

VETO MESSAGES

OF THE

PRESIDENTS OF THE UNITED STATES,

WITH

THE ACTION OF CONGRESS THEREON.

COMPILED BY ORDER OF THE SENATE,
By BEN: PERLEY POORE,
CLERK OF PRINTING RECORDS.

WASHINGTON:
GOVERNMENT PRINTING OFFICE.

1886.

was impossible to read the bill understandingly and with proper deliberation before the hour fixed for the adjournment of the two houses, and this, I presume, is a sufficient reason for neither signing the bill nor returning it with my objections.

The 17th joint rule of the two houses of Congress declares that "no bill or resolution that shall have passed the House of Representatives and the Senate, shall be presented to the President of the United States for his approbation on the last day of the session.

This rule was evidently designed to give to the President a reasonable opportunity of perusing important acts of Congress, and giving them some degree of consideration, before signing or returning the same.

It is true that the two houses have been in the habit of suspending this rule toward the close of the session in relation to particular bills, and it appears by the printed Journal that by concurrent votes of the two houses, passed on the last day of the session, the rule was agreed to be suspended so far as the same should relate to all such bills as should have been passed by the two houses at 1 o'clock on that day. It is exceedingly to be regretted that a necessity should ever exist for such suspension in the case of bills of great importance, and therefore demanding careful consideration.

As the bill has failed under the provisions of the Constitution to become a law, I abstain from expressing any opinion upon its several provisions, keeping myself wholly committed as to my ultimate action on any similar measure should the House think proper to originate it *de novo*, except so far as my opinion of the unqualified power of each house to decide for itself upon the election returns and qualifications of its own members has been expressed by me in a paper lodged in the Department of State at the time of signing an act entitled "An act for the apportionment of Representatives among the several States, according to the sixth census, approved June 22, 1842," a copy of which is in possession of the House.

JOHN TYLER.

JOHN TYLER.—VIII.

December 18, 1843.

To the House of Representatives of the United States :

I received, within a few hours of the adjournment of the last Congress, a resolution "directing payment of the certificates or awards issued by the commissioners, under the treaty with the Cherokee Indians." Its provisions involved principles of great importance, in reference to which, it required more time to obtain the necessary information than was allowed.

The balance of the fund provided by Congress for satisfying claims under the seventeenth article of the Cherokee treaty, referred to in the

resolution, is wholly insufficient to meet the claims still pending. To direct the payment, therefore, of the whole amount of those claims which happened to be first adjudicated, would prevent a ratable distribution of the fund among those equally entitled to its benefits. Such a violation of the individual rights of the claimants would impose upon the Government the obligation of making further appropriations to indemnify them; and thus Congress would be obliged to enlarge a provision liberal and equitable, which it had made for the satisfaction of all the demands of the Cherokees. I was unwilling to sanction a measure which would thus indirectly overturn the adjustment of our differences with the Cherokees, accomplished with so much difficulty, and to which time is reconciling those Indians.

If no such indemnity should be provided, then a palpable and very gross wrong would be inflicted upon the claimants who had not been so fortunate as to have their claims taken up in preference to others. Besides, the fund having been appropriated by law to a specific purpose, in fulfilment of the treaty, it belongs to the Cherokees, and the authority of this Government to direct its application to particular claims is more than questionable.

The direction in the joint resolution, therefore, to pay the awards of the commissioners, to the amount of \$100,000, seems to me quite objectionable and could not be approved.

The further direction, that the certificates required to be issued by the treaty, and in conformity with the practice of the board heretofore, shall be proper and sufficient vouchers, upon which payments shall be made at the Treasury, is a departure from the system established soon after the adoption of the Constitution, and maintained ever since. That system requires that payments, under the authority of any Department, shall be made upon its requisition, countersigned by the proper Auditor and Comptroller. The greatest irregularity would ensue from the mode of payment prescribed by the resolution.

I have deemed it respectful and proper to lay before the House of Representatives these reasons for having withheld my approval of the above-mentioned joint resolution.

JOHN TYLER.

JOHN TYLER.—IX.

June 11, 1844.

To the House of Representatives of the United States:

I return to the House of Representatives, in which it originated, the bill entitled "An act making appropriations for the improvement of certain harbors and rivers," with the following objections to its becoming a law:

At the adoption of the Constitution each State was possessed of a separate and independent sovereignty and an exclusive jurisdiction over