# STAR, AND NORTH CAROLINA STATE GAZETTE VOL XXV

### RALEIGH, N. C. THURSDAY, MAY 15, 1834

# THE STAR, TERMS. TERMS.

NO. 21

Sumacurerion, three dollars per annum-one half in advance. Subscribers in other States eaonot be allowed to remain in accears longer half in advance. Subscription in accears longer cannot be allowed to remain in accears longer than one year, and persons resident without this State, who may desire to become subscribers, will be strictly required to pay the whole a-monnt of the year's subscription in advance. avarrassessess, not exceeding fifteen lines, while, Wilking, Wright. Siste, who may desire to become subscribers, will be strictly required to pay the whole a-mount of the year's subscription in advance. Any sarriageners, not exceeding fifteen lines, inserted three times for one dollar, and two ty-five cents for each continuance. Larrans to the Editors must be post-paid.

inserted three times for one dominance. ty-five cents for each continuance. Errans to the Editors must be post-paid. Durnal of Executive proceedings of the Senate on the nomination and Websier. Journal of Executive proceedings of re-nomination of certain Directors of the Bank of the United States.

#### Tuesday, Dec. 17, 1833.

The following message was received from the President of the U. States, by Mr. Donelson, his Secretary: WASHINGTON, Dec. 17, 1833.

Wassingeros, Dec. 17, 1833. To the Senate:--1 nominate James A. Bay-ard, of Delaware, to be a Director in the Bank of the United States, on the part of the Government, for the year 1834, in the place of Saul Alley. And I nominate Peter Wa-ger, Henry D. Gilpin, and John T. Sullivan, of Philadelphia, and Hugh McEldery, of Baltimore, to the same offices, for the year 1834. ANDREW JACKSON.

The message was read. Ordered, that it be referred to the committee on Finance. Thursday, Jan. 16, 1834.

Mr. Webster, from the committee ou Fis nance, to whom was referred the message son, his Secretary: nominating James A. Bayard, and others, as Directors of the Bank of the United States, To the Senate: reported.

Tuesday, Jun. 21, 1854.

The Senate proceeded to consider the ter Wager, and John T. Sullivan, of message of the 17th December, nominating Philadelphia, and Hugh McEldery, of James A. Bayard, and others, as directors of the Bank of the United States. On the question, "Will the Sena'e advise of the United States, for the year 1834.

and consent to the appointment of sames Ast - I discinim all pretension, of right, Bayard" it was determined in the affirmative. on the part of the President, officially The remaining nominations being under to inquire into, or call in question, the

consideration, on motion of Mr. Clay, the Wednesday, Jan. 22, 1834. nomination whatsoever. As the Pre-Senate adjourned.

The Senate resumed the consideration of sident is not responsible to them for the message nominating James A. Bayard, the reasons which induce him to make and others, as Directors of the Bank of the a nomination, so they are not respon-United States; and, after debate, the Senate sible to him for the reasons which in-Monday, Feb. 10, 1854. duce them to reject it. In these readjourned.

The Senate resumed the consideration of spects, each is independent of the othe message nominating James A. Bayard ther, and both responsible to their re-and others, as Directors of the Bank of the spective constituents. Nevertheless, United States. Mr. Kane submitted the following motion: the attitude in which certain vital in-

Mr. Kane submitted the following motion: Resolved, That the nominations of H. D. Gilpin, John T. Sullivan, Peter Wager and the rejection of the gentlemen now re-Hugh McEldery, be recommitted to the com- nominated, require of me frankly to mittee on Finance, with instructions to in- communicate my views of the consequire into their several qualifications and fit-ness for the stations to which they have been nominated; also into the truth of all charges preferred by them sgainst the Board of Di- considered.

rectors of the Bank of the United States, and The characters and standing of these into the conduct of each of the said nominees gentlemen are well known to the com-The characters and standing of these during the time he may have acted as Direc- munity, and eminently qualify them tor of the said Bank; and that the said nomi-nees have notice of the times and places of for the offices to which I propose to meetings of mid committee, and have leave appoint them. Their confirmation by the Senate, at its last session, to the to attend the same.

On the question to agree thereto, it was same offices, is proof that such was the be so man ged as to endanger the in- Will it be said, that the power is the negative-yeas 20, mays opinion of them entertained by the Sen terests of the country: and it was given to the Secretary of the Treasury On motion of Mr. Forsyth, the yeas and 28. On motion of Mr. Forsyth, the yeas and ate at that time; and unless something therefores deemed necessary, as a to examine, himself, or by his au-nays being desired by one fifth of the Sena- has occurred since to change it, this measure of precaution, to place at the thorized agent, into the conduct and 28. tors present. Those who voted in the affirmative, are act may now be referred to as evi-

Those who voted in the negative, are Messre, ell, Bibb, Calboun, Chambers, Clay, Ewing, relinghusten, Kent, Knight, Mangum, Naudain, the press, & to control the proceedings in which the subject can be consider-viction of the truth of these principles, complish the object it has been so long of the Government, by exercising an ed, it is evident that the five directors, I must adhere to them, and act upon endeavoring to obtain. Its exchange ndue influence over elections. appointed by the United States are to them with constancy and firmness. committees and its delegated powers to Aware, as I now am, of the danger- its President, may hereafter be dispenseundue influence over elections.

to my official directions; and I here- placed there in order to observe the ous machinations of the Bank, it is ed with, without incurring the danger of it was determined in the negative-year 18, nays 27. The year and nays being desired by ings of the Bank. Were they bound committed. to disregard the call? Was it their Such being the character of the Di-

Those who voted in the negative, are Mesure. On the question, "Will the Senate advise and convent to the appointment of Hugh M'Elders ?" it was determined in the negative-yeas 20, mays The yeas and mays being desired by one 25. The year and mays being desired by the fifth of the Senators present, Those who voted in the affirmative, are Messrs. Benton, Black, Brown, Forsyth, Grundy, Hen-dricks, Hill, Kane, King of Ala, Linn, M'Kean, dricks, Hill, Kane, King of Ala, Linn, M'Kean, Moore, Morris, Robinson, Shepley, Talimadge, Tipton, White, Wilkins, Wright. solvise and consent to the appointment of Peter Wager, Henry D. Gilpin, John T. Sullivan and Hugh M'Eldery, as Directors of the Bank of The following Message was received from the President of the United States by Mr. Donel-I renominate Henry D. Gilpin, Pe Baltimore, to be Directors in the Bank reasons of the Senate for rejecting any

verest censure.

acter were daily practiced? Were to resist, and in case of failure to rethey bound to conceal from the con- port to the President, or to the Secrestituted authorities a course of meas- tary of the Treasury, any proceedings lated to affect injuriously the public in- last year, has required of me this full ures destructive to the best interests of the Board by which the public in- terests, from the public Directors, and frank exposition of my motives

of the country, and intended gradual- terest may be injuriously affected, ly and secretly to subvert the foun- The President may order a scire faci- give the information called for, it rejection by the Senate. I repeat, dations of our Government, and to as against the Bank, for a violation of would be my imperious duty to exer- that I do not question the right of the transfer its powers from the hands of its charter; and the Secretary of the cise the power conferred on me by the Senate to confirm or reject at the people to a great moneyed corpo- Treasury is empowered to direct the law, of removing them from office, and their pleasure: and if there had ration? Was it their duty to sit in si- money of the United States to be de- of appointing others who would dis- been any reason to suppose that the lence at the Board, and witness all posited elsewhere, when, in his judg-these abuses, without an attempt to ment, the public interest requires it to to the public. I can never suffer any produced by the causes to which I have correct them; or, in case of failure be done. The Directors of this Bank, one to hold office under me who would attributed it, or if my views of their there, not to appeal to high authority? like all others, are accustomed to sit connive at corruption, or who should duties, and the present importance of The eighth fundamental rule autho- with closed doors and do not report fail to give the alarm, when he saw the their rigid performance, were other rises any one of the Directors, wheth- their proceedings to any Department enemies of Liberty endeavering to sap, than they are, I should have cheerfully er elected or appointed, who may have of the Government. The monthly re- the foundations of our free institutions, acquiesced, and attempted to find been absent when an excess of debt turn, which the charter requires to be and to subject the free People of the others who would accept the unenviable was created, or who may have dissen- made to the Treasury Department, United States to the dominion of a great trust. But I cannot consent to appoint ted from the act, to exonerate himself gives nothing more than a general moneyed corporation. directors of the Bank to be the sub-from personal responsibility, by giv-ing notice of the fact to the President and of that but an imperfect one. who might be appointed by the Govern-tors, of its abuses and corruptions; of the United States; thus recognising For, although it shows the amount loanthe propriety of communicating to that officer the proceedings of the Board in such cases. But, independently of its dobtors, nor the circum-ly, because the danger is more immi- Sense for its faithful performance in any argument to be derived from the stances under which the loans were nent: and it would be my duty to re- pursuance of the lawful direction of principle recognised in the rule refer- made. It does not show whether they quire of them a full detail of every the Executive. red to, I cannot doubt for a moment were in truth accommodations granted part of the proceedings of the corpora-that it is the right and the daty of eve- in the regular and ordinary course of tion, or any of its officers, in order that to inquire into, or officially to censure, ry Director of the Board to attempt to business, upon fair barking principles, I might be enabled to decide whether the acts of the Senate. But the situacorrect all illegal proceedings, and, in or from other motives. Under the I should exercise the power of order- tian in which the important interests case of faiture to disclose them; and name of loans, advances may be made ing a scice facins,, which is reserved to of the American prople; vested in that every one of them, whether elec- to persons notoriously insolvent, for ted by the Stockholders .or appointed the most corrupt and improper purby the Government, who had knowl- poses; and a course of proceeding terests of the country might require. necessarily be feft by the rejection of edge of the facts and concealed them, may be adopted, in violation of its it is too obvious to be doubted that the the gentlemen now re-nominated, has

monthly statement, every thing would But in the case of the Public Direc- appear to be fair and correct. tors it was their peculiar and official How, then, is the Executive branch duty to make the disclosures; and the of the Government to become acquaintcall upon them for information could ed with the official conduct of the pubnot have been disregarded without a lic directors, or the abuses practised flagrant breach of their trust. The by the Corporation for its private ends, Directors appointed by the United and in violation of its duty to the Pub States cannot be regarded in the light lic? The power of displacing the pubof the ordinary Directors of a Bank ap-pointed by the Stockholders, and facias, and of removing the deposites, charged with the care of their pecuni- were not intended to be idle and nuary interests in the corporation. They gatory provisions, without, the means have higher and more important du- of enforcement. Yet they must be ties. They are public officers. They wholly inoperative and useless, unless are placed at the Board not merely to there be some means by which the represent the stock held by the United official conduct of the public directors, States, but observe the conduct of the and the abuses of power on the part of corporation, and to watch over the the Corporation, may be brought to public interests. It was foreseen that the knowledge of the Executive Dethis great moneyed monopoly might partment of the Government.

with transmit copies of my letters calling for information of the proceed-ings of the Bank. Were they bound to disregard the call? Was it their daty to remain silent, while abuses of the most injurious and dangerous char-ted States, it is obviously their duty the most injurious and dangerous char-

tice, with impunity, its corruptions. can people. In the mode of obtaining the informa- In conclusion, it is proper I should tion, therefore, and in their efforts to inform the Senate that there is now no

regular and full reports of every thing so well and so honorably served, within the proceedings of the Baok, calcu-out compensation or reward, during the And, if the Directors should fail to for nominating them again, after their who might be appointed by the Govern- tors, of its abuses and corruptions; ment, would be required to report to nor can I ask honorable men to under-

the President by the charter, or adopt the Bank of the United States, and such other lawful measures as the in- affected by its arrangements, must would be justly amenable to the se- charter, while upon the face of its misconduct of the Corporation would made it my duty to give this explananever have heen brought to light by tion to the Senate, and submit the matthe aid of a public proceeding at the ter to their re-consideration. If it Board of Directors. The Board, shall be determined by the Senate that when called on by the Government Di- all channels of information, in relation rectors, refused to institute an inquiry to the conjupt [receedings of this danor require an account; and the mode gerous corporation, shall be cut off, adopted by the latter was the only one and the Government and country left by which the object could be attained. exposed to its, unrestained machina It would be absurd to admit the right of the Government Direct 18 to give information, and, at the same time, deny information and, at the same time, deny the means of obtaining it. It would be an exil, rest, for the justification of my but another mode of enabling the Bank official course, with respectful couto conceal its proceedings, and prat- fidence, on the judgment of the Ameri-

put an end to the abuses disclosed, as Government Director appointed for the well as in reporting them, the conduct present year: Mr. Bayard, who was of the late directors was judicious and nominated and confirmed by the Senpraiseworth; and the honesty, firmuess, ate, having refused to accept that ap-and intelligence which they have dis- pointment: ANDREW JACKEON.

Messrs. Benton, Brown, Forsyth, Grundy, dence that their talents and pursuits Hendricks, Hill, Kane, King of Ala. Linn, justified their election. M'Kean, Moore, Morris, Rives, Robinson, The refusal, however, to confirm Shepley, Tallmadge, Tipton, White, Wil-

the United States.

Tuesday, March 11, 1854.

WASHINGTON, March 11th, 1834.

their nominations to the same office kins, Wright. Those who voted in the negative, are shows that there is something in the

Mesars, Bell, Bibb, Black, Calhoun, Cham- conduct of these gentlemen, during the bers, Clay, Clayton, Ewing, Frelinghuysen, last year, which, in the opinion of the Kent, King of Ga. Knight, Mangum, Naudin, Senate, disqualifies - them; and as no Poindexter, Porter, Prentiss, Preston, Robcharge has been made against them as bins, Silsbee, Smith, Southard, Sprague, Swift, Tomilson, Tyler, Waggaman, Webster. men or citizens, nothing which im-

So the resolution was disagreed to. The question recurring on advising and consenting to the pominations, after debate,

the Senate adjourned. Monday, Fcb. 24, 1854.

On motion of Mr. Mangum, ordered, that it lie on the table.

Thursday, Feb. 27, 1834. On motion of Mr. Webster, the Senate resideration of the message nomica

ing James A. Bayned and others. Mr. Morris submitted the following resolution: Resolved, That the nominations of H. D. Gil-pin, Pater Wover, John T. Sullivan and Hugh McEldery, he again referred to the committee on Finance, with instructions to inquire whether any objections whatever exist, either against their characters or qualifications to set as Directors of

any objections whatever exist, either seminit their characters or gun, "Bestions to set as Directors of the Bank of the Uniten States. On the question to agree thereto, it was de-termined in the negative-year s.", may se?. On mation by Mr. Morris, the yeas and may being desired by one fifth of the Senators prese.". Those who work in the affirmative, are Mess." Anenton, Brown, Forsyth, Grundy, Hill, Kane, King of Ala, Linn, M'Kean, Moore, Morris, Bahmaon, Shepley, Tallmadge, Tipton, White, Walkins, Wright. Those who worked in the negative, are Mess." Reall, Bibb, Black, Cathoun, Chambers, Clay, Clayton, Foing, Preingbuysen, Hendricks, Kent, Knight, Maagum, Naudin, Poindexter, Porter, Premiss, Preston, Robbins, Silsebr, Simith, Sprague, Swilt, Tomlinsou, Tyler, Wag-gamin, Weiner. So the resolution was rejected. On the question, "Will the Senate advise and monsent to the appointments of Peter Wager?" A was determined in the negative-yeas 20, mays S. So motion by Mr. Forsyth, the yeas and mys being desired by one fifth of the Senators present,

Those who voted in the affirmative, are

peaches the fair private character they Directors merely on account of the ses might have been practised. possessed when the Senate gave them stock held by the Government, The

by any one. The high character and rector chosen by a stockholder; but and, if unsuccessful, to report to the proper measures to obtain it, they entertained decisive objections to the they are the peculiar duties of a public proper authority every infraction of the would, upon the next nomination, be confinuation of these four persons; and every abuse of power, in rejected by the Senate. It would be the journals, of which the President the subject. Indeed, the statements to protect, to the utmost of his lawful order that due measures should be ta- unjust, in me, to place any other citi- usually sees a copy, could not full to

ner stated in the two reports, and have acter, and such are the duties, of the It was, perhaps, scarcely necessary fore, as admitted, that the statements the United States, and not the mere by the United States. But the Bank is

therefore deemed necessary, as a to examine, himself, or by his au-measure of precaution, to place at the Board watchful sentinels, who should condition of the Bank? The answer ciples on which the Senate have re-demer, for the fore of the country. observe its conduct, and stand ready is obvious. It could not have been

It is, indeed, the duty of every di- disapprobation.

use the money of the Bank in the man- sary power. Such, then, is the char- agement of the institution.

played, entitle them, in my opinion, t

cently rejected them, the conduct observe its conduct, and stand ready is obvious. It could not have been to report to the proper officers of the Government every act of the Board which migh effect injurously the in-tion was first given to him which ex-terests of the People. The whole frame of the charter, as well as the manner of their appoint-treat as a general examination, without well as the manner of their appointment, proves this to be their true is most probable, that in the complex have made to the Executive, although Mr. Tyler, from the commune of Fannee, not represented at the Board by these would result in nothing, whatever abu- as an offence, and supposed to rewell as the manner of their appoint- previous information of misconduct, it tises disclosed, and the reports they

their sanction at its last session; and as right of the United States to appoint rector to give information of such mis-it moreover appears from the journal of Directors, and the number appointed, conduct on the part of the board. I have supposed, the difficulty of send-The committee have bestowed up-The Senate resumed the consideration of the the Senate, recently transmitted for do not depend upon the amount of the But the power to issue a scire facias, ing to the Senate any other names on the subject the reflection which and others, my, inspection, that it was deemed stock; for if every share should be sold, and to remove the deposites, presup, than those of the late directors, will respect for the Chief Magintrate would unnecessary to inquire into their qual- and the United States cease to be a poses that the directors elected by the be at once apparent. I cannot consent at all times command. The President, ifications or character; it is to be in-stockholder altogether, yet, under the stockholders might abuse their power; to place before the Senate the name of at an early day of the session, submitferred that the change in the opinion of charter, the right to appoint five direc- and it cannot be presumed that Con- any one who is not prepared, with ted the nomination to the Senate, of five the Senate has arisen from the official tors would still remain. In such a gress intended to rety on these same firmness and henesty, to discharge the persons, as Directors of the Bank of the conduct of the gentlemen. The only case what would be the character of directors to give into mation of their duties of a public Director, in the United States. To one of these name circumstances in their official conduct the directors? They would represent own misconduct. The Government is manner they were fulfilled by those inations the Senate asserted; and the which have been deemed of sufficient no stock, and be chosen by no stock- not accustomed to rely on the offend- whom the Senate have refused to con- person nominated was appointed. In importance to attract public attention, holder. Yet they would have a right ing party to disclose his offence. It firm. If, for performing a duty law. regard to the four others, being the are the two reports made by them to to sit at the board; to vote on all ques-the Executive Depart of the Govern-tions submitted to it: and to be made scire facias, and remove the deposites, tive, they are to be published by the Senate, no definitive decision was made ment; the one bearing date the 22nd day of April and the other the 19th day of August last; both of which re-ports were communicated to the Sen-ta by the stockholders in proporate by the Secretary of the Treasury, tion to their Stock. But they would ed, in the usual manner, responsible be found traccept it. If they failed tions were in some degree connected. with his reasons for removing the de-post tes. The tracth of the facts stated in these reports is not. I presente, questioned in the duties of an ordinary di-ter be build of the facts stated in these reports is not. I presente, questioned in the duties of an ordinary di-ter be build of the facts stated in these reports is not. I presente, questioned in the duties of an ordinary di-ter be build of the facts stated in these reports is not. I presente, questioned by the duties of an ordinary di-ter be build of the facts stated in the duties of an ordinary di-ter be build of the facts stated in the duties of an ordinary di-ter be build of the facts stated in the duties of an ordinary di-ter be build of the facts stated in the duties of an ordinary di-ter be build of the facts stated in the duties of an ordinary di-ter be build of the facts stated in the duties of an ordinary di-ter be build of the facts stated in the duties of an ordinary di-ter be build of the facts stated in the duties of an ordinary di-ter be build of the facts stated in the duties of an ordinary di-ter be build of the facts stated in the duties of an ordinary di-ter be build of the facts stated in the duties of an ordinary di-ter be build of the facts stated in the duties of an ordinary di-ter be build of the facts stated in the duties of an ordinary di-ter build of the duties of an ordinary di-ter build of the duties of the duties of an ordinary di-ter build of the duties duties duties duties duties duties duties du have not been denied by the Presi- means, the public interests; and, where ken to punish or correct it; and, in like zens in the predicament in which this show that each and every one of them dent of the Bank, and the other Di- his own authority is not sufficient to manner, it is their duty to give, when unlooked for decision of the Senate has was rejected by a clear majority of the rectors. On the contrary, they have prevent injury, to inform those to called upon, any explanation of their placed the estimable and honorable whole Senate. The precise character insisted that they were authorized to whom the law has confided the neces- own official conduct touching the man- men who were Directors during the of the objections taken by each and evlast year.

last year. If I am not in error in relation to the the general character of such objecthe states where the control of the states o Tailmadge, Tigton, White, Wilkin, Tigton, Tigton, Weike, Wilkin, Tore, as admitted, that the statements, and fore, as admitted, that the statements, and the provide states, and not the mere statements, and the provide states, and not the mere statements, and the provide states, and the provide states, and not the mere statements, and the provide states, and the provide states, and not the mere statements, and the provide states, and the provide states, and not the mere statements, and the provide states, and not the mere statements, and the provide states, and not the mere statements, and the provide states, and not the mere statements, and the provide states, and not the mere statements, and the provide states, and not the mere statements, and the provide states, and not the mere statements, and the provide states, and not the mere statements, and the provide states, and not the mere statements, and the provide states, and not the mere statements, and the provide states, and not the mere statements, and the provide states, and not the mere statements, and the provide states, and not the mere statements, and the provide statements, and the statements, and the statements, and the provide statements, and the sta hereafter be without Government' Di- private conference with members, and

263

The message and the documents therein re

Saturday, March 22, 1834.

quire some decisive mark of strong John 1. Suffixin and High M Edery, as directions of the Back of the United States, submitted