THEE!"

Anecdote of the Petersburg Election.

"We confess that the results of the fourth Monday, have settled the question, as it relates to the character of the next legislature of Virginia.

Enough is already known to establish the fact,

that in that body there will be a strong Administration, and, according to present appearances, a decided *Van Buren Majority*. This last circumstance was to us wholly incredible, until the defeat of Curtis in Hanover, Healy in Middlesex,

Pollard in King William, Ruffin in Surry, Shell

and Wilkes in Brunswick, Cabell in Nelson, and Cocke for the Senate in the District of Amherst,

Albermarle and Nelson, (a result anticipated by neither party,) announced in rapid succession,

left us no reason to doubt that such was the *will of the People*!!

Michigan Election. THE ELECTION.—On Saturday last, the election for delegates to a Convention for the formation of a permanent Constitution of State Government, took place in the several counties of the Territory.

It is scarcely necessary to remark, that the Democratic party, the friends of equal rights, and of Civil and Religious Liberty, have been pre-eminently successful.

In Monroe, the regular Democratic ticket has

been elected by an average majority of upwards

of 180 votes, out of 8 or 600 given—with the exception on one candidate, (Mr. Colbath,) who succeeded over Daniel Mullhollen, (an *extra* Democratic candidate,) by about 45 votes only.

In Wayne, Macomb, St. Clair, Oakland, Washington, and St. Joseph, (with the exception, perhaps, of one candidate in each of the counties of Lenawee and Wayne,) the Democratic tickets have succeeded, as we are informed, by handsome and unexpected majorities.

The counties of the west which remain to be

heard from, have doubtless elected Democratic Delegates; so that the poor *Whigs*, who, before the election, boasted of gaining a majority in the Convention, will only have, at best, three or four solitary spurs.

The election for our County officers on Monday, resulted in the choice of the Democratic candidates, without serious opposition.

Michigan Sentinel.

A case of unexampled cruelty was recently developed at the New York Police office. The subject was a little white girl about 14 years of age, who had been kept as a slave from a very early age, by a Mr. R. (why don't they give the villain's name in full?) upon leaving New York hired her out to one McEnally, a schoolmaster, for twenty shillings per month. McEnally applied to the magistrate to have her sent to the House of Refuge; some bruises on her arms attracted attention, when upon examination it was found that from the small of her back down to the calf of her legs she was covered with black marks, bruises and cuts, some of which were festering. McEnally was then brought into court, examined, and bound over to a higher tribunal, which, we hope, will not fail to teach him a useful lesson.

Boston Statesman.

The Spanish Pirates.—There is a rumor in circulation, which we believe is entitled to credit, that a letter has been received at Salem, from the Governor of St. Thomas, in which the latter states

that he has now in his possession, and subject to the order of its owner, the sum of \$5000, in Spanish dollars, which was left with him by De Soto, and was a part of the money taken from the Mexican.

It will be recollect that De Soto was arrested at St. Thomas. It is also said that the U. S. sloop of

War Erie, recently touched there, and that the Governor offered to deliver the money into the hands of Capt. Percival for safe keeping, until claimed by Mr. Peabody.—*It.*

The Court. "Sheriff call a Bailiff."

Several Jurymen. "No Bailiff is required."

From the Salem Observer of April 27th